

**Mr Cannan:** They will make you a Minister yet, Capt. Douglas. (*Laughter*)

**The Speaker:** Mr President, the amendment carries in the House of Keys, with 13 votes for, 8 votes against.

*In the Council – Ayes 5, Noes 4*

**FOR**  
The Lord Bishop  
Mr Lowey  
Mr Waft  
Mr Singer  
Mr Butt

**AGAINST**  
Mrs Christian  
Mr Gelling  
Mrs Crowe  
Mr Downie

**The President:** With 5 for, 4 against, Hon. Members, in the Council, that amendment, therefore, fails to carry.

**The Speaker:** No, carries.

**The President:** Carried, 5, 4, yes, carries, Hon. Members. That amendment, therefore, carries and I now put to you the amendment in the name of the Hon. Member for Douglas North, Mr Houghton, which will add 'and the name of the Isle of Man Post be discontinued in favour of the Isle of Man Post Office'.

Those in favour of Mr Houghton's amendment, please say aye; against, no. The ayes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 19, Noes 2*

**FOR**  
Mr Anderson  
Mr Cannan  
Mr Teare  
Mr Rodan  
Mr Quayle  
Mr Rimington  
Mr Gill  
Mr Houghton  
Mr Henderson  
Mr Cretnay  
Mr Duggan  
Mr Shlmlin  
Mr Delaney  
Mrs Hannan  
Mr Bell  
Mrs Cralne  
Mr Karran  
Capt. Douglas  
The Speaker

**AGAINST**  
Mr Gawne  
Mr Corkill

**The Speaker:** Mr President, the amendment carries in the House of Keys, with 19 votes for, 2 votes against.

*In the Council – Ayes 9, Noes 0*

**FOR**  
The Lord Bishop  
Mr Lowey  
Mr Waft  
Mr Singer  
Mr Butt  
Mrs Christian  
Mr Gelling  
Mrs Crowe  
Mr Downie

**AGAINST**  
None

**The President:** That is 9 for and none against in the Council, Hon. Members. That amendment also carries.

I will now put to you, Hon. Members, the motion, as amended. The motion, as amended, Hon. Members, please say aye; against, no. The ayes have it. The ayes have it.

# **Boundary Review Committee Interim Report Debate commenced**

12. The Chief Minister to move:

*That the Interim Report of the Boundary Review Committee dated 19th December 2005, be received and the following recommendations be approved –*

*That –*

*(a) The Interim Report of the Boundary Review Committee – December 2005, be received and the following recommendations approved –*

*(i) Ayre and Ramsey – Retention of the status quo (para 5.1);*

*(ii) Peel and Glenfaba – That the electors listed be transferred from Peel to Glenfaba (para 5.2);*

*(iii) Douglas and Middle – That the three areas of Braddan and the isolated area of Onchan, be transferred into North Douglas and South Douglas and that consequential changes be made to all four Douglas constituencies (para 5.4);*

*(iv) Garff – That South Lonan polling district be transferred to Onchan constituency (para 5.3);*

*(v) Mandatory review – That a mandatory review of House of Keys constituency boundaries take place within two years of every other General Election; and that such a requirement, together with the guidelines to be followed, be incorporated into statute (para 3.4);*

*(vi) Statutory guidelines –*

*– The number of seats in the House of Keys to be twenty four (para 4.3.1)*

*– As far as is practicable, regard shall be had to historic sheading and parish boundaries and to existing local authority boundaries (para 4.3.3)*

*– The electorate of any constituency, taking into account the number of members it returns to the House of Keys, shall be as near to the electoral quota as is practical. The application of 4.3.3 can be departed from if departure is desirable to avoid an excessive disparity between the electorate of the constituency and the electoral quota or between a constituency and a neighbouring constituency (para 4.3.4)*

*– Departure from strict application of the guidelines at 4.3.3 and 4.3.4 above may be permitted if special geographic considerations including, in particular, size, shape and accessibility of a constituency, appear to render this desirable (para 4.3.5)*

*– Electoral quota shall mean the number obtained by dividing the current registered electorate of the Isle of Man by the number of seats in the House of Keys (para 4.3.6)*

*– Other than in exceptional circumstances no divergence from the electoral quota greater than 15% shall be allowed (para 4.3.7);*

(vii) *Street order* – We recommend that voters' lists in rural areas should be compiled in street order or post code grouping so as to be consistent with the practice in urban areas (para 6.1);

(viii) *Maps* – We also recommend that constituency maps should be produced and updated regularly (para 6.2).

(b) *The Council of Ministers be requested to introduce any necessary legislative changes arising from approved recommendations, in the current parliamentary session.*

**The President:** We turn now, Hon. Members, to Item 12 on your Order Paper and again I call on the Chief Minister to move.

**The Chief Minister (Mr Gelling):** Yes, thank you, Mr President.

The Boundary Review Committee was appointed by the Governor in Council, following a Tynwald resolution in April 2004. As the Report before you indicates, a further resolution in July 2004 directed the Governor in Council to defer implementation of the original resolution until the matter of the Constitution (Legislative Council) Bill 2004 was concluded. This second resolution was rescinded in July 2005 and this enabled the Boundary Review Committee to commence its work.

This Report represents the Committee's interim findings, which it has produced with a view to Tynwald accepting proposals to correct what the Committee regards as some of the most obvious inequalities of the current parliamentary boundaries. This is so that it can be in time for the 2006 General Election. It is suggested that this could be by way of amendment to the proposed Representation of the People (Amendment) Bill 2006, which will be progressing through the branches in the near future.

Mr President, in moving this Report, I think it is important that I make it clear that the Boundary Review Committee is an entirely independent body and my role in this is simply to act as a conduit to enable the Report to be debated by this Hon. Court. The contents of the Report have not been considered by the Council of Ministers and the Council of Ministers does not hold a collective view on its recommendations. It is essentially a parliamentary matter and will be subject to a free vote for Ministers, in accordance with the Government code.

One further point, Mr President, for clarification, concerns why the Report carries the heading 'Government Report', together with the Government crest. There are two main reasons: first, the Committee was appointed by the Governor in Council and its reporting line to Tynwald is, therefore, through the Council of Ministers; secondly, we have this year commenced a new system of numbering Government reports that are laid before Tynwald, so that they can be more easily tracked in future. If this Report were not regarded as a Government or parliamentary Report, no mechanism for numbering exists and the Report may, therefore, have been less easy to trace in the future. Some Members, of course, may regard that as a good thing!

Personal observations on the content of the Report: Mr President, all I can say is that since the Report was put on the Agenda for this particular sitting, I did have representation, in particular from one of our local parish commissioners. I did ask for that to be submitted to the Review Committee and I have had an indication from the Chairman that, in fact,

the Committee stand by the Report.

So all I am saying is that the item that was raised by – and I will say so you know – the Braddan Commissioners about the evidence they gave, I have submitted, so I am in a position to say that the Committee still believe that their Report is the conclusion of that particular area of evidence, sir.

So, Mr President, with those opening remarks, I beg to move Item 12, Boundary Review Committee Report. Thank you, sir.

**The President:** Hon. Member, Mr Rimington.

**Mr Rimington:** Yes, Mr President.

I rise to second and, in doing so, will be able to, therefore, preclude myself from speaking on the matter later, when the debate gets under way on the ins and outs and the intricacies of the different options put forward. I appreciate I am seconding it from the safe position of Rushen, which is not touched –

**Mr Anderson:** Is that a safe seat?

**Mr Rimington:** I would not say.

It is not touched by any of the recommendations, nor does it have a boundary with any of the constituencies which are touched, so we are well distanced from the Report itself.

I do not wish to speak on the nature of the recommendations there, sir. I just want to put forward one point of view which I think deserves to be put forward, even if I then do not follow that view myself in later voting patterns, but I think the view should be put forward at an early stage.

When we are asking an independent body to come forward with recommendations which concern ourselves – and this is a bit like the issue of MHKS' pay – it is fraught with difficulties, extremely fraught with difficulties. We can soon end up in a morass and so the point of view I am putting forward as, possibly, a principle – which I would probably jettison as quickly as anything if it concerned Rushen! – is that if we have an independent body being sent to do a job, then we should accept their recommendations and that view should at least be given a hearing at the beginning of the debate. No doubt, it will probably be ignored thereafter, but I think that view should be put forward.

**The President:** Hon. Member, Mr Houghton.

**Mr Houghton:** Thank you, Mr President.

It may come as no surprise that I would ask this Court to do what Mr Rimington, perhaps, has suggested, even though it is likely to jettison this Report. I am surprised about this.

During the consultation period by the Committee looking into all of this, I was aware that Members in their areas, in their respective constituencies, were being consulted on and, of course, those Members who were not going to be affected on their proposals would not need to be consulted.

North Douglas was one of those constituencies. There was to be no movement whatsoever and North Douglas did not need to be consulted and we were not consulted.

So, needless to say, it was hardly much of a surprise when we all picked up the Report, and specifically for North Douglas, to see that North Douglas had upped sticks and moved into Braddan, taken over the whole of Braddan. Very nearly Mr Quayle's new home in Braddan. We are nearly up as far as Ballafreer Lane. Absolutely ridiculous. Nobody could understand.

There was no proper reason given in the Report and the

Report also, as far as Braddan Commissioners have stated, contains inaccuracies that they are complaining about. One is a quotation in the Report that Braddan have circulated to us all and I am grateful for Braddan to do that. It says its merits were recognised by Braddan Commissioners, for North Douglas to be spread into Braddan.

We understand that there is a problem which will continue in Braddan, where Braddan – or Middle, the whole area of Middle – will need to have wider representation, but not this way. North Douglas was not even consulted.

West Douglas and East Douglas were consulted, because, as we all know, in the Report there is talk there of merging the two constituencies and reducing the representation by one and it just appears... I do not know, but it appears that when the representatives for those other two constituencies have gone to consultation that has influenced the Committee. So why did they not then come and call in North Douglas and ask us to see whether North Douglas should rightly be extended right into Braddan?

There are a number of questions here and I am surprised at the Committee and the magnitude and the integrity of the Committee – who I hold all of those Members in high esteem – to come back and throw a Report back to this Court in the way that it has. I really am surprised. I am sure there will be an answer and I will bet one of those answers is, 'We got fed up. We did not know what to do, so we did this. Drop half of North Douglas into East and then run it into Braddan and to heck with it.'

I think that is what it is, with an excuse to say, 'Well, you can't all have your own parish boundaries any more,' and this, that and the other. That may well be the case in the future to be looked at, but let us look at it properly. Mr President, this is a dog's dinner. This could really mean, if this was approved today, that when there was some proper sense applied by a boundaries commission in the future – and it is likely that it would happen – there would be a u-turn on this, just like the previous motion. There has been a u-turn on the Post Office.

What would happen is that the representatives of those areas or the people appointed and elected at the next general election, would not really know who they were representing and the constituents certainly would not know, because I can tell you now that there are many constituents in Douglas *per se* have no idea where the constituency boundaries are and this would just simply amplify that actual problem.

So I ask Hon. Members, really, this Report is not worthy of deep debate. Just simply vote it out.

Thank you.

**The President:** Hon. Member for Peel.

**Mrs Hannan:** Thank you, Eaghtyrane.

I just wonder how we are going to vote on this motion. We have got part (a) and part (b). Could I ask you, Eaghtyrane, how we are going to vote on it? Are we going to vote on (a) as one item and then (b) secondly, or are we going to take the whole lot together?

**The President:** I did anticipate that, maybe, I would be faced with that question immediately after it had been seconded. I was not faced with that question immediately after it was seconded, which it should have been, if, in fact you wanted it divided into parts, but I will listen to the debate and listen to how Members feel on it, as how they wish it

to be debated, because you have an (a), you have a (b), but you have (a) which is split into eight individual difficulties and if we go down that road in the debate it may very well be that I will have to take it in parts.

