

IN TYNWALD

May 2019

FOR WRITTEN ANSWER

The Hon. Member for Rushen (Mr Speaker) to ask the Chief Minister –

What Programme for Government commitments, including all proposed primary and secondary legislation, reports, documents and circulars, will be brought to Tynwald and the branches in each month of the 2019/2020 parliamentary session?

The Programme for Government, approved unanimously by Tynwald in January 2017, sets out the aims of the Government for the next five years and a high level plan to achieve them.

Through this strategic plan Council of Ministers has committed to working towards 20 outcomes, identifying a number of policy statements and actions that will do this.

The Council of Ministers has agreed political sponsors and delivery dates for all actions. However the specific project plans for actions are determined at an operational level. Therefore a completion date for the action is identified in the Programme for Government, but this will not always indicate the date that the legislation, report or document will be brought to Tynwald, if at all.

Progress reports for all actions are published on a quarterly basis and can be found at www.gov.im/performance.

An overall schedule for primary legislation in the coming twelve months is regularly published on the Tynwald order paper and on the Cabinet Office webpage.

Provisional information about expected primary legislation that supports the delivery of the Programme for Government, for introduction into the Branches before July 2020 is provided (Appendix A). It should be noted that there are a significant number of further pieces of primary legislation being progressed through policy and drafting stages.

APPENDIX A - Potential timetable of primary legislation, for introduction into the Branches during the 2019-2020 parliamentary session.

Noting that the current parliamentary session 2018-2019 is drawing to a close, the anticipated Bills for introduction in June 2019 have also been included.

Formal consideration and ratification of the Legislation Programme for 2019-2020 will take place during the summer, ahead of the next parliamentary season.

Priority Considerations for Legislation Programme	
UK-EU Withdrawal	Amendment Bills, Regulations and new primary legislation in relation to UK withdrawal from EU
Data Protection	Amendment Bill and potential Regulations to continue to comply with EU GDPR
MONEYVAL	Various amendment bills and new primary legislation to comply with MONEYVAL/AML/CFT
Banking Reform	Various amendment bills and new primary legislation in respect of Banking Reform
Income Tax	Rolling yearly item in order to amend Income Tax legislation
Maritime legislation	Various amendment bills and new primary legislation to comply with International Maritime Organisation Standards.
Health and Care	Primary and secondary legislation arising from the recommendations of the Independent Health and Care Review (Sir Jonathan Michael)

Name of Bill	Sponsoring Department	Purpose	Anticipated Date of Introduction
Road Traffic Legislation (Amendment) Bill	Infrastructure	To amend legislation following Legislative Council committee recommendations.	Summer 2019
Children and Young Persons (Amendment) Bill	Health and Social Care	To place the Child Death Overview Panel on a statutory footing.	Summer 2019
Domestic Abuse Bill	Home Affairs	Phase 1 of the Criminal Justice Modernisation Project - To reform legislation dealing with criminal justice, sentencing and offender management.	Summer 2019
Administration of Justice (Miscellaneous Provisions) Bill	Home Affairs	Phase 1 of the Criminal Justice Modernisation Project - To reform legislation dealing with criminal justice, sentencing and offender management.	Summer 2019
Sexual Offences and Obscene Publications Bill	Home Affairs	To make provisions for penalties in relation to obscene publications, acts with children, pornographic images, registration of offenders. To provide for anonymity for victims of	Summer 2019

		sexual crime beyond rape.	
Douglas Bay Tramway (Amendment) Bill	Infrastructure	Amend various powers contained within the Douglas Bay Tramway Act 1876 to ensure the current and future operation of the tramway is on a secure legal footing.	Summer 2019
Competition Bill	Office of Fair Trading	To provide for a modern framework of competition law suitable for a small economy.	Summer 2019
International Co-operation (Protection from Liability) Bill	Attorney General's Chambers	Arises from concerns of the Crown Dependencies and the UK about liability when acting on a request from another jurisdiction under international co-operation arrangements.	Summer 2019
Limitation (Childhood Abuse) Bill	Attorney General's Chambers	Removes the limitation period for the very specific class of childhood abuse cases and facilitates access to justice.	Summer 2019
Property Services Charges (Amendment) Bill	Infrastructure	Amendments to legislation to reflect Select Committee recommendations on service charges and Freehold properties.	Summer 2019
Public Sector Pensions (Amendment) Bill	Cabinet Office/Public Sector Pensions Authority	To improve and simplify the enabling legislation for Public Sector Pensions.	Summer 2019
Education Bill	Education, Sport and Culture	To consolidate previous legislation and introduce provisions to support developments in the field of education.	Autumn 2019
Landlord Registration (Private Housing) Bill	Infrastructure	To introduce mandatory registration of landlords and their properties, and enable effective enforcement of minimum standards.	Autumn 2019
Debt Review and Recovery Bill	Treasury	To provide for a debtors register and for connected purposes.	Autumn 2019
Estate Agents (Amendment) Bill	Office of Fair Trading	To make amendments to address deficiencies in legislation. – specifically for Estate Agent qualifications	Autumn 2019
Regulation of Care (Amendment) Bill	Health and Social Care	To amend the Regulation of Care Act 2013 with the effect of exempting agencies providing temporary medical and nursing staff from registration under the Act.	Autumn 2019
Investigatory Powers (Data Encryption) Bill	Home Affairs	Arises from concerns on the part of the Constabulary about their ability to secure evidence on mobile devices which have been seized during investigations	Winter 2019-2020
Trusts (Amendment) Bill	Treasury	To reform Trusts Law and increase the competitive advantage of the Trusts Sector in the Isle of Man.	Winter 2019-2020
Public Sector Payments Bill	Treasury	To make amendments to address deficiencies in legislation.	Winter 2019-2020