**Mrs Hannan:** It is just that I do support (b). I do think that following on, really, from the comments made by the Member for Rushen, who seconded the motion, I think that for us Members who have an interest in what is being proposed, to then vote on it makes it very difficult. Therefore, I think if legislation was introduced to give statutory responsibility to a boundary commission which did look at boundaries statutorily every 10 years, their recommendations then stood and that that was it, without it coming back to Tynwald, I think that really is the way ahead, the proper guidelines spelt out.

What the Committee have looked at is dividing the Isle of Man up into 24 sections, to look at democratically representing each area of the Isle of Man per seat and I can understand the reason for doing that. I can understand, democratically, that this is the way that it should be looked at, but, from a personal constituency point of view, I cannot support the recommendation that is made. In another way the recommendation in relation to Peel and Glenfaba, the Member for Glenfaba cannot fail but vote for it.

So, because of the nature that it is written, a lot of the area, which is eight hundred and... not, as the motion states later on in the recommendations, I think, which says that it is 761 electors, when in actual fact, if you revert to the paragraph in the Report, which is paragraph 5(2), the number included is 849, so whatever it is, it is taking electorate out of Peel and placing them in Glenfaba.

Many of the list under paragraph 5(2), the list of properties, the list of streets and roads to be taken out of Peel and placed in Glenfaba, only for House of Keys election purposes, for no other purposes, not for local authority representation or rates or waste collection or street lights or anything like that. Everything remains within the local authority in Peel which, in a way, goes against part of the Report, which says that local authorities and boundaries and sheadings and all of these sort of areas should be retained.

So in Peel that sort of area is overlooked but it is taking a lot of the new development out of Peel. So they have not voted in Peel, but what Peel has been trying to do since this new development has taken place is actually include them in Peel, make them feel as though they are wanted, they are needed. Although they have got shops closer to them, what we are saying is that we would want this particular area to be actually involved in Peel –

**A Member:** The whole community.

**Mrs Hannan:** – and not only that, a lot of the existing... Many long established properties that their electorate has voted in Peel is being moved out.

I have not had a chance, because of the time when I got the papers and to us meeting today, to talk to my constituents in relation to this. I would generally have held a public meeting to talk to them about what is being proposed, like I did last time, to get their feeling. They might feel as though they want to be part of Glenfaba and to be represented equal numbers with everywhere else throughout the Island. That might be their preference, even for the existing number of people that have lived there for maybe 50-plus years and

seen themselves as being in the constituency for the House of Keys purposes of Peel.

Therefore, I cannot support the motion that is on the table at Item 12(a)(ii). The other areas, too, I feel, are just really fiddling with it, but the problem... I obviously do not have a personal interest or a constituency, or a community interest in the other areas and I am absolutely sure that everybody else will mention their own concerns about.

I did meet the Boundary Commission and I did express my concerns regarding any changes that were to be made. This was the least of my choices. My first choice, if we were looking at it from a long-term point of view, if you are looking at equalisation of numbers and all the rest of that, I would say a two-seat constituency, bringing Glenfaba and Peel together. A lot of people in Glenfaba would object to that and a lot of Peel people would object to that.

Peel could see being represented in the House of Keys under those circumstances by somebody from outside their area and, therefore, they might not go along with that, but there is a problem with the numbers that we have now and I understand the position that the Boundary Commission have found themselves in in this particular area. So I do understand that, but, for the short term, I suggested that, because it is such a short period from here till the election, that status quo should prevail.

I personally do not have a hang-up with numbers. I have a hang-up at how the Isle of Man is represented in here. We have one, two and three-seat constituencies and that, to my mind, is unfair. It is unfair on people in one-seat constituencies, because they only have one representative, they only have one vote. In a two-seat constituency there are two votes, two representatives; three seats, three representatives and three votes.

That cannot be right and I know the Member for Rushen is bringing forward legislation with regard to this, which I shall wholeheartedly support (A Member: Hear, hear.) because I do believe that that is the problem with democracy here, not the number of people per constituency or per vote. As long as one person has one vote, that to my mind is democratic. Whether it is voting for 200 or 2,000, to my mind, is not the issue. How many people you get out to vote, I think, is important and that is how much work we are prepared to put in, going and talking to people, holding meetings and the like, but as this Report... and I do think it was a difficult issue that the Boundary Review Committee had to look at, but I do feel that... I do know that I cannot support it as it is written. I can support recommendation (b) because it would reorganise, without me having to put an input in to say, yes, I support or, no, I do not.

The Boundary Commission could talk to our constituents and could talk to... taking in all issues, but for me to vote for this, what I am doing is, I am saying I do not want part of Peel to be part of my electorate.

I am quite happy for the future of Peel, for all of that area to be involved in the House of Keys election, to feel part of Peel, to feel wanted by Peel, included by Peel and certainly in me, if I was to continue to represent Peel.

Thank you, Eaghtyrane.

**The President:** Hon. Member, Mr Shimmin.

**Mr Shimmin:** Thank you, Mr President.

The Hon. Member for Peel has said much of what I was going to do. I was really brought to my feet by the comments

from the Member for North Douglas, who I do sympathise with, that he was not afforded an opportunity to discuss it, but I would like to put on record my appreciation of the Committee and the work they have tried to do.

If we are honest, I think the failure was, for understandable reasons, that we have spent four years trying to consider the Legislative Council voting position, getting them directly elected, and the Hon. Member for Middle, whose constituency is certainly so far out of step, when you look at the figures, has been campaigning for this for four years and, because of circumstances, the Boundary Review Committee were not able to start their work until we are now beginning to run into the next General Election.

I was very appreciative of the opportunity to talk with them and they themselves realised with the timing that they had available, they could only do an interim measure at the moment to try and equalise some of the inconsistencies, but that the real solution would be to return after a general election and have the statutory power to actually put forward a level of measures which would be adopted by Tynwald, rather than allowing us to do what we are doing today, which is voting individually on it.

So I do sympathise with the Member for Middle and those other constituencies who are significantly out of step. For my own area, shared with Mr Delaney, we recognise that we are under the figures on the quota for number of constituency voters, so it does need to be standardised in some way. I think that the Committee did a very good job in a short amount of time and I think they would not be surprised to realise that Tynwald is probably going to find it difficult to introduce these measures at short notice. However, the validity of some of their proposals may well be absorbed into a more comprehensive review after the next General Election. So in view of the comments that the Member for Peel has ably said, I again find it difficult to vote in favour of the individual compartments of this. However, the STV comments and a future statutory power I will be supportive of, sir.

**The President:** Hon. Member, Mr Rodan.

**Mr Rodan:** Mr President, can I start by thanking the Committee for what was really a difficult, if not impossible, job that they had to perform, but I will get straight to the point.

The proposal to remove south Lonan and attach it to the constituency of Onchan is no more acceptable to this Member or the public who live in Lonan than it was in 1994, when a similar recommendation was made to Tynwald in the Callow Report and a recommendation, I may say, that also went nowhere.

What I find, though, truly surreal is that, according to the Report, it was even seriously considered as an option that what was termed a minor adjustment be made by transferring south Lonan polling district to Middle.

I can tell the Court that if my post bag from the residents of Baldrine is anything to go by, where they are distinctly unimpressed with the actual recommendation in the Report that they be attached into Onchan, then the idea that Baldrine be tied up with Crosby, Glen Vine and Union Mills, fine communities though they may be, is absolutely ludicrous, Mr President. Dividing the political representation of the residents of Lonan parish in this way and detaching part of Lonan from its traditional sheading boundaries will, in fact, be socially divisive in the community.

I think many Members will be aware that Lonan parish, Laxey village and Maughold parish, each have their own local authorities which, in recent years, very recently, have been increasingly co-operating together and working, in effect, as a Garff authority. It will not help the emergence of that desirable development to have the political representation of Garff fractured in the way proposed and it is not just me saying this. This is what I am being told, both by commissioners and by residents. It is not Rodan's view; this is the public's view, the public I represent and they find that a very undermining process indeed. The Report says, in respect of that proposal, that the inequality of Garff's representation is so marked that, if Tynwald is minded to do anything, this is the only option.

I would say, in very similar vein to the Hon. Member for Peel, that the true inequality regarding Garff's representation and that of other single seats is that my constituents each have one vote, whereas the good people of Onchan and Rushen each have three votes, the people of Douglas and Ramsey each have two votes. That is the greater inequality (The Speaker: Hear, hear.) and against that backdrop any other consideration is really like asking how many angels you can get to dance on the head of a pin by comparison.

There are two things that could be done to correct that, of course, both of which, unfortunately, are outwith the Commission's remit. The first has been referred to and that is STV, so that everyone has one vote, whether that vote is being applied to elect one, two, three or even four Members.

Alternatively, bring about parity of electoral representation by making sure everyone here is directly elected in a 32-Member Tynwald. If you do this, you will then find, amazingly, that the existing 15 constituencies, which are currently divided into 24 Members of the Keys, with all the attendant inequalities identified in the Report, lend themselves very neatly indeed to division into 32 members with, in fact, quite minimal disruption to historic sheading or parish boundaries.

In other words, whereas the 58,000 or so voters of the Isle of Man divided by 24 give an average of 2,422 per Member, if you divide by 32 you get 1,816 voters per Member. Immediately you do that, the problems of diverging from the average disappear, because to Garff, to Middle and to Peel, all single seats well over the average, as the Report says, you give an extra seat. You can leave Glenfaba alone and you can give extra seats to Onchan, Ramsey and Rushen and this brings all these constituencies miraculously almost bang on the average of 1,800 voters per Member.

The remaining two seats you give to Douglas (A Member: Hear, hear.) because Douglas (*Laughter and interjections*) with 17,500 voters or 30 per cent of the Island total would be underrepresented, with only eight seats out of 32, so this is easily solved by giving Douglas North and Douglas South an extra seat each to become three seat constituencies.

Now, it is, of course, all academic. (Several Members: Hear, hear.) What a pity that cannot be the situation. A 32-Member Tynwald elected after a single general election would solve the problems identified in this Report at a stroke. However, Mr President, we are where we are and the debate is about this Report and all I would say is you can tinker about at the fringes, which is what the Report does, because that is what they have been asked to do and they have done it as well as they can, but it is, nonetheless, tinkering around at the fringes.

Certainly the individual elements of the Report are worthy of separate vote. There are a couple of recommendations which are of a technical nature, to do with street order and maps, which are capable of support, but I very much take on board, and I listened to views of others on the issue of, if you commission an independent body to look at something, the extent to which you adopt those recommendations, whether you like them or not.

I still have mixed views on that, on the basis that it is us that have to account to the public for everything that goes on and, therefore, it is not quite as simple as the Hon. Member, Mr Rimington has made out.

Thank you, Mr President.

The President: Hon. Member for Middle.

A Member: You wanted all this, Martyn! (*Laughter and interjections*)

Mr Quayle: Thank you, Mr President.

Well, obviously, to start off with, what an invidious position to be in, whereby (*Laughter*) I was a firm advocate of a Boundary Commission being appointed to address the voting inequalities, to give fairer representation to all of the people around the Island, and I am not in a position to support one of the main recommendations affecting Middle and Douglas!

Obviously, the Douglas Members, too, feel they are unable to support that central recommendation. I believe the Boundary Commission, though well intentioned, has been deflected from what was a reasonably straightforward, simple job and they have come up with, in that case I have mentioned, a flawed recommendation and that has been referred to by other Members.

I should mention that we did not make their job very easy by voting for a Boundary Commission in April 2004, which would have given them sufficient time to do all that they needed, only for the Council of Ministers to then have brought a motion staying the proceedings of the Commission and preventing it from doing its work in July 2004. By July 2005 Tynwald rescinded the vote and then allowed the Committee to begin its work, a Report which has now been produced, but after insufficient consultation with some and none with others.

North Douglas and South Douglas did not warrant any consultation whatsoever. It is a rushed job, when we could have done with a more comprehensive Report. Hon. Members will have had circulated a copy of the Boundary Committee's consultation draft, issue no 2, which was, I understand, only issued to those Members of Tynwald directly affected by the proposed changes and that included the constituencies of Ramsey, Ayre, Peel, Glenfaba, Garff, Douglas East and West, not the whole of Douglas and, of course, Onchan and Middle.

On page 9 of that that I have circulated, you will notice that option 1 for Douglas, Onchan and Middle was to leave as is and option 2, the only other option, was to combine Douglas East and West to create a three-seat constituency, freeing up one seat to be allocated to Middle. It envisaged the Onchan parish area of Onchan being transferred to Middle which, indeed, used to be part of Middle and the electoral district of South Lonan. What a simple straightforward solution that would have been.

However, although this survived as an option in the

final interim Report, a new option 2 was introduced, where it envisages transferring three areas of Middle to Douglas North and South amounting to 1,322 voters and consequential rejigging of each of the boundaries of the four Douglas constituencies. That is an unjustified, unwarranted butchering of the constituency of Middle.

There are no compelling reasons given as to how finely balanced (Mr Karran: Hear, hear.) the arguments were, to have jettisoned their original option of two seats for Middle and making Douglas East and West a three-seater constituency, although it still features as an option in the Report before us.

Had they thought to themselves, perhaps, in order to maximise support to achieve change that they needed to top up the voters in Douglas to justify the eight seats to remain, when it is patently obvious that only seven seats are justified, due to the current voter numbers.

No written representations, surprisingly, were received from any of the eight Douglas MHKs in advance of the draft Report. The draft Report was only circulated to Douglas East and West Members, as it was originally envisaged no change to Douglas North and South. Only three Keys representatives from Douglas East and West, therefore, submitted oral evidence and they were, I understand, Messrs Cannell, Shimmin and Braidwood.

None of the Douglas representatives or myself, as Member for Middle, were advised of the Commission's new option or recommendation, in order for us to be able to comment and certainly Douglas North and South had previously not been invited and one would have thought that they, too, would have been able to comment upon such widespread changes to their constituencies and all of the constituencies within Douglas.

If we are wishing to alienate voters, if we wish to encourage greater voter apathy and promote disengagement of people from the electoral process, then, by all means, Hon. Members you should consider supporting the proposal, as it stands, for Douglas and Middle.

Hon. Members have also been provided with a copy of a letter dated 16th January 2006 sent by Braddan Parish Commissioners to the Chairman of the Boundary Committee, taking issue with them over various facts contained in the Report before us and emphatically stating their position. That has already been referred to by the Chief Minister and I thank him for that.

My understanding of changes in the past is that it has sought to redistribute seats from an area that is over represented to one that is under represented. For example, Douglas in the past has benefited from having seats redistributed, I understand, from Glenfaba, Garff, Michael and Ayre. The recommendations here in this Report appear to reverse that longstanding policy and actually take land away from an area which is under represented numerically, i.e. Middle, to an area that is currently over represented, i.e. Douglas, which clearly requires seven seats for its existing voters.

Hon. Members will have seen my amendment:

In recommendation (iii) delete all the words after 'That' and substitute:

'the constituencies of Douglas East and Douglas West be combined to create a three-seat constituency, and that the Electoral District of Onchan Parish be transferred into the constituency of Middle and Middle to become a two-seat constituency.'

This seeks to address the problem by making Middle a

two-seat constituency, as was originally envisaged by adding 312 voters from the rural parish of Onchan, which used to be part of Middle and so would fit in very well. This would provide Middle with 3,924 voters for two seats.

I appreciate that Douglas East currently has the average numbers of voters per seat, 2,422, and theoretically the aim could be for 1,844. But there is the plus or minus 15 per cent rule, so 15 per cent below 4,844, which would be two seats, would give 4,117, so the proposed two seats for Middle is, in voter terms, just 193 voters less than, perhaps, it needs to be.

However, with the current housing estate being built up at Ballacottier and several hundred houses lined up in the Braddan plan, it will, within a very short time, be well above the required number. The Boundary Commission also acknowledges departure from the plus or minus 15 per cent rule is appropriate in certain circumstances.

You will realise that I have not proposed the inclusion of south Lonan into Middle, which would allow for Garff to remain intact. I appreciate that Douglas is the capital, but I cannot go along with the notion of that Douglas town councillor quoted in the *Examiner*: 'Our view is that Douglas is different to other constituencies and the number of MHKs should not be based just on population.'

I am very sorry, but in the past that is more or less precisely what they have done: they have based it more or less on the population. Douglas has been the beneficiary, to obtain extra seats when it has been shown to deserve them. With development elsewhere, it certainly makes sense to redistribute a seat away from Douglas now that it has an extra slice of the electoral cake that it cannot justify. Douglas is, of course, the capital, rich and diverse in so many ways (A Member: Hear, hear.) – and I am not just referring to the town's eight MHKs! (*Laughter and interjections*) It is a wonderful bunch, one and all.

The President: Hon. Members, there is just too much background noise. The Hon. Member for Middle has the floor.

Mr Quayle: Thank you, Mr President.

Sometimes, however, we can have too much of a good thing and if we only deserve seven MHKs representing Douglas should we not, in this Hon. Court, ensure that, to be fair, we have no more than seven in the town of Douglas and bring about fairness elsewhere? Douglas East consists of 3,923 voters and Douglas West 3,992, a total, when combined, of 7,915. If divided by three seats, as envisaged, this equals 2,635 voters per seat, not too far away from the average number of 2,422, as is suggested.

This imaginative, simple solution preserves Douglas North and Douglas South within their existing boundaries, as their voter numbers are in line and it makes the minimum disruption to Douglas East and West and, in fact, to Onchan. It addresses the problem of such a massive discrepancy in Middle and this solution could be in place for this year's General Election.

In the past, Hon. Members of Tynwald have sought to address unfairness by transferring a seat to Douglas, when warranted. I do hope, Mr President, that Hon. Members will recognise that it is timely now to redistribute a seat to a place other than Douglas and I have pleasure in moving the amendment in my name.

In recommendation (iii) delete all the words after 'That'

and substitute:

*'the constituencies of Douglas East and Douglas West be combined to create a three-seat constituency, and that the Electoral District of Onchan Parish be transferred into the constituency of Middle and Middle to become a two-seat constituency.'*

Thank you, Mr President.

**The President:** Hon. Member, Mr Delaney. (*Interjection and laughter*)

**Mr Delaney:** First of all, Mr President, I owe an apology to the Hon. Member for Rushen, who is not in his seat at the moment. Yesterday, on the health debate I misinterpreted his remarks, in the fact that I thought he was criticising the Health Services and the Social Services particularly, in yesterday's debate on the Health Service. I accept now that it is not the case and I give my apologies for my misinterpretation of his remarks.

Having said that now and got that out of the way, we get to the Order of the Day –

**Mrs Crowe:** I second that.

**Mr Delaney:** – which is a Report which has come to us and I thank the members of that Commission who I did not go and see. One reason was that, at 9 o'clock at night, I do not wish to go and talk politics after spending a day trying to get through politics and sorting problems out for people.

I believe, firstly, that they have done an excellent job as a committee to get their views across on how they think it should be and as independent... and I have to use this particular motion, I do not think you can actually claim they are independent. I think that is a nonsense.

The Hon. Members, who I have the greatest respect for – and I would trust Mr Gibbey with anything that I have done in the past – where anything to do with my political life, I certainly cannot accept that he is independent and I cannot accept any person who has been a candidate in an election and then stepped away from politics is independent.

You are either into politics or you are not and I just do not view that as being independent. If you have been unsuccessful at an election, you are still in politics, even if you were not voted in and that is the situation for at least two of the members of the Committee (**Mr Cannan:** Hear, hear) – three, in actual fact if my memory serves me right – but that is why I think we need to talk about independent.

Here we have a Report, and I am grateful for some of our constituents, certainly Mr Victor Kneale, our ex-colleague, Mr Gill in our constituency, Mrs Monroe in our constituency and Mr Renshaw, who took the time and trouble to write me extensively. Now on Mr Kneale's, which is a published paper, which points out, I believe, eleven errors, small, if you wish to interpret them as small errors, but errors nevertheless, which now I honestly believe come to fourteen in the Report, which are mathematical and which were pointed out in the paper, as I understand that the paper being correct that the Report was actually sanctioned by a Department of Government as being accurate. I do not know if that is true or not, I have tried to get some clarity. Was the Report put back for checking the figures? If it was, somebody did not do a very good job, but that is the reason was given. They did say in the paper that it was rechecked.

Therefore, if that is the case, we should do a bit more checking when we come to do something as important as the representation of the people. I have a view of democracy which is odd, I suppose, but it is my view. Get your democracy first and then you can tinker with it.

Unfortunately, at this moment in time, regardless how we juggle round the constituencies, trying to pretend we have got some sort of fairness, the situation is not true. If we try to think that the people of this Island are believing they have got democracy, you are far from the truth. They are only laughing at us for trying to pretend we have a democracy and we are tinkering with it (**Mr Cannan:** Hear, hear) and I think some of the Members at least may agree with me (**Mr Cannan:** Hear, hear).

I can stand up here today and make a second apology. When and if I get a chance again to vote for the single transferable vote, I will vote for it (**A Member:** Hear, hear). I made the mistake of believing what I was told by a block of the public, after I supported this single transferable vote, into thinking maybe the public were not served well by it. I can say now I was wrong and I am prepared to accept that and I will have an opportunity to vote for it, hopefully (**A Member:** Hear, hear), before I go to my grave. That was a mistake, my mistake. Not anybody else's, my mistake.

That day would have brought some equality to the House of Keys but it would not have brought democracy to this Island and that is the thing younger Members of this Hon. Court should be looking forward to. Bring the people democracy and then you can tinker with it all you want and the people will tell you when you have gone too far. That is what the aim should be.

I think the fact that we are sitting here with 25 per cent of the Members who have got no part to play in democracy as we understand, I understand, democracy, and are going to vote on this, on how we juggle with the constituencies, is absolute democratic nonsense (**Mr Cannan:** Hear, hear). Unless that message gets through to the public, through by you, and something is done to change it, the public, as I have said, will laugh at you for trying to pretend and be cherry-picking on their behalf, of where you think they should or should not be.

The opening speaker talked about it did not affect him. I am sorry. If you are on the ship, as those unfortunate people on the *Titanic* found out, it did not matter what class you were in, when the ship went down, they all went down and that is the situation with this important matter of democracy –

**Mr Corkill:** There were some survivors.

**Mr Delaney:** – and the constituencies.

The idea that you are going to cherry-pick on this Report and pull bits out of it will do nothing for you. That will not satisfy anyone and the Member for Peel is quite right. As she said, she has not had a chance to speak to her people. I did not go to the time I was given, although I was grateful for the fact they asked me, because I did not think that they were going anywhere and I have got better things to do in life than to talk about what is my interest, on whether or not they draw an invisible line to somewhere to say that this is where you will be in your constituency or not be in your constituency.

People do not mind where the line is drawn. What they mind about is the quality of the representation they have from the people they elect and if you do not believe that,



you should not be here in the first place.

Twenty-five years ago, Mr President I carried out an exercise (*Laughter*): I stood and asked people – and I know some of the older Members remember making this speech before, but I did it, asked people and took numbers down – did they know, at the bus station in Douglas, where the constituency boundaries were? Did they know the names of the people who represent them? Did they know which constituency they were in?