Licensing Bill	Home Affairs	To repeal and replace existing law in relation to licensing of the sale of alcohol and in respect of licensing music and dancing.	Winter 2019-2020
Rating and Valuation Bill	Cabinet Office / Treasury	To modernise legislation for rating valuation and collection	Spring 2020
Smart Services Programme Bill	Cabinet Office	To enable smarter efficient management of personal data by Government	Summer 2020
Retirement Benefit Schemes (Amendment)	Treasury / Financial Services Authority	Update requirements for Retirement Benefits Schemes and to increase consumer protection.	Summer 2020
Isle of Man International Lottery Bill	Treasury	An enabling Bill, which would provide the vires for the creation of the Isle of Man International Lottery and a legal basis for appropriate formative, licensing, enforcement and distribution provisions.	Summer 2020
Climate Change Bill	Environment, Food and Agriculture	To introduce legislation to enable the Island to reach net-zero carbon emissions by 2050 in line with the United Nations Intergovernmental Panel on Climate Change report.	Summer 2020
Information Commissioner Bill	Cabinet Office	To ensure the Isle of Man continues to be compliant with GDPR and to establish the Information Commissioner's Office as a statutory entity.	Summer 2020
Local Government (Amendment) Bill	Infrastructure	To amend known deficiencies in legislation and to adhere to previous Parliamentary Committee recommendations.	Summer 2020
Registration of Electors (Amendment) Bill	Cabinet Office	Phase One: focuses on the franchise and electoral registration (Registration of Electors Act 2006)	Summer 2020
Representation of the People (Amendment) Bill	Cabinet Office	Phase Two: will consider the existing legislation and regulations in respect of elections including revisiting Local Elections Act 1986	Summer 2020
Animal Welfare Bill	Environment, Food and Agriculture	To introduce and modernise provision for the welfare of animals.	Summer 2020

IN TYNWALD

May 2019

FOR WRITTEN ANSWER - 33

The Hon. Member of the Council, Miss August-Hanson, to ask the Chief Minister –

What consideration has been given by the Council of Ministers to reviewing the particular needs of older people and the lonely and to the appropriate approach in response, pursuant to the Tynwald resolution 9/18 of February 2018; what workstreams are underway; and why the item is still listed as under consideration in the Tynwald Decisions list?

The Meeting Our Population Challenges White Paper which was published in February 2018 included a section titled 'Growing population of older people' which investigated the issues relating to older people on the Island. Specifically it reviewed the needs in relation to health care, social care and constructed the Island's first Active Ageing Index. The Active Ageing Index looks at ageing from a positive point of view rather than a negative perception which is often used.

The White Paper concluded four main points:

- Relative poverty is an issue from some pensioners, although not necessarily any more so than the general population, with lowest quartile of pensioners spending more than they receive in income, on average.
- Whilst there are currently strong family ties which support older people, and older people supporting working families through childcare, continued migration, both inward and outward, may lead to a situation where these ties become more broken.
- The Island performs well in most aspects of the Active Ageing Index, although the weakest indicator was that older people should be encourage to be more active.

- That the Island is likely to need around 200 extra Nursing and Residential Care beds by 2036, and needs a regime to pay for them.

The Programme for Government includes a range of actions which address the issues identified above, but also go further. The Programme for Government includes the following actions which are relevant for older people:

- Investigate and report how to ensure we have accommodation that can meet the needs of an ageing population including care and extra care housing, and nursing and residential homes (Action 14.2)
- Consider and recommend funding options for residential and nursing care (Action 18.9)
- Update the ageing population research report from 2013, and revisit the action plan (Action 18.17)

There are also additional actions being undertaken which are not specifically referenced within the Programme for Government such as the Peel pilot project for integrated cared for people over 18 years which is bringing together care providers across the West of the Island to ensure that all care providers are working together. The State Pension has also been increased by 2.5%, 3.3% and 2.5% for the last three financial years.