I do not believe that is changed from the answer I got at the time. Less than 10 per cent did not have a clue who represented them and what constituency they were in. The ones that knew were the ones who had problems either some time in the past or more recently. They knew who represented them. They did not care where the constituency was, but they knew who represented them because they then went to the person they thought was the best to suit their problem.

So pretending that the public out there are waiting anxiously, probably now sitting over their dinner, to find out which constituency they are going to be in or where the line is going to be drawn, I do not think that really matters. What will matter to them, will they be able to get hold of the person who represents them at the time they get a problem or they wish to use them for the reason they elected them, and I think that is the point that we should be looking at.

The Hon. Member for Middle: I mean we all laughed for someone who started off the race and then is crying because he came last. (*Laughter*) We all see the amusement of that. But that is life! That is politics! It is also hard cheese. You are a victim of your own success, if you want. You managed to get the inquiry into the boundaries. The fact that they cancelled you out, is hard cheese. (*Laughter*)

Now if the amendment goes through and you have changed the rest of the constituencies, to suit yourself, I wish you well.

**Mr Quayle:** To suit the people, not myself.

**Mr Delaney:** There is one point has come up in your constituency that worries me more: the Braddan Commissioners, like them, love them or hate them, did write a letter to all the Members and they did deny certain remarks that were made on their behalf. The Chief Minister has mentioned in his opening statement that the Committee stand by what they said.

So, I can only suggest to the buster brigade down there that the Committee, or somebody, gets around the table with them and finds out why it was the misinterpretation of what they said to the Committee. I mean, they do deserve the right to have that done, because they do make a statement that what they said was completely wrong, what they were supposed to have said, so somebody needs to either meet them and find out who made the error. I just feel that these are the sort of things that want looking at.

I will not be voting for any of the recommendations here. I am getting to the point, Mr President, because I do not think it is going to make a damn bit of difference, but what I am worried about and it is a little bit of experience – I am not the cleverest of you, I will never be – the one bit of experience I have got: if you cherry-pick this and you just go through it and say 'I like that' and 'I do not like that', like the curate's egg, you are going to get into deeper water; you are going to get into deeper water, because what you finish up with is juggling bits and pieces round which do not suit somebody else.

Does it matter if you got 300 more voters than the fellow next door? Is that going to really disturb you? Well if it disturbs you, then, maybe you want to change your constituency. I do not think we can be that accurate. My old constituency of East Douglas which kept going down in scale from 4,000-odd from the first time I stood, to 3,250, I think it was, but now if you look at the new buildings going up in the constituency, the flats, is that you are going to get an extra two or three hundred people in one block of flats in the next couple of years. So, the next time the figures come out, the distortions will still be there.

The Speaker is smiling at me for some reason. I have not caught on yet, Tony, but I am sure you are right – but the fact of it is, Mr President, I hope that Members will think hard about voting on this.

I apologise to the Committee, who sat and were diligent in this and to my ex-colleague, but I do not think at the moment this is the right time for a Report like this, with the other matters we are talking about and the things that are happening of more significance to this Island, that we should be worried about whether our job description is going to be redrawn round us to suit the constituency or the Member concerned, because that is all we have been asked to do.

Does it suit you, as an individual or as a group, if you are in a constituency, like me and my colleague, of two? I do not think it makes a difference. I will not be voting for it, I do not think that the Members should vote for it. I think, unfortunately, it is the wrong thing, at the wrong time, in the wrong place, for the wrong reason.

**The President:** Now Hon. Members, I think it is a suitable time at which we broke for lunch. I appreciate I am finishing early, but I think also it would be unfortunate to call somebody now and expect them to finish in a comparatively short term, the way the debate is going.

Can I remind Hon. Members of the fact the Commonwealth Parliamentary Association has a special general meeting at lunchtime today and can I suggest that we continue with this deliberation, Mrs Christian being the first to speak, at 2.30, when we return, Hon. Members. Thank you.

*The Court adjourned at 12.59 p.m.  
and resumed its sitting at 2.30 p.m.*

#### **Boundary Review Committee Debate continued Amended motion carried**

**The President:** Please be seated, Hon. Members.

Hon. Members, we are in the midst of the Boundary Review Committee Report, at Item 12, and, as indicated before we broke for lunch, the first to call is the Hon. Member of Council, Mrs Christian.

**Mrs Christian:** Thank you, Mr President.

Who would be a member of a Boundary Commission? (*Several Members:* Hear, hear.) There are some recommendations here, Mr President, which are clearly of more interest to Members of the House of Keys than others and there are some matters in this, which I would like to speak on, having at one time been such a Member.



With regard to the actual recommendations, I do think that there are some, if we are voting on them separately, which I would feel inclined to support and others where I feel that the Commission has not, perhaps, recognised the guidelines which it is putting forward.

With regard to (a)(i), my inclination would be to accept that recommendation. I do feel that, with regard to recommendation (ii), on Peel and Glenfaba, that, had they observed the second of their statutory guidelines,

'as far as practicable regard should be had to historic sheding and parish boundaries and to existing local authority boundaries',

they would not have proposed the option that they have, indeed, proposed and would have gone with the other one, which I think would be preferable.

In terms of the proposals in relation to Douglas and Middle, I do think that, whilst it is very difficult for us today to be dealing with individual areas, that there is, perhaps, some merit in the amendment proposed by the Hon. Member for Middle. (Several Members: Hear, hear.) I cannot see that the way in which the Commission has proposed the changes there again recognise the guidelines which they themselves are putting forward. It would be far more practical to recognise the Douglas boundaries as they are and to increase the number of seats in Middle by some mechanism.

Garff has always been a difficult area with regard to its boundaries and its relationships with its neighbours and it is interesting to hear that the representative there feels that it is better to leave it as it is, notwithstanding that it is fairly onerous in terms of numbers of electorate to one representative.

Perhaps the one that I think is most important here is the mandatory review. I think that, given that we are now dealing with what is an interim recommendation which has been hurried, not through any fault of the Boundary Commission but because of our own deliberations on other matters, that it would make a great deal of sense to have in place a provision that there be a review after a general election and that the requirement to have such a review be followed with regard to particular guidelines that are set out for a Commission, but, again, we come back to this issue of when are we ever going to get a resolution of these matters, when their recommendations have to come before this Court and there are as many views as there are Members almost.

The Hon. Member for Douglas West, Mr Delaney, talked about cherry picking and, indeed, today we see various Members who have an interest in particular areas cherry picking, as I have done in terms of my comment on their recommendations. We would also be cherry picking by way of throwing the whole thing out. The only way we are going to get certainty in the future is for a Boundary Commission to be quite independent of this Court and for their recommendations to be adopted without change or debate. But, again, one might say we should have some concern about making sure that they have clear guidelines upon which to base their deliberations.

There was some comment about the numbers of representatives in Douglas, and Douglas will grow because of the number of planning permissions that have been given and flats which are going up and so on and so forth. That can be said of a number of other areas in the Island and we have always got a moving target in terms of changing populations.

The other thing is that it has been my experience that,

no matter whether the populations are lower in rural areas, they tend to vote more than people in town do. That is a separate issue, perhaps.

I would hope that if the Court is minded to accept the proposal that statutory guidelines and suggestions are set out here, that any Boundary Commission would have regard to them in the order in which they are set out. It seems to me that if they are not set out in a particular order, and pecking order of priority, some of these conditions fight with one another.

For example, on the one hand it says:

'as far as practicable regard should be had to historic sheding and parish boundaries and to existing local authority boundaries',

and then we go on to add that:

'the ratios of numbers of people to Members are important as well'.

I think we need to decide which of those has priority for the guidance of any Commission, if we were to be approving such guidelines.

I think, during the course of the debate today, it has become quite clear that, from the perspective of Members, those historic boundaries, in one form or another, have considerable significance to Members and that does not make the job of the Commission any easier. In a great number of the contributions that have been made, there has been this reluctance to see those boundaries changed, unless it is within the discrete areas that are recognised, shall we say, by a parish boundary. People are reluctant to see bits of a parish taken off and put into another area. There is more acceptance of, perhaps, moving a parish or a part of town into another area.

I would be extremely supportive of the proposals at (vii) and (viii), (vii) in particular. There is quite an onerous burden put on candidates in rural areas, I believe, in having to take what is an alphabetical order before you start and put that into a working order, so that you can go along a road and work through the constituents in that way and it seems to me that it should not be difficult to compile the lists in a way which enables all candidates to work the order logically, without having to spend hours before they start, working out that Mr A lives on road B over in that end of the constituency and the next one down the list is at the other end. It is hopeless trying to go down the list alphabetically.

Mr Downie: The Post Office could do that.

Mrs Christian: The point made by the Hon. Member, Mr Delaney, again about maps. People sometimes do not know quite where they sit in which constituency or sheding they are in and it would be helpful to have those updated regularly.

I do feel that, with regard to the numbers in Douglas and Middle, there is a logic in reducing the numbers in Douglas and increasing the number in Middle and I think it is also sensible that if the Court is minded to accept any of these regulations that we do take the steps to introduce the necessary legislation to back them up, if possible in the current legislative session, though looking at the timetable and the amount of legislation which is now coming forward, I am not sure about the actual practicality of all of that.

So, Mr President, yes, who would be on a Boundary Commission? But I do think that, I hope, in listening to the

debate today they may be able to glean from it some of the underlying concerns that Members have about traditional boundaries. It is surprising, perhaps, to hear that Members are not too concerned about the disproportionate numbers that they represent in some areas. That is expressing it from their perspective. I am not sure that, perhaps, their electorate would accept that, perhaps they would not. They may think it is unfair that they have only one person to represent several thousand of them, whereas another area it may only be 1,500 or so.

Back to a point which is not a matter for the Commission, but which I think is developing a head of steam and that is the single transferable vote. I think it is time that we looked at that again (*The Speaker: Hear, hear.*) and I believe that there are moves afoot in certain quarters (*The Speaker: Hear, hear.*) to do that. It was not popular, but I think that was partly because people did not have time to get used to it and understand it.

In fact, we live in a tick-box society these days and I think it might now be a little more easy to get people to accept that you put 1, 2, 3 against the names that are on the sheet.

**The President:** Hon. Member for Rushen, Mr Gawne.

**Mr Gawne:** Gura mie eu, Eaghtyrane.

I rise to second the amendment in the name of the Hon. Member for Middle, Mr Quayle. I think that it seems to make a lot of sense to me. Having looked through the recommendations that the Boundary Commission has come up with, this seems to be the one area which I find least comfort in.

Most of the other recommendations I see no problem with at all. Generally, I am very pleased with the work that the Committee has undertaken, I think they have done a good job, they have identified where the problems exist, they have perhaps not got all their sums right, as was pointed out by the Hon. Member for West Douglas, Mr Delaney, but one or two minor errors I think we can afford, if the basic principles are sound, and I think they are basically quite sound.

We have heard quite a lot from individual Members about, well, my voters may not like this, and my voters may not like that. We are trying to keep a community together and I have got some sympathy for things like this. I think it is certainly something that I, personally, I do have a lot of sympathy with.

However, I think, primarily as Members of the House of Keys, we are elected as national politicians to represent all the people in the Isle of Man, (*Several Members: Hear, hear.*) we are not voted to represent disproportionate numbers of people in one particular area. I, personally, do not see why it should be correct for the electorate in Peel to have only one Member, when quite clearly they deserve slightly more than one Member and, indeed, in Glenfaba where they actually probably do not deserve the full Member that they have. (*Laughter and interjections*) So I think it is a little unfortunate, really.

Certainly STV is something that I latched on to. I think the first election that I voted in may have been an STV election and I thought it was a great system and was very disappointed when Members chose to ditch that system. It worked well enough for me.

I think the mover of the amendment made quite clear that it seems a little rich that, in the past, when quite clearly Douglas was under represented and they looked around, the

Boundary Commissioners looked around for seats that were over represented. Douglas Members were quite happy to do a Members' seat snatch at that point, but now that the figures seem to be turning slightly against them, 'Oh no, no, we cannot possibly do that, this is not a good idea', etc.

Looking at the options that were identified by the Boundary Committee for the particular area, Middle and Douglas, it is quite clear to me, and certainly it would appear that in the draft Report this was the case, that the sensible and straightforward option was identified as option 1. Option 1 in the Report that we have before us is relatively straightforward and quite easy to understand. Option 2, however, seems to be remarkably contrived and seems, to my mind, to be all but unworkable, so I certainly will not be able to support that particular option. Certainly, if the Hon. Member for Middle's amendment fails, I will vote against that particular section.

In response to the former speaker's discourse on the voters' lists in rural areas, I certainly do welcome the suggestion by the Boundary Committee, however. Those of us who are lucky enough to have computer-literate friends will know that you can actually stick your disk of voters into the computer and they can play around with the lists and get them into whatever order you particularly want.

**Mr Delaney:** You can buy it. You don't have to, you can buy it. Giving away secrets here, boy!

**Mr Gawne:** It is not actually as big an issue as, perhaps, it was when all you had was the paper copies in alphabetical order. So I do not really think that that is necessarily going to be an earth-shattering thing if we do support it, but I think it is incorrect, as it was suggested earlier, that Mr Quayle, having initiated the race, set the race running... it has been suggested that, because he has come last, he is not happy with it.

I would suggest that, just as he was coming up to the finishing line, the rules have been changed and the Hon. Member for Middle seems to have been set off on a different course and I do think it is unfortunate. I think that the original proposal that the Boundary Committee had seemed to be much more sensible.

I think that the amendment by the Hon. Member for Middle is the best option and I certainly will be supporting it.

**The President:** Hon. Member, Douglas North, Mr Henderson.

**Mr Henderson:** Gura mie eu, Eaghtyrane.

To the Boundary Commission I wish to say, thank you for the work that they have done and were charged with and for the effort and the time that they have put into this. Certainly, my comments that I have to make are in no way critical of the work that they have managed to put together in a short time and should not be taken so. To my hon. colleague on the benches opposite, Mr Quayle, I would say, 'Martyn, you have thrown a boomerang out, hoping to whack a pot of gold. You have missed and it has come back and it has hit you fairly and squarely on the head.'

**Mrs Crowe:** Don't be so sure!

**Mr Henderson:** But, it has caused quite an interesting

debate this afternoon and this morning, Eaghtyrane. A lot of useful views put onto the floor and some of the bigger issues that concern me.

We have been worried in here for some time about voter turn out. I think carving up constituencies, or some constituencies, just prior to an election is not only going to confuse the electorate, but I think some may well feel disenfranchised and I think we are going to encourage a lower turn out – some of the views I have been getting back, Eaghtyrane. So we need to be very careful with what we are doing just prior to a general election.

The other thing I feel strongly about, and it has been alluded to and I will not go on about it, is the fact that boundaries will move and great chunks of the voting community will suddenly find themselves with different elected Members that they did not vote for and the prospect on the horizon, on the other side of the election, because this is only an interim Report, of things changing all over again. So where does that leave the voters? (Mr Houghton: Hear, hear.

The other thing that worries me is the ethos of the Report is based on proportionality of the registered voting public. I would be most interested to see another report done on actual population numbers, address numbers if you like, census numbers, to see how the proportionality would work out then, because, at the minute, we are talking about a proportion of our population who are registered and voting. What about all the other people that may not be registered, for whatever reason, that we are trying to encourage on to the register. In a way we are disenfranchising a chunk of the community, as well, by not including them into the equation somewhere along the line.

North Douglas, for instance, has got somewhere in the region of 4,000 addresses. You put the average per household on that and that is a considerable lump of people. When somebody asks me for a bit of help, I do not check the register to see if they are registered and say, 'Sorry, you are not voting, I don't help you.' You get on with it. You pick your workload up and you do it, the same as with your parliamentary work. So, I am just wondering ... I am just putting that into the debate, really, because I think that is something that should be taken into account when we are doing these kind of sums and puzzles and having elastic boundaries and moving things round.

The other thing that has come quite clear to me, Eaghtyrane, and it is really starting to float all the other points that have been made and it is fundamental and it is what the Hon. Member for Garff alluded to with the fully-elected Tynwald membership: the pressures that are on the system now, on the boundaries, as the way the Island is going to develop and I feel quite positive that it will. Increases in population, increases in parliamentary workload, changes in parliamentary workload, we will be having these discussions more often. I feel very certain of that and whether we have a 32 elected Tynwald or we have another idea which I will float, just for consideration, do we have more MHK seats? That is something for the future, but I feel we will be back here and we will be back more often, Eaghtyrane, with these discussions.

I have to say, I do obviously have a personal interest in this, having discussed the wider issues, because the biggest carve up on this paper is certainly North Douglas and we are getting into the realms of disenfranchising hundreds and hundreds of people, swapped into East Douglas.

North Douglas moves its boundaries into Braddan, right

up to the Hon. Member for Middle's front door, almost, within a few yards. A massive land grab and then that puts into question, Eaghtyrane – (*Interjections*)

**Mr Delaney:** Not our land.

**Mr Henderson:** – if the boundaries, if Douglas boundaries have moved out that far, how far or how long will it take before rating boundaries are looked at? That is another argument that has been advanced, as well, and another fear. So, there are quite a lot of issues here that the review throws up and least of which is the one my hon. friend and colleague next to me, for North Douglas, Mr Houghton, alluded to.

The interim Report indicated not much in change other than East and West Douglas. I am not saying that is not important to East and West Douglas, because it is, but from our perspective, the status quo was basically retained. The final Report, of course, went further and made moves of large ramifications for ourselves without consultation and I think, really, what we need to be doing here is (*Interjection*) not vote – yes, exactly, disenfranchising, that is correct – is not voting for the amendment.

We are too close to a general election now, because there are other parts here... we can talk about cherry picking, Eaghtyrane, but the point is we can have the Hon. Member's amendment for part (iii), fine. That leaves part (ii) and part (iv) to talk about, which the Hon. Members for Peel and Garff have made their own observations on and concerns, which I fully support and will not go on to make my observations on theirs, but just to point that out, I think we should not support the amendment and we should not support the Report at this time, Eaghtyrane, for all the reasons that everybody is saying and, least of all, my small contribution here.

We need to come back after the General Election and relook at the situation, when there is plenty of time to sit down and do a proper impact assessment on what we are doing and possibly consider the Constitution Bill at the same time.

**The President:** Hon. Member, Mr Braidwood.

**Mr Braidwood:** Thank you, Mr President.

What springs to mind is turkeys and Christmas. (Mrs Crowe: Really?) (Mr Anderson: And Douglas.) It is inevitable that we have to cherry pick, because we are looking at our own areas and I have to thank the Boundary Commission and the opportunity which was given to me to submit oral evidence.

It has already been mentioned by the Hon. Member for West Douglas, Mr Delaney, and the Hon. Member for North Douglas, Mr Henderson, that people do not know in which constituency they are. They do not know the boundaries.

I know, when I am contacted, it does not matter to me if they are constituents or not, I will assist them, because I feel I do not represent just Douglas East, I also represent the Isle of Man and anybody who lives in the Isle of Man.

The amendment, I will be voting against from Mr Quayle, –

**Mr Delaney:** Surprise, surprise!

**Mr Braidwood:** – because, he was very passionate when he was moving the amendment –

**Mrs Crowe:** Passionate? Martyn?

**Mr Butt:** A passionate man.

**Mr Braidwood:** – but figures, we can take figures. If we look at page 12 of the Report and we look at Douglas East, Douglas North, Douglas South, Douglas West, and we add the electorate up, it comes to 17,500. If you divide that by eight, you get a quota of 2,193. We know that the quota at the moment is 2,422 and that is a variance of 8½ per cent.

So, in actual fact, in all of Douglas we comply with a 15 per cent, but, if we look now at page 4 – it has been mentioned by the Hon. Member for North Douglas, Mr Henderson – there are a lot of people who are not registered (Mr Cretney: Hear, hear.), and we look at 2.10, and it says in the Report:

'On the best estimates that we have been given by the Treasury, a substantial number of the permanent resident population entitled to inclusion on the electoral register are not so registered. In 2001 the census showed a permanent adult resident population of 60,082 and in 2005, the Treasury best estimate gave a permanent adult resident population of 61,503. If this figure was used it would give an electoral quota of 2,566. This means that 6%, or 3,456 of the resident population are not registered to vote. The best evidence we could be given was that this was more prevalent in Douglas, the unregistered population of rural constituencies being no more than 1% but approaching 9% in Douglas.'

Now, isn't that figure ... I have just mentioned 8½ and now we are talking about 9, so, in actual fact, (*Interjection*) the electoral quota in Douglas is spot on. (A Member: Yes.) So we have got eight seats and, of course, some unregistered people will be those who have not been resident for one year and thus are not even qualified to vote.

**Mrs Hannan:** Statistics, statistics and downright lies.

**Mr Braidwood:** So, figures: if we look at figures they can be manipulated or whatever, so, in actual fact, we should have (Mrs Hannan: Lies.) eight people representing Douglas. I thought, in actual fact, that the Boundary Commission's Option 2 had some merit in absorbing Ballafletcher and Union Mills and Clybane into some of the Douglas constituencies, although I felt that it was probably more appropriate to absorb Union Mills and Ballafletcher into West Douglas –

**Mr Houghton:** The Wild West. (*Laughter*)

**Mr Braidwood:** – but, I think, as you can see that, if Braddan Commissioners have put a spanner in the works and, of course, North Douglas were not able to give evidence because, initially, in Option 1, they were not being affected.

**Mr Henderson:** And there is the rates. Their rates bill.

**Mr Delaney:** I could not understand that, why?

**Mrs Hannan:** It is nothing to do with rates.

**Mr Braidwood:** Mr President, I do feel that, essentially, we look at the Order Paper that particularly (b) is very important and I will be voting for that. I think other Members whose constituencies are affected, such as Garff, Mr Rodan and Peel, Mrs Hannan –

**Mrs Hannan:** Not me, personally, it is the constituency.

**Mr Braidwood:** – have mentioned their concerns and I do feel that there should be an independent Boundary Commission, which would have the powers to set, instead of coming back to Tynwald.

Mr President, I will be, as I have already said, voting against the amendment, because I do feel that eight representatives in Douglas is fair.

**The President:** Hon. Member for Michael, Mr Cannan.

**Mr Cannan:** Mr President, as I am not directly affected by this boundary review, my comments are more of a general nature. First, I would like to congratulate the Hon. Member for West Douglas, Mr Delaney, for a very clear statement in his speech, before lunch. I thought he made a very clear presentation.

My second concern is, that I, on principle, find it unacceptable that the Legislative Council should be busy determining, or having votes to determine, the constituencies of the House of Keys. Referring to the Boundary Commission and the Report itself, it is my view – and I wrote it in to the Boundary Commission – that, until the Constitution Bill is finalised, and until we have a single elected Tynwald where all Members are elected by the public, which I believe the majority of the public want, if we respect the wishes of the people, I believe that they want a say in the election of all Members of Tynwald and, finally, I believe that, yes, there should be an independent Boundary Commission. The independence of it – and no disrespect to the present members – but the persons chosen should be those who had had no active political interest, or have been active politically in Tynwald Court itself, because then it would be looked at without any question of seeing it from the inside, rather than the neutral outside perspective.

Mr President, I will be supporting the Members for Douglas. They are dissatisfied with what has been produced. I have no intention of antagonising any of the Hon. Members. They do not want what is in and I will not seek to impose my vote on them that they should accept what is in.