IN TYNWALD

May 2019

Qu34 FOR WRITTEN ANSWER

The Hon. Member for Rushen (Mr Speaker) to ask the Treasury Minister –

What the current process is for, and frequency of, medical review of those on disability benefits?

In answering it is assumed that the reference to “disability benefits” is to Attendance Allowance and Disability Living Allowance, both of which are universal (i.e. not means-tested) social security benefits.

Awards of Attendance Allowance (AA) are always made for an indefinite period.

Awards of Disability Living Allowance (DLA) are more commonly made for a 3-year period. However, a social security adjudication officer may award DLA for less than 3 years if they believe that the claimant’s condition may improve - for example, due to ongoing treatment. Or they may award the benefit for an indefinite period if the claimant is entitled to the highest rates of both the care and mobility components and there is nothing to suggest that their condition will improve.

A fixed term award of DLA is reviewed shortly before it is due to expire, or sooner if the adjudication officer is made aware that there has been a change in the claimant’s condition, their care needs or the degree of their mobility.

For a review of either an AA or DLA award the claimant (or their representative) is normally asked to complete a review form describing their current condition and care needs. This may be supplemented by information provided by any healthcare professional, social worker, or other professional (such as a teacher, where an award of DLA is in respect of a child) who is familiar with their condition. The claimant may also be required to undergo a medical assessment conducted by one of the examining medical practitioners engaged by Treasury to help inform the review (these are referred to as simply “medical assessments” below).

A claimant can request a review of their AA or DLA award (whether it is for a fixed or indefinite period) at any time and a similar process to that described above would follow.

An adjudication officer may also instigate a review of an existing award (whether it is for a fixed or indefinite period) for any reason and at any time. Again, a similar process to that described above would follow.

Once the adjudication officer is satisfied they have all the necessary information they will decide whether –

- a further award should be made, and if so at what rate(s) and for how long;
- an award should be changed;

- an award should continue unchanged;
- an award should be terminated

as is appropriate in the case.

In the last financial year 112 reviews of AA awards and 500 reviews of DLA awards were conducted.

Of the reviews of AA awards conducted medical assessments were required in just 3 cases (2.7%).

Of the reviews of DLA awards conducted medical assessments were required in 171 cases (34.2%).

Hon A L Cannan MHK
Minister for the Treasury

IN TYNWALD

May 2019

Question 35

FOR WRITTEN ANSWER

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Enterprise –

How much the Department has spent on job creation in the last three years; how many jobs have been created; what the payback period is for each job created; and how the Department benchmarks its success?

The Department for Enterprise's mission is "to create an environment, through innovation and collaboration, where the economy thrives", and consequently the primary focus for the Department, and the majority of its annual expenditure, is around job sustainability and job creation.

Over the last three years almost 4,000 jobs have been added to the economy and the Department and its various functions have supported this overall growth with over 1,075 jobs added in the last 12 months alone.

The refocus of the Department for Enterprise has allowed it to be broadly cost neutral to the taxpayer by collecting income and investing this back into the economy in a variety of forms.

One of these is through the direct financial assistance the Department provides to businesses. The Department's main financial support schemes which are linked to job creation are:

- the Financial Assistance Scheme (FAS);
- the Micro Business Grant Scheme (MBGS); and
- the Enterprise Development Scheme (EDS).

Under the FAS the assistance awarded is linked in part to the exchequer benefit created by new employment forecast to be created through the proposed support, though other factors (including salary levels, potential spend in the local economy and the range of jobs created) are also taken into account.

The Department ordinarily looks to see that the exchequer benefit returned will exceed the assistance given within a period of 5 years. The exchequer benefit is calculated in the main as a percentage of Income Tax and National Insurance contributions against the anticipated number of jobs and salary levels over the period of any subsequent grant, although additional benefits may also be taken into account.

In terms of numbers of jobs created, the Department records the minimum and maximum employment forecast by a project and uses an average as an indication of the employment forecast to be created during any year in question. The amount paid under the FAS along

with the average number of forecast jobs in the last three years is set out in the table below:

Year	2016/17	2017/18	2018/19
Total amount paid £	3,189,270	2,351,241	4,574,759
Average number of jobs	215	357	175

It is important to note that there is no direct link between forecast jobs and payments given in any year. Offers of assistance are open for a period of 2 years, meaning that payments often relate to an offer made in a previous year.

The MBGS supports the establishment of very small new businesses involving only the owner at the outset. The following table shows the last 3 years statistics for actual businesses set up (as opposed to forecast) and thus jobs created and the amount spent on the scheme each year:

Year	2016/17	2017/18	2018/19
Total amount paid £	342,109	444,154	391,982
Jobs created	62	88	71

As detailed above, over the last 3 years the total number of jobs created via the MBGS is 221.