So my recommendation is that until – and hopefully the sooner the better – (Mr Cretney: Hear, hear.) we have an all-elected Tynwald – and I am glad to hear the 'Hear, Hears' – with 16 two-seat constituencies by a wholly neutral and independent Boundary Commission –

**Mr Corkill:** You won't get my vote.

**Mr Cannan:** – the better it will be.

I hear the Member for Onchan, Mr Corkill, says that he does not agree to that, but that is by the by. We are in a democratic institution in which all of us have the right to our own views and to express them freely.

Mr President, my recommendation is, we have got an election coming in seven months' time, eight months' time, reject this Report, take what we have got at the present and sort it out. As Mr Henderson, the Member for North Douglas said, sort it out after the election, for 2011, because I understand that there is soon to be legislation to say that the election in 2011 is to be different. We can then have an election for, as I have already said, 16 two-seat constituencies and all Members of Tynwald are elected by the public on the same day.

**The President:** Hon. Member for Onchan, Mr Karran.

**Mr Karran:** Eaghtyrane, I have found the input into this debate quite interesting and I think that the Hon. Member who has just resumed his seat has got to recognise the fact that, if anything, if the Legislative Council should not be voting for this proposal, then this Hon. House should be voting for it even less, because, at the end of the day, you have got no vested interest in this (*Interjections*) but we have. I think the point is, it is alright people saying about how they want democracy, but we all want to be at the table. That is the important thing and we all want to get there as easy as we can and I think we need to recognise that point, and I think we need to recognise a few other points when we see in this debate today... I will be moving an amendment in a bit.

Let me start with the amendment by Mr Quayle. I have to say I fear that the independent Commission did the numbers games and thought, 'Well, we are better off butchering Middle than taking a seat away from Douglas'. I can understand, when you look in this Hon. House, that something like a third of this House is Douglas seats. I can understand the arithmetic of how that could come about, because I am pretty sure that is something that... And, Eaghtyrane, as a former Member for Middle, I would say that whilst it more likely would make – certainly would make – the Hon. Member for Middle's position weaker, as far as the constituency is concerned, especially if it stays as a single seat, I think his power base is more in the Marown side than in the Braddan side, anyway, of the constituency.

What I do think is important is that we do recognise a couple of points and one of those points is that this is not about local authorities, this is about national government and I believe that national government constituencies can extend further than local authorities.

I, personally, disagree with the Hon. Member for Garff about South Lonan. I will be perfectly honest with you, I would be delighted to take South Lonan into Onchan and I think the majority there will not really mind one way or the other –

**Mr Rodan:** Ask them.

**Mr Karran:** – and I think, so long as those people do not end up paying Onchan rates or Braddan rates, that is the only issue. (*Interjections*) That is a different issue and that is something that we have got to remember and sometimes in this Hon. Court we forget we are not here as local authority parish pumpers, we are supposed to be here as national politicians.

So I think the Hon. Member for Garff wants to think about that. It is the issue of many of these people will not mind going into other seats, so long as it does not affect them in their hip pockets and I think that needs to be... And I have to say, when I look at the statistics of that and I look at the figures of that, and, alright, I have to say that the figures from the Hon. Member for East Douglas impressed me, that he could have been an accountant doing an accountancy exercise –

**Mr Delaney:** For the MEA.

**Mr Karran:** – with the former MEA over its justification, but I would say that when you look at that proposal, if that was to go into Onchan without losing the parish of Onchan to Middle or anywhere else, we would only be 56 votes more than we should be in fact.

So I have no problem with that. I think the bigger

constituencies are the better they are, I think that is the one thing. The disaster would be a situation where we all become the Member... I would become the Member for Birchill and I have got two arterial roads into the constituency: which do you repair, the road that provides the service, the access to the rest of the Island to 85 per cent of your constituents or repair the economy? We know the answer that would happen, if we went down that horrendous situation of going down to single seat constituencies, especially if we have a 32 elected chamber.

So, Eaghtyrane, I think that I will be supporting the proposals in this Report. I have to say that I do not agree with them all, but I am big enough and I will fight that corner when it comes to the House of Keys, as far as that issue is concerned. But I think we should support the proposal that is in here.

I have to say I am disappointed with the commission of inquiry – and it will not make any difference whether half of them are sitting in the public gallery or not with me, because I will say what I want to people, to their faces, and not behind their backs – that they did run away from the issue of the three Members for a central Douglas constituency.

**Mr Quayle and Mr Anderson:** Support the amendment.

**Mr Karran:** But I think the other issue that needs to be addressed in this proposal today is the issue that the Hon. Member for Rushen, Mr Rimington, raised and the fact that it is rather appalling that we are here cutting up the cloth to measure our own sizes of what we want. That should not be the case and I think that is why I would recommend that there is a mandatory review conducted by an independent committee, approved by Tynwald, whose recommendations shall have legislative effect.

I believe that has to be the way forward in this Hon. Court, but, Eaghtyrane, it should not end up being the cronies and the clubby, clubby nominations of the Council of Ministers. How that commission of inquiry is elected, it is elected on a core basis of the numbers of people that are in this Court, so that we do not end up with the carve-up of self interest, of all of us shouting we want democracy, but we want it so long as it keeps that nice warm seat for ourselves to be sitting there at the table.

So I hope (*Interjection by Mr Cannan*) that Hon. Members will support the proposal. I could be quite minded, because I do fear that the independent commission has been allowed to be pressured into changing its proposal over the issue of the three seats for East and West Douglas. I think they have been pressurised and I think it is wrong in this Court, there are too many in here, who want to shoot the messenger and, in this case, it is the Hon. Member for Middle, as far as the issue is concerned.

Yes, he did raise this thing. It is a disgrace. Let us look at the figures – when you have got 47 per cent is it or somewhere around that? – over what you should have for a single seat, it is undemocratic, it is unjust and it is not right. I feel that today we should support the proposals and I am quite happy to support the proposal, I think, as far as the issue of the Member for Middle, on reflection, because, yes, I think it is wrong, if that is the case, that we have thought, 'Well, there is a block vote there, we have got no chance as a commission to get anything through, so we will compromise'.

That is not the right position to be, but, at the end of the day, the other issue that needs to be addressed: constituencies

should not be drawn up on a local authority basis, in my opinion. They should be drawn up on the basis of where it can accommodate local authorities, but, at the end of the day, we are in here as national government not as local government, *de facto*. (Mrs Hannan: Parliamentary.) We are in here as, alright, parliamentary, to have national government, which we do not have at the present time. But the point is what we have got to do is we have got to support the amendment, in my opinion of myself, (Laughter) and try and get this position of it being three steps away from ourselves, because, at the moment, all that will be seen outside this Hon. Court is the vested interest of us drawing up to make sure that we are as safe as possible.

I might not always agree with the Hon. Member for Rushen, Mr Rimington, but I think he was quite right in what he said, as far as the issue is concerned. It is wrong for this House – it is more wrong for this House than it is for the Cooncil ny Merriu, the Legislative Council – it is more wrong for us and I hope that when there is an independent investigation, as far as a commission in the future, that it does not debar ex people from politics, so long as it is a fair and equitable electoral college that picks them and picks them without any vested interest group, that picks them on the basis of doing the job, without fear or favour, like we are supposed to in this Hon. Court.

I beg to move and hope someone seconds this proposal:

*In recommendation (v) after the words 'That a mandatory review' insert the words '(conducted by an independent committee approved by Tynwald whose recommendations shall have legislative effect)'.*

The President: Hon. Member, Mr Anderson.

Mr Anderson: Thank you, Mr President.

I am very happy to support the amendment in the name of Mr Quayle and I will be coming to that just now, but I am brought to my feet at this stage to second the amendment by the Hon. Member (Mr Delaney: Hear, hear.) for Onchan, Mr Karran.

It is not often I see eye to eye in many issues, but I think he is quite right and he has drawn out the facts that were already mentioned earlier in the debate by the Hon. Member for Rushen, Mr Rimington, that this should be done independently of ourselves. In the future that should be the way we go.

Mr President, I believe this Hon. Court asked the Boundary Review Commission – and it has been highlighted already – an independent body, to review the boundaries, because it is 20 years since any changes were made and, quite clearly, there now exists some quite large voting anomalies within our system. Reference has been made today to the independence of these honourable people and reference has also been made that somebody that has not been involved in politics in the Island should make up that Commission.

Quite clearly these are people who have had an involvement, who know the workings of the House of Keys and know how the Isle of Man communities work together.

I think if you brought a completely independent body in from outside, they would not understand the intricacies that our communities have within them.

So, I think they have done a job that has not been easy. They have done it, clearly as I can see, as independently as

they can. They come from different backgrounds and they have obviously, as far as I can see, not been biased in any way. In fact, you could say the other way, when you see that two of them have stood for a rural seat before and now are suggesting that rural seat, actually, in some way becomes combined with a more heavily populated area. We voted for this body to sit and now, surprise, surprise, it looks like the majority of this Court are going to dismiss the majority of their recommendations out of hand.

Mr President, before I refer to those recommendations, I would like to draw this Court's attention to the remark on page 4 at 2.10. On the best estimates that we have been given by the Treasury, a substantial number of the permanent resident population entitled to inclusion on the electoral register are not so registered. In 2001 the census showed a permanent adult resident population of 60,082 and in 2005 the Treasury's best estimate gave a permanent adult resident population of 61,503. If this figure was used, it would give an electoral quota of 2,566 and this means that 6 per cent, or 3,456, of the resident population are not registered to vote and it goes on to say the best evidence we could be given, but this was more prevalent in Douglas, and Mr Braidwood has already made mention of that fact.

In my opinion, this is something that needs addressing. More effort should be put in to making sure all eligible people are on the voting list and this probably needs people with local knowledge to help and I am sure we all know of such people within our own constituencies. When the Commission was tasked with the job, they were not given adequate guidelines, but two previous Boundary Commission guidelines as their basis for operation. In the Commission's recommendations on page 5 there are two recommendations

- (i) that a mandatory review of the House of Keys constituency boundaries take place within two years of every other general election; and
- (ii) that such a requirement, together with the guidelines to be followed, be incorporated into statute.

I agree that these guidelines be put into statute and that a 10 year mandatory review is appropriate and therefore, Mr President, I hope that we will vote for these sections individually and, as I say, I am very supportive of the addition to that by the Hon. Member for Onchan, Mr Karran.

I realise that some of the other recommendations are a little more contentious, but we must remember that this is an interim solution to the large variations in quotas per Member and that, following the General Election, the Commission can then be tasked with making a review that not only looks at the electorate per Member scenario, but the issue of giving each voter the same number of votes. Whether that be 24 single seats, 12 two-seats or even 8 three-seat constituencies, that decision should be made by this Court and then it would give less ambiguity for the Commission.

I think, given the problem the Commission have had to address, they have come up with a fair interim solution. It is certainly not one that I would have suggested, but speaking about my own constituency and the current divergence of plus and minus 15 per cent that has been accepted as a fair figure, option 3 is a way forward that provides for a temporary solution for the next general election, without setting such a change, as is said quite often within the Report, in stone.

This solution, of course, would transfer nearly 950 voters from what I would call... out of Peel to Glenfaba, leaving inner Peel intact, rather than Option 2, which would split

Peel down the middle and tag on rural Patrick to 1 and rural German to the other. If you believe in voting equality, I think Option 2 would be the best interim solution. In the long-term I think there could be a better deal, a better solution, shall I say, for Peel and Glenfaba, but that would be dependent on what this Court determines as equality of Members for constituencies, single, double or three seaters. Without going into too much detail, an example could be that the Marown part of Middle, rejoining Glenfaba, with most of outer Peel to form a two-seat constituency. In that way the rural representation would be kept intact.