In terms of investments made to date through the Enterprise Development Scheme, the last information published in December 2018 showed that £3.937 million was invested in businesses by Spark Impact and 20 jobs were created as a result. The Enterprise Development Scheme 2018, which is managed directly by the Department is only just at the point of evaluating applications.

In terms of benchmarking the success of financial assistance, this is done through assessing grants on the basis of exchequer benefit, as highlighted above. In addition, payment of grants to businesses offered may be linked to evidence that the proposed jobs have in fact been created.

IN TYNWALD

April 2019

QUESTION 36

FOR WRITTEN ANSWER

The Hon. Member of the Council, Miss August-Hanson, to ask the Minister for Environment, Food and Agriculture –

What consideration has been given to Tynwald resolutions 09/16, 11/16, 17/16 and 18/16 of May 2016 relating to animal welfare; what workstreams are underway; and why these items are still listed as under consideration in the Tynwald Decisions list?

ANSWER

Taking the resolutions individually:

09/16 Recommendation 3 - That the forum which is to be established to consult on the draft legislation should be developed into a 'Manx Welfare Advisory Body' whose members would provide expertise under the Act, either as trained, empowered inspectors or as advisors to those with such powers.

- This was considered by the Animal Welfare Forum which recommended that it would be good practice for the police to take along somebody (a non-governmental organisation NGO) with appropriate expertise when dealing with situations. Empowering NGOs in their own right was not recommended.
- The Department has considered this matter and decided that it will address this issue as the Bill nears completion; noting that an Advisory Body should be comprised primarily of advisors. While inspectors may take part in this body, the enforcement function should exist separately.

11/16 Recommendation 5 - That the Department's legislative proposals should include a requirement for a public Register of Offenders to record those convicted of offences under the Act who are barred from keeping animals.

- This was considered by the Animal Welfare Forum which recommended that though it was a good idea it posed challenges and should not be made public but be available to relevant bodies when required.
- The Department has considered this matter and decided that this provision will be included in the Bill, if an appropriate lawful avenue exists.

17/16 Recommendation 11 - That the Department of Environment, Food and Agriculture review the Cruelty to Animals Act 1997 provisions for Scientific Procedures on animals.

- The Department has considered this matter and intends to review the Cruelty to Animals Act 1997 provisions for Scientific Procedures during this administration.

18/16 Recommendation 12 - That the Department of Environment, Food and Agriculture should either amend the Wildlife Act 1990 or produce an explanatory notice for the public, which sets out clearly what is and is not permitted with respect to the use of snares.

- The Department has considered this and intends to publish advice in accordance with this recommendation during this administration.

Taking the resolutions altogether:

All these items presently fall in the category 'Under Consideration' as although the Department has looked at the decisions, and they been discussed actual work has not yet commenced.

Progress on these Tynwald Resolutions and the Animal Welfare Bill in particular has been delayed due to the reallocation of resources to the ongoing BREXIT process.

In spite of best intentions, the workloads related to BREXIT have been much larger and continue much longer than anticipated, and as a result no significant progress has yet been made on these items.

I still very much look forward to progressing the Tynwald Resolutions and in particular the introduction of new legislation to help safeguard the welfare of companion animals on the Island that we can all be proud of.

For the present BREXIT work must take priority, however, when time and resources allow this work will be progressed as a matter of priority.

IN TYNWALD

April 2019

QUESTION 37

QUESTION WITHDRAWN

IN TYNWALD

MAY 2019

WRITTEN ANSWER – QUESTION 38

QUESTION WITHDRAWN

IN TYNWALD

MAY 2019

WRITTEN ANSWER – QUESTION 39

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Environment, Food and Agriculture –

If he will make a statement on the environmental importance of the Island's Hedgerows, their positive impact to climate change and their contribution to biodiversity and conservation value?

Carbon dioxide is one of the main anthropogenic greenhouse gases causing climate change; the plants in hedgerows are a carbon store locking carbon away for the life time of the plants.

Increasingly so, hedges are the only semi-natural habitat in an otherwise improved agricultural landscape and they function as refuges for biodiversity. Hedges provide food, shelter and breeding sites for birds, invertebrates, lizards and small mammals. Hedges act as corridors providing cover for wildlife to move between habitats. Hedgerows with a diverse range of plant species, including flowering plants at their base, provide food and a nectar source for an equally diverse range of invertebrates such as bees, moths, butterflies, flies, bugs and beetles. Together these form the foundation of a healthy ecosystem.