**Mr Downie:** David Cretney was there then.

**Mr Anderson:** I am sure we all have the answers, Mr President, but I believe that what we have on the table today is a halfway house and takes into account the huge variation, the likes of Mr Quayle, the Hon. Member for Middle, has been concerned about. The Commission have done a lot of hard work. They have done a workmanlike job and I find it difficult to reject it in total and hope that Hon. Members can understand the logic in their interim solution. I hope that next time they are asked to deliberate on this issue, they are given more specific guidelines to follow and, hopefully, equal representation per constituency.

I hope, Mr President, that Hon. Members will at least be able to support the long-term administration recommendations which are 7.2.1; 7.2.2; 7.2.3; and 7.2.4 as in the Report, and, finally, can I just point out, there are slight corrections to be made to the Report, in that it should read 849 extra electors to be added to Glenfaba. I think the 761 figure was something that has been lifted from the original draft Report.

So I hope Hon. Members will be able to support the amendment in the name of Mr Quayle, and also the amendment in the name of Mr Karran.

**The President:** Mr Shimmin, Hon. Member for Douglas West.

**Mr Shimmin:** Thank you, Mr President.

Speaking to the amendment, I am concerned that we are dividing and conquering here.

We have a situation where it has been outlined by the Committee and by the previous speaker and others that the variations on the voting patterns within Douglas are the extreme area, up to 9 per cent of people not registered, but still serving and living in those areas.

The difficulty any of us have is having a self-interest and I know, speaking for all four of us directly involved in the amendment concerned, by Mr Quayle, would be happy standing in either of those constituencies, whether in our existing format, or in the revised format, as the amendment.

I do, however, have serious concerns, as a Douglas Member, that we would be having a large population, which is evidenced by the Committee that we have put forward into place for this, that have come out and said that Douglas is one of the more problematic areas because of the mobility and lack of persons registered in their areas. Most Hon. Members who visit and work in Douglas will realise that many of our residential areas have been transformed over recent years and have been converted into numerous apartments and flats. That is because of the overwhelming burden of traffic and issues around Douglas that many people have chosen

to move out of family houses to move outside of Douglas. What that has created is a larger transient population within Douglas, which still require representation, but neither appear on any registered voters list, because they may be there for short periods of time or, indeed, not be willing to register themselves.

That is the concern I have, is where the population of Douglas requires representation, which I believe has been adequately evidenced today as being eight Members. As much as I have always shared the concern with Mr Quayle, about the misrepresentation or the inappropriateness on the figures, I think it is fairly easy for the majority of the Court to turn around and simply look at one in isolation, as opposed to looking at the overall position, which is recommended by the Committee.

There is only, obviously, four of us, three present here today, who would be directly affected by this and I will leave it to the Court to consider whether it is appropriate in order to ignore the independent Committee's recommendation, having had their correspondence and their meetings that they have held, to come forward with one viewpoint and for this Court to overturn that on an amendment, which would undermine the reasons why the Committee came to their original recommendation.

We will stand wherever the Court determines. I do think it is inappropriate to cherry pick just one area, where there are anomalies elsewhere, but I will leave that to the Court. However, I would put on record that I believe that, for the membership of Douglas to be reduced from eight to seven, I would see as both inappropriate and undesirable.

**The President:** Chief Minister to reply.

**The Chief Minister:** Thank you, Mr President.

I think I find replying to the debate as difficult as, perhaps, some of the Members have in accepting what the Committee has put forward, but I would like to start by thanking the Committee for the work they have done, as other Members have already done, because I suppose it was a task that, no matter what would have been suggested, they were going to be criticised, because of the areas that were affected.

I think there has been some extremely interesting statistics and comments made during the debate. Ones which I am sure the members of the Committee that are here have taken note of and I think some of those are the question about representation and the percentage game and the numbers game and we can play around with numbers, as the Hon. Member, Mr Braidwood did, about the percentage and so on and there could be an argument that you must turn round and find out what is the average of the people who turn out in those areas to vote, because that is a percentage also, which tends to be, as has been said, less in a built-up area, than in a country area and, therefore, the number of people who come out to vote could vary quite considerably from area to area.

Mr President, there have been suggestions made of numbers game and dogs' dinners and one thing and another throughout the debate, but I think everyone has, in their comments, always said what a difficult job it was. The Committee really has had difficulty. They have not only had difficulty in what they had in their remit, but also in the time they had, then, left to actually come forward with something which, at the end of the day, is an interim Report to try to get something, if there is anything going to change, into being for the next general election.



I think Mr Quayle, has obviously responded to his own area, as one would and has put forward a solution, which might very well fit for Middle, but we have just heard from the Hon. Member for Douglas, it might not fit for those from which that actually changes the representation, because it would give two Members in Middle and, therefore, it might not be acceptable to them.

So, whatever way it goes, I am quite sure there was a call made earlier about this being taken in sections, Mr President. I do not know, did you actually make your declaration as to whether it was going to be taken in (a) and (b) or (a)(i); (ii); (iii); and all the way through, but there is certainly a pattern started to form, that there are some areas that would appear to be acceptable to the majority, as there are others that will be obviously not acceptable to some, for the reason that they are involved, or genuinely, that other Members do not actually agree that it is correct that that is the way it should be done.

So, I will not spend too long, Mr President, therefore, going through all the comments made by Members, but I must admit I did not make too much comment, because Mr Karran very rarely throws bouquets upstairs, but I think he was absolutely right, but in a back-handed fashion said that we upstairs had less conflict than you have downstairs. So, I suppose the vote upstairs could save it all for yourselves. We could be the independent body to decide what should happen when the vote is 4-4. *(Laughter and interjections)*

**Mrs Crowe:** A good idea!

**The Chief Minister:** However, I would not attempt that, Mr President, for one minute –

**Mrs Crowe:** It might happen.

**The Chief Minister:** I will be very much persuaded by the way that the Keys do vote on these when, indeed, we find out, or I find out, how it is going to be voted upon, but certainly, there are many permutations and what we get out at the end of it is going to be extremely interesting.

Just for one last comment, Mr President, that is to (b). One or two Members were agreeing that to go with (b):

The Council of Ministers be requested to introduce any necessary legislative changes arising from the approved recommendations, in the current parliamentary session.

Well, of course, that is only inasmuch as you pass anything that is in (a). It does not, in fact, give us any authority or give the Committee any authority to go away and do what Mr Karran has put forward by way of an amendment – which is to (a)(v) – because all (b) does is, in fact, allow us to go forward with whatever Tynwald agrees we should go forward with, that we, perhaps, get in for the next election.

So, on that observation, Mr President, I would only say that Members will obviously arrive at a verdict and a decision and then I am quite sure the Committee will be able to pick that up and go away with a lot more observations and comments than, perhaps, they had when they came in to the Chamber this morning, sir.

Thank you.

**Mrs Christian:** Point of clarification.

**The President:** Mrs Christian, Hon. Member of Council.

**Mrs Christian:** Could I have some clarification, Mr President, on the point that the Chief Minister has just made?

I understand it would be that if Mr Karran's amendment was accepted, then the Council of Ministers, if (b) is also accepted *would* have to introduce legislation to make it... I thought you said –

**The President:** If it is accepted, that would be the case.

**The Chief Minister:** Yes, that is right. If anything in (a) that is passed, Mr President, (b) would be put into being.

**Mrs Christian:** I thought you said 'wouldn't'.

**The Chief Minister:** No, if you do not pass anything...

**The President:** Right, now, Hon. Members, having discussed Item 12, we have reached the stage, Hon. Members, of making a decision on the various bits and pieces, as it were.

I was aware this morning, early on, that there would probably be amendments made to the various sections. I thought we might have had a move to have it taken immediately in sections. Notwithstanding that, I think it is important that we do take it in sections and I am proposing to take it all in its individual sections, two of the sections having had amendments moved to them, notwithstanding anything else or any other comment which has been made.

I will, Hon. Members, be putting to you (a) in its sections, right down through to (viii), and then put to you (b). Whatever happens in any of those deliberations, as you go, Hon. Members, ultimately the motion will be put, as amended or not.

We are dealing with Item 12 on the Order Paper, dealing with (a)(i). Hon. Members, those in favour please say aye; against, no. The noes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 19, Noes 3*

#### FOR

Mr Anderson  
Mr Teare  
Mr Rodan  
Mr Quayle  
Mr Rimington  
Mr Gill  
Mr Gawne  
Mr Henderson  
Mr Cretney  
Mr Duggan  
Mr Braidwood  
Mr Shimm  
Mrs Hannan  
Mr Bell  
Mrs Craine  
Mr Karran  
Mr Corkill  
Capt. Douglas  
The Speaker

#### AGAINST

Mr Cannan  
Mr Houghton  
Mr Delaney

**The Speaker:** Mr President, part (a)(i) passes in the House of Keys, with 19 votes for, 3 votes against.

*In the Council – Ayes 9, Noes 0*

FOR	AGAINST
The Lord Bishop	None
Mr Lowey	
Mr Watt	
Mr Singer	
Mr Butt	
Mrs Christian	
Mr Gelling	
Mrs Crowe	
Mr Downie	

**The President:** With 9 for, none against, Hon. Members, (a)(i), therefore, carries.

Next: (a)(ii), Hon. Members. Those in favour, please say aye; against, no. The noes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 7, Noes 15*

FOR	AGAINST
Mr Anderson	Mr Cannan
Mr Quayle	Mr Teare
Mr Rimington	Mr Rodan
Mr Gill	Mr Houghton
Mr Gawne	Mr Henderson
Mr Karran	Mr Cretny
Mr Corkill	Mr Duggan
	Mr Braidwood
	Mr Shimmin
	Mr Delaney
	Mrs Hannan
	Mr Bell
	Mrs Craine
	Capt. Douglas
	The Speaker

**The Speaker:** Mr President, (a)(ii) of the motion fails to carry in the House of Keys, with 7 votes for, 15 votes against.

*In the Council – Ayes 0, Noes 9*

FOR	AGAINST
None	The Lord Bishop
	Mr Lowey
	Mr Watt
	Mr Singer
	Mr Butt
	Mrs Christian
	Mr Gelling
	Mrs Crowe
	Mr Downie

**The President:** With none for, 9 against in the Council (a)(ii), therefore, fails to carry, Hon. Members.

We then deal with (a) (iii). Now, to that, Hon. Members, you have the amendment in the name of the Hon. Member for Middle, Mr Quayle.

Dealing first, Hon. Members, with the amendment in the name of Mr Quayle. Those in favour, please say aye; against, no. The noes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 11, Noes 11*

FOR	AGAINST
Mr Anderson	Mr Cannan
Mr Teare	Mr Rodan
Mr Quayle	Mr Houghton
Mr Rimington	Mr Henderson
Mr Gill	Mr Cretny
Mr Gawne	Mr Duggan
Mr Bell	Mr Braidwood
Mrs Craine	Mr Shimmin
Mr Karran	Mr Delaney
Mr Corkill	Mrs Hannan
The Speaker	Capt. Douglas

**The Speaker:** Mr President, the amendment to (a) (iii) of the motion fails to carry, with 11 votes being for, 11 votes against and my casting vote against, sir.

*In the Council – Ayes 2, Noes 7*

FOR	AGAINST
Mrs Christian	The Lord Bishop
Mrs Crowe	Mr Lowey
	Mr Watt
	Mr Singer
	Mr Butt
	Mr Gelling
	Mr Downie

**The President:** With 2 for, 7 against, Hon. Members, again, (a) (iii), the amendment, fails to carry.

I put to the Court, Hon. Members, (a) (iii), as printed on your Order Paper – (a) (iii) as on the Order Paper, Hon. Members. Those in favour, please say aye; against, no. The noes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 7, Noes 15*

FOR	AGAINST
Mr Anderson	Mr Cannan
Mr Rimington	Mr Teare
Mr Gill	Mr Rodan
Mr Gawne	Mr Quayle
Mr Karran	Mr Houghton
Mr Corkill	Mr Henderson
The Speaker	Mr Cretny
	Mr Duggan
	Mr Braidwood
	Mr Shimmin
	Mr Delaney
	Mrs Hannan
	Mr Bell
	Mrs Craine
	Capt. Douglas

**The Speaker:** Mr President, part (a)(iii) of the motion fails to carry in the House of Keys, with 7 votes for, 15 votes against.