Hedgerows are important foraging areas for many bird species including hen harriers that are regularly seen hunting along field boundaries. Autumn berries provide food for overwintering redwing and fieldfare. Bats regularly utilise hedgerows, taking advantage of the associated insects; they also use hedgerows to navigate around the countryside. The common lizard is the only reptile on the Isle of Man and is frequently found on sodhedges. Mature trees within hedgerows provide cracks and crevices for nesting birds and roosting bats. Tall trees also act as song posts for male birds to stake out their territories.

DOT commissioned a Road Verge Survey in 1996 undertaken by Manx Nature Conservation Trust (now Manx Wildlife Trust). A proportion of road verges, sod banks and hedgerows were surveyed and plant species and their abundance were recorded. The data has been entered on the Manx Biological Recording Partnership's database and transferred to the NBN Atlas where it can be viewed by the public online. Therefore we have a reasonably comprehensive knowledge of the floristic value of road verges, sod banks and hedgerows.

Hedgerows help to prevent wind erosion of soil by providing shelter belts. If situated at the base of slopes hedgerows and associated flowering plants can absorb runoff from fields reducing sedimentation of water courses. Well managed hedgerows with a diversity of plant species can be rich in invertebrate species many of which pollinate crops and are natural predators of crop pests. A study undertaken by Rusch *et al.* 2016¹ found that the removal of hedgerows and semi-natural habitats made it easier for

¹ Rusch, A., Chaplin-Kramers, R., Gardiner, M. M., Hawro, V., Holland, J., Landis, D., Thies, C., Tschardtke, T., Weisser, W. W., Winqvist, C., Woltz, M. and Bommarco, R. (2016) Agricultural landscapes simplification

pest species to build up to levels at which they can significantly damage crops. There is also some evidence that hedges filter roadside pollutants reducing the spread to adjacent areas².

DEFA has produced a [Manx Hedgerow Management](#) document as part of its suite of Codes of Good Agricultural Practice. The document outlines the benefits of hedgerows and best management practices. Farms within the Agricultural Development Scheme are restricted to hedge trimming work from the 1st September to the end February. Hedge cutting undertaken outside of these dates requires a Works Approval from DEFA (cutting is permitted for road safety reasons without a Works Approval during these dates). Penalties exist for the failure to comply with hedgerow cutting dates. Hedges provide shelter and an effective stock proof barrier and are particularly useful at preventing the spread of disease between neighbouring farms as a thick stock proof hedge will prevent “nose-to-nose” contact between stock.

Manx sod-hedges are an integral part of the beauty of the Manx countryside and contribute as an important part of our unique island heritage. Enclosures started around 1422 with sodhedges and there has been regular legislation to encourage land owners to maintain them, particularly in the late 17th century and late 18th century; these may have had European gorse on the top in the later stages. Hedges are thought to date from 1850 onwards (pers. comm. MNH).

reduces natural pest control: a quantitative synthesis. *Agriculture, Ecosystem and Environment* Vol. 221198 – 204.

² Abhijith, K. V. & Kumar, P. (2019) Field investigations for evaluating green infrastructure effects on air quality in open-road conditions. *Atmospheric Environment* [10.1016/j.atmosenv.2018.12.036](#)

IN TYNWALD

MAY 2019

WRITTEN ANSWER – QUESTION 40

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Environment, Food and Agriculture –

What action he is taking to ensure that all Local Authorities understand the wildlife and conservation significance, aesthetic and biodiversity aspects of the Islands hedgerow habitats?

Following discussions with the Manx Nature Conservation Forum, my Department wrote to all Local Authorities on the 16th April 2019 providing advice on the appropriate maintenance of roadside hedges, sod banks and verges in locations where there are no road safety constraints. The advice included the wildlife and aesthetic benefits of these features and the appropriate management including not cutting hedgerows in the bird nesting season and cutting sod banks and verges in September once flowers have set seed. An offer of additional advice was provided.

Where hedgerows need to be cut in the bird nesting season (1st April to 31st August), commissioners were advised to check hedgerows for nests prior to cutting. Birds, their nests, eggs and chicks are protected under the Wildlife Act 1990; additionally some species are protected from disturbance while nesting.

IN TYNWALD

MAY 2019

WRITTEN ANSWER - QUESTION 41

The Hon. Member of the Council, Mr Henderson, to ask the Minister for Environment, Food and Agriculture –

What action he is taking to preserve the wildlife significance of the heritage trail from Douglas to Peel?

Mr President

Officers from my Department are aware of the high nature conservation value of the Heritage Trail, and the land adjacent to it, and have been working with the Department of Infrastructure to minimise loss of this wildlife habitat and prevent damage to protected species whilst significant work to resurface the trail takes place.