*In the Council – Ayes 1, Noes 8*

FOR	AGAINST
Mrs Crowe	The Lord Bishop
	Mr Lowey
	Mr Watt
	Mr Singer
	Mr Butt
	Mrs Christian
	Mr Gelling
	Mr Downie

**The President:** With 1 for, 8 against in the Council, Hon. Members, (a)(iii), therefore, fails to carry.

I put to the Court now that printed on the Order Paper at (a)(iv). Those in favour, please say aye; against, no.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 8, Noes 14*

FOR	AGAINST
Mr Anderson	Mr Cannan
Mr Quayle	Mr Teare
Mr Rimington	Mr Rodan
Mr Gill	Mr Houghton
Mr Gawne	Mr Henderson
Mr Karran	Mr Cretney
Mr Corkill	Mr Duggan
The Speaker	Mr Braidwood
	Mr Shimmmin
	Mr Delaney
	Mrs Hannan
	Mr Bell
	Mrs Craine
	Capt. Douglas

**The Speaker:** Mr President, part (a)(iv) of the motion fails to carry in the House of Keys, with 8 votes for, 14 votes against.

*In the Council – Ayes 1, Noes 8*

FOR	AGAINST
Mrs Crowe	The Lord Bishop
	Mr Lowey
	Mr Waft
	Mr Singer
	Mr Butt
	Mrs Christian
	Mr Gelling
	Mr Downie

**The President:** With 1 for, 8 against in the Council, Hon. Members, (a)(iv) fails to carry.

Now we move on, Hon. Members, to (a)(v) and, again, Hon. Members, you have had circulated to you in the name of the Hon. Member, Mr Karran, an amendment to (a)(v). I put to you, first, the amendment in the name of the Hon. Member, Mr Karran. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

If I can put to you (v), as amended, Hon. Members, those in favour, please say aye; against, no. The ayes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 11, Noes 11*

FOR	AGAINST
Mr Anderson	Mr Cannan
Mr Teare	Mr Rodan
Mr Quayle	Mr Gill
Mr Rimington	Mr Houghton
Mr Gawne	Mr Henderson
Mr Shimmmin	Mr Cretney
Mrs Hannan	Mr Duggan
Mr Bell	Mr Braidwood
Mr Karran	Mr Delaney
Mr Corkill	Mrs Craine
Capt. Douglas	The Speaker

**The Speaker:** Mr President, part (a)(v) of the motion, as amended, fails to carry with 11 votes for, 11 votes against, my casting vote for the status quo.

*In the Council – Ayes 7, Noes 2*

FOR	AGAINST
The Lord Bishop	Mr Waft
Mr Lowey	Mr Singer
Mr Butt	
Mrs Christian	
Mr Gelling	
Mrs Crowe	
Mr Downie	

**The President:** With 7 for, 2 against in the Council, Hon. Members, branches are in disagreement, therefore the motion fails to carry.

Hon. Members, we then turn to part (vi), the statutory guidelines section.

Hon. Members, those in favour, please say aye; against, no. The noes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 12, Noes 10*

FOR	AGAINST
Mr Anderson	Mr Cannan
Mr Teare	Mr Rodan
Mr Quayle	Mr Houghton
Mr Rimington	Mr Henderson
Mr Gill	Mr Cretney
Mr Gawne	Mr Duggan
Mr Bell	Mr Braidwood
Mrs Craine	Mr Shimmmin
Mr Karran	Mr Delaney
Mr Corkill	Mrs Hannan
Capt. Douglas	
The Speaker	

**The Speaker:** Mr President, (a)(vi) of the motion carries in the House of Keys, with 12 votes for, 10 votes against.

*In the Council – Ayes 9, Noes 0*

FOR	AGAINST
The Lord Bishop	None
Mr Lowey	
Mr Waft	
Mr Singer	
Mr Butt	
Mrs Christian	
Mr Gelling	
Mrs Crowe	
Mr Downie	

**The President:** With 9 for, none against in the Council, Hon. Members, part (vi), therefore, carries.

We turn, then, Hon. Members, to (a)(vii).

Those in favour, please say aye; against, no. The noes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 20, Noes 2*

**FOR**

Mr Anderson  
Mr Cannan  
Mr Teare  
Mr Rodan  
Mr Quayle  
Mr Rimington  
Mr Gill  
Mr Gawne  
Mr Houghton  
Mr Cretney  
Mr Duggan  
Mr Braidwood  
Mr Shimmn  
Mrs Hannan  
Mr Bell  
Mrs Craine  
Mr Karran  
Mr Corkill  
Capt. Douglas  
The Speaker

**AGAINST**

Mr Henderson  
Mr Delaney

**The Speaker:** Mr President, part (a)(viii) of the motion carries in the House of Keys, with 21 votes for, 1 vote against.

*In the Council – Ayes 9, Noes 0*

**FOR**

The Lord Bishop  
Mr Lowey  
Mr Waft  
Mr Singer  
Mr Butt  
Mrs Christian  
Mr Gelling  
Mrs Crowe  
Mr Downie

**AGAINST**

None

**The President:** With 9 for, none against in the Council, Hon. Members, (a)(viii), therefore, carries.

Now, Hon. Members, we deal with (b). Hon. Members, those in favour, please say aye; against, no. The noes have it.

*A division was called for and voting resulted as follows:*

**The Speaker:** Mr President, part (a)(vii) of the motion carries in the House of Keys, with 20 votes for and 2 votes against.

*In the Council – Ayes 9, Noes 0*

**FOR**

The Lord Bishop  
Mr Lowey  
Mr Waft  
Mr Singer  
Mr Butt  
Mrs Christian  
Mr Gelling  
Mrs Crowe  
Mr Downie

**AGAINST**

None

**The President:** With 9 for, none against in the Council, Hon. Members, (a)(vii), therefore, carries.

We turn to (a)(viii), Hon. Members. Those in favour, please say aye; against, no. The ayes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 21, Noes 1*

*In the Keys – Ayes 15, Noes 7*

**FOR**

Mr Anderson  
Mr Cannan  
Mr Quayle  
Mr Rimington  
Mr Gill  
Mr Gawne  
Mr Cretney  
Mr Braidwood  
Mr Shimmn  
Mrs Hannan  
Mr Bell  
Mrs Craine  
Mr Karran  
Mr Corkill  
Capt. Douglas  
The Speaker

**AGAINST**

Mr Cannan  
Mr Teare  
Mr Rodan  
Mr Houghton  
Mr Henderson  
Mr Duggan  
Mr Delaney

**The Speaker:** Mr President, part (b) of the motion carries in the House of Keys, with 15 votes for, 7 votes against.

*In the Council – Ayes 8, Noes 1*

**FOR**

The Lord Bishop  
Mr Lowey  
Mr Singer  
Mr Butt  
Mrs Christian  
Mr Gelling  
Mrs Crowe  
Mr Downie

**AGAINST**

Mr Waft

**The President:** With 8 votes for, 1 against, for part (b) in the Council, Hon. Members, part (b), therefore, carries.

Now, Hon. Members, before I put to you the motion, as amended, so that we are all clear and I want it to be as clear as I can possibly make it, just to confirm, if you would, that I have it that 12(a) has been amended to the effect that part (i) still is in existence, part (vi) is in existence and part (vii) is in existence and part (viii). The others, (ii), (iii), (iv) and (v), you have deleted, Hon. Members.

Therefore, Hon. Members, with that, I put to you the motion, as amended. Those in favour, please say aye; against, no.

**Mr Lowey:** Could I just, Mr President...

**The President:** Yes, sir.

**Mr Lowey:** You mentioned that part (v) was omitted.

**The President:** Yes, it is.

**Mr Lowey:** I thought it was amended.

**A Member:** Yes.

**The President:** No, it was not.

**A Member:** It failed. (*Interjections*)

**The President:** Hon. Members, part (v) failed.

**Mrs Craine:** The amendment carried.

**Mr Karran:** We could have a combined vote.

**The President:** Part (v) fails, sir. I will recall the vote on the motion, as amended. Those in favour, please say aye; against, no. The noes have it.

*A division was called for and voting resulted as follows:*

*In the Keys – Ayes 13, Noes 9*

**FOR**

Mr Anderson  
Mr Quayle  
Mr Rimington  
Mr Gill  
Mr Gawne  
Mr Cretnay  
Mr Braidwood  
Mrs Hannan  
Mr Bell  
Mrs Craine  
Mr Karran  
Mr Corkill  
Capt. Douglas

**AGAINST**

Mr Cannan  
Mr Teare  
Mr Rodan  
Mr Houghlon  
Mr Henderson  
Mr Duggan  
Mr Shlmlin  
Mr Delaney  
The Speaker

**The Speaker:** Mr President, the motion, as amended, carries in the House of Keys with 13 votes for, 9 votes against.

*In the Council – Ayes 7, Noes 2*

**FOR**

The Lord Bishop  
Mr Lowey  
Mr Singer  
Mr Butt  
Mrs Christian  
Mr Gelling  
Mrs Crowe

**AGAINST**

Mr Waft  
Mr Downie

**The President:** With 7 for, 2 against, in the Council, Hon. Members, the motion, as amended, therefore carries.

**Waste Management Strategy Report**  
**Debate commenced**

13. The Minister for Local Government and the Environment to move –

*That Tynwald receives the Waste Management Strategy Report and approves its recommendations, as follows –*

*(a) Kerbside collection should, as a minimum, be introduced into the villages and towns, where the density of housing makes it practicable, with April 2008 as a target date;*

*(b) The full cost of £120 per tonne should be recognised although the effective waste charge should not exceed the operational cost of the Energy from Waste facility;*

*(c) The subsidy for commercial waste should be fixed at 40% of the full cost of £120 per tonne for five years with an effective charge of £72 per tonne. The subsidy for domestic waste should be set at 80% of the full cost of £120 per tonne for 2006-07 and 75% for 2007-08 and until such time as the application of the 'user pays principle' has been further clarified. The effective cost per tonne will be £24 and £30 respectively;*

*(d) Tynwald endorses the principle that all local authorities contribute to a regional civic amenity site and that all residents have equal access to any civic amenity site on the Island; and*

*(e) The Council of Ministers, as a matter of urgency and ahead of the review of the scope and structure of Government, should seek to remove the operational elements of the waste management function from the Department of Local Government and the Environment and establish the new function elsewhere within Government on the principles of partnership and openness.*

**The President:** Hon. Members, we then turn to Item 13. I call on the Minister for Local Government and the Environment to move.

Minister for Local Government and the Environment.

**The Minister for Local Government and the Environment (Mr Rimington):** Mr President, Hon. Members have had a considerable time to consider our Waste Management Report.

There are five recommendations, each of which I will address in turn.

However, I must first comment on the 'user pays' principle, as some commentators seem to suggest that we do not have the policy basis for this principle, or question that it was ever agreed that it should be a charge to the ratepayer.

I accept that some Hon. Members may not like the principle, or the reality of its application, but I am firm in my conviction that the principle is a long-standing Tynwald policy and to attest otherwise is to deny the evidence of the last 12 years. I refer to Appendix 3(b) in the Report, where the application of the principle has been clearly published. The slides in that appendix were presented to local authorities in February 1999; I was there.

Slide 2 and subsequent slides set out the principle and how it was to be applied, with a gate charge to local authorities, which, in turn, would be an impact on the rates. The presentation was given by the Minister of the day, Mr Quine, and I am sure that all Hon. Members will agree that