It was agreed with the Department of Infrastructure (DOI) that tree loss would be minimised and undertaken over the winter before the bird nesting period. An Ecological Clerk of Works was employed by DOI to check trees for bats before the works commenced. Clearance of debris from ditches was also carried out over winter, at my Department's request, to avoid disturbance to breeding frogs. Care was taken to prevent the drainage of important wetland adjacent to the Trail and to prevent the spread of New Zealand Pygmyweed (*Crassula helmsii*), a non-native invasive plant which is present in a small area at the Raggatt.

My officers have in recent weeks met with the contractors appointed to undertake the surfacing works. An Ecological Clerk of Works is employed to advise and oversee that due care is taken to avoid any damage to protected species and also to minimise the loss of the flower-rich grassland verge that is on or alongside the current pathway. My Department is pleased to hear that DOI have agreed to narrow the width of the new track in some places to avoid destruction of orchids, a protected species, which grow in the grassland verge.

I appreciate that there have been some visible changes to the tree and scrub habitat, however, the assessment is that within a few years the ecosystems will have recovered, affording the public better access from which to enjoy that environment.

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 42

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care –

What provision is being made in the revised GP contracts for accepting people from outside of the usual catchment area?

Currently the provisions of the general medical services contract which the Department holds with each GP Practice ensures that every patient on the Island is able to register with a General Medical Practitioner in the area where they live. Each GP Practice has a catchment area, which is agreed with the Department, and the Practice is contractually required to accept patients who reside within that area. GP Practices are able to accept patients who do not reside within their catchment area, even though they are not contractually obliged to do so, however they often do not do so because of the responsibility they have to carry out a home visit should circumstances necessitate. Home visits to patients who reside outside the Practice catchment areas obviously take significantly more time for the individual GPs and impact on care provided to other patients.

One of the revisions proposed for the 2019 GP Contract is the provision of funding for the development of a Primary Care Network for the Island. This will create, for the first time, a foundation for GP Practices to work more closely together across the Island. Over the next 3-5 years, as the Network matures, there will be opportunities for closer working and for innovation, both within the GP community and the wider health care community.

Prior to the implementation of the next revision of the Isle of Man GP Contract, which will commence on 1st April 2020, the Department intends to hold a consultation process on the Island. The consultation will not just be for health care providers and wider government services, but also for patients to be able to inform the Department what

they most value about the services provided by GP Practices and what they feel could be provided differently.

As a matter of priority the Department will be identifying the key areas for the Primary Care Network to progress in its first year. Following the consultation mentioned earlier it will become clear whether the provision of services to patients from outside of the usual catchment areas will be a priority.

The Community Care Directorate is always willing to keep Tynwald Members informed of progress and in that respect please do not hesitate to contact officers to gain an update when required.

-Ends-

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 43

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care –

How frequently hospital doctors and consultants are required to revalidate with the General Medical Council; and how many are more than (a) three months; (b) six months; and (c) a year overdue for routine revalidation?

Doctors are required to be revalidated every 5 years.

We have had no doctors overdue within the last 3, 6 and 12 months, however, we have 1 doctor who has been put on hold by the GMC for 3 months.

-Ends-

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 44

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care –

When he expects the Consultants' Programmed Activities Review to be completed?

We have enlisted the services of NECS (North England Commissioning Service) to undertake a review of Consultant Job Planning. We intend to roll this out once training has been completed in July and we expect this to be concluded by September 2019.

The project stalled briefly due to the departure of the interim Specialist HR Lead but has now recommenced in earnest.

-Ends-

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 45

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care –

What the expected timescale is for the implementation of an independent health regulator?

In response to a question in The Keys on 18 December 2018, the Department of Health and Social Care reported that the Care Quality Commission (CQC) had provided an initial proposal in respect of the independent regulation of health and social care services in the Isle of Man.

A Department decision was made to progress with the initial stage of this proposal, which will involve CQC conducting a detailed scoping exercise and full options appraisal of if and how it can regulate health and social care services in the Isle of Man.

The Department has received Treasury approval to proceed with this initial stage and is currently liaising with CQC regarding a date for this work to commence. Currently, the Department is working on an expected date of commencement within the second quarter of this year.

-Ends-

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 46

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care –

What data he is using to assess the effectiveness and efficiency of hospital medical staff?

We are currently in the process of reviewing all job plans with the help of NECS. We have also commissioned a bolt on job planning tool to our existing system for doctor's appraisals which will monitor the effectiveness and efficiency of all medics.

We regularly have external reviews to determine whether our process matches the industry best practice and the most effective / efficient way of managing particular patients by peer groups.

-Ends-

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 47

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care –

If he will publish approved variations of integrated care pathways between the UK NHS and Isle of Man NHS?

There is no 'UK NHS' as such. Health is a devolved responsibility so each administration has its own NHS and makes its own funding and policy decisions. None of the administrations has published a set of mandated 'integrated care pathways' which are required to be followed by their NHS and social care organisations. NHS England is the most relevant comparator for us, as our tertiary and specialist service referral pathways flow into NHS providers in the North West.

A key point about integrated pathways is that they, by definition, go beyond NHS services to include social care (local authorities) and, often, third sector and community partners. For England, the National Institute of Health and Care Excellence (NICE) has produced evidence based, condition specific clinical pathways which set out what should be offered for that condition. These pathways (and the clinical guidelines that go alongside them) are 'best practice', they are not mandatory and the extent to which they can currently be delivered in different areas may vary (i.e. they are a model to aspire to but at a given time not all elements may be in place).

An integrated care pathway not only includes 'what' should be available and 'for whom' but also 'how', 'by whom' and 'where'. This means that they require setting in local context and the mechanisms for delivery may vary widely from place to place. In England, work on integrated care is going forward through the 'integrated care systems' work, organised on a locality basis through 'sustainability and transformation partnerships' (which include NHS clinical commissioning groups, local authorities, NHS providers, primary and social care etc).

DHSC is in the process of developing a set of 'Manx care pathways' which will be condition based and span prevention, early intervention, treatment and social care and community support. This will link to the 'place based' approach currently being piloted in the West of the island. These pathways will be published as they are developed and delivered locally.

-Ends-

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 48

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care –

What the current waiting time is to see an Ophthalmology Consultant on island; and what the expected waiting time is between consultation and treatment?

Emergency referrals are seen within 24 hours, Urgent referrals are seen within an average of 137 days and routine are seen within an average of 467 days.

Patients are currently being booked in for cataract surgery in early June 2019 having been on the list for 290 days.

-Ends-

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 49

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Health and Social Care –

How many cataract patients are waiting for a Consultant's appointment; how many have seen a Consultant and are now waiting for treatment; how many Government funded procedures are carried out each month; and what plans the Department has to reduce waiting lists?

In April 2019;

- There were 43 new referrals to Ophthalmology
- 192 new attendances were seen of which 28 patients did not attend their appointment. 701 follow up attendances were seen of which 75 did not attend.
- 63 Patients were added to the wait list for cataract surgery
- On average 64 cataract surgeries are carried out each month.
- There are currently 663 patients awaiting treatment

The DHSC is in the process of producing an integrated care plan for ophthalmic services to help reduce the demand on Nobles' Hospital and reduce waiting times across the healthcare system.

-Ends-

IN TYNWALD

MAY 2019

FOR WRITTEN ANSWER 50

The Hon. Member of the Council, Miss August-Hanson, to ask the Minister for Health and Social Care –

What plans he has to extend the work done by health visitors for vulnerable adults; and what plans he has to extend its approach to other areas of the Health Service, including Mental Health?

At present we have one full time Health Visitor with the responsibility for vulnerable adults and currently sits within the adult generic social work team.

The Community Care Directorate is currently engaged in researching the statistics available to allow us to plan the expansion of the service Directorate wide and these include working with:

Adult Social Care, Ballamona Association for Mental Health, Department of Infrastructure, Graih, Health Visitor for Vulnerable Adults, Housing Matters, Manx Housing Trust, Mental Health Service, Praxis Care and Treasury.

-Ends-

IN THE KEYS

MAY 2019

FOR WRITTEN ANSWER 51

The Hon. Member of the Council, Miss August-Hanson, to ask the Minister for Health and Social Care –

What financial impact assessment was done on private sector industries when the decision was taken to suspend private medical services at Noble's Hospital?

The National Health Service Act 2001 details what health services the Department of Health and Social Care has a statutory duty to provide.

Under Part 4 (general provisions), section 34(1) (private accommodation and treatment) the Department may make hospital accommodation or hospital services available to patients who are willing to pay for it, the charge being calculated on the basis the Department considers to be the appropriate commercial basis. Under section 34(2) and (3) the Department may allow a medical practitioner to make arrangements so that s/he can treat his private patients at an NHS hospital. Regulations may prescribe the maximum amount that a practitioner can charge his private patient.

The Department is therefore not under a statutory duty to ensure that private medical services are made available at Noble's Hospital.

The Department temporarily suspended all private in patient, day case and associated theatre work at Noble's Hospital effective from the 1 January 2019 to allow for a major updating of the facilities and management of the service. The Department came to the view that the private medical services offering in the Isle of Man and at Noble's Hospital particularly, was not fit for purpose.

This position was reached after considering a number of factors which included but was not limited to a Private Healthcare Review undertaken on behalf of the Department by Laing Buisson Mansfield in 2017 and a quality impact assessment undertaken by senior managers at Noble's Hospital on behalf of the Department's Executive Leadership Team.

The approach taken by senior managers to the Quality Impact Assessment was based around clinical effectiveness, patient experience, patient safety, staff experience, inequalities and performance.

The Isle of Man business community and insurers views were taken into account as part of the Laing Buisson Mansfield Private Healthcare Review.

Private patients continue to access remaining services during the interim suspension period at Noble's Hospital and patients are also able to access private healthcare in the UK.

Redesigning the private patient offering in its entirety will give patients wishing to avail themselves of the Department's private healthcare services the option of care in a high quality, well-managed and efficient environment. In an Island setting, it is considered that the quality and capacity of private healthcare services will prove attractive to inward economic investment and relocating professionals.

-Ends-

IN TYNWALD

May 2019

FOR WRITTEN ANSWER (52)

The Hon. Member of the Council, Miss August-Hanson, to ask the Minister for Home Affairs –

Whether amendments to the Fire Services Act of 1984 will be put before the branches before the end of this administration; and whether this is on the agenda of the Council of Minister's Legislative Sub-Committee?

The Department had consulted on a single Bill designed to comprehensively repeal and replace the Fire Service Act 1984, the Fire Precautions Act 1974, and related legislation with more up to date and consolidated legislation during the previous Administration.

After a period of reflection it was determined, following the General Election, because of the complexities of dealing with both areas of law at once, to split the project into two Bills dealing with the establishment of the Fire and Rescue Service on the one hand and Fire Safety on the other.

Work has been undertaken, and will continue to be undertaken, at officer level, in relation to replacing the Fire Service Act 1984 with up-to-date statute. Good progress has been made.

When the proposals for a new Bill are progressed to the point where they can be submitted for agreement by the Department, the Legislation Sub-Committee of the Council of Ministers will be approached to seek approval to the Bill being listed for progression on the legislative programme.

IN TYNWALD

May 2019

FOR WRITTEN ANSWER (53)

The Hon. Member of the Council, Miss August-Hanson, to ask the Minister for Home Affairs –

What progress he has made with implementing each respective recommendation of the Tynwald Select Committee on the Operation of the Jury System which were agreed in December 2016?

My Department has spent a considerable amount of time assessing how best to implement the recommendations of the Tynwald Select Committee on the Operation of the Jury System which were subsequently agreed by this Honourable Court.

In respect of those Recommendations where the Department has a role the following progress has been made (numbers below relate to the specific Recommendation within the Report of the Select Committee) –

1. provision is included within a Bill it is currently intended to bring before the branches before the summer recess;
2. further consideration is required and is being undertaken in relation to this matter;
3. provision is included within a Bill it is currently intended to bring before the branches before the summer recess;
4. provision is included within a Bill it is currently intended to bring before the branches before the summer recess;
5. provision is included within a Bill it is currently intended to bring before the branches before the summer recess;

6. further consideration is required in relation to this matter, which it is intended will receive attention in a future Bill;
8. further consideration is required in relation to this matter, which it is intended will receive attention in a future Bill;
10. provision is included within a Bill it is currently intended to bring before the branches before the summer recess;
11. detailed consideration is being given to whether this matter could be addressed through Secondary legislation and the Department will be giving further consideration to this Recommendation shortly;
13. further consideration is required in relation to this matter, which it is intended to receive attention in a future Bill.

IN TYNWALD

May 2019

FOR WRITTEN ANSWER 54

The Hon. Member for Rushen (Mr Speaker) to ask the Minister for Infrastructure –

How many sailings from Liverpool will be affected annually by the planning restriction preventing use of the Half Tide Dock between 23:00 and 07:00 based on the last three years' data?

Based on the last three years' of data, the planning restriction on the proposed New Ferry Terminal at Liverpool, would under the current timetable, affect six return sailings during the TT and 3 sailing returns during the Festival of Motorcycling per annum.

Once the MV Ben My Chree becomes the third vessel in the IOMSPC Ltd's fleet, overall passenger capacity will be significantly increased but the Department will work with the Company to determine the need to seek a variation of the conditions.

IN TYNWALD

May 2019

FOR WRITTEN ANSWER 55

The Hon. Member for The Hon. Member of the Council, Mr Cretney, to ask the Minister for Infrastructure –

How many evictions broken down by housing authority were granted in the last 3 years; what reasons were given for granting each one; in relation to those granted for rent arrears how much was owing in each case; how much each eviction cost the ratepayer; and how many evictions included children?

Evictions are granted by the Courts. The number of evictions broken down by housing authority between April 2016 and March 2019 are as follows:

Local Authority	2016-17	2017-18	2018-19	Total/LA
Braddan	0	0	0	0
Castletown	0	0	0	0
DOI	3	1	2	6
Douglas	4	7	6	17
Malew	0	0	0	0
Onchan	0	0	2	2
Peel	0	0	0	0
Port Erin	0	0	0	0
Port St Mary	0	0	0	0
Ramsey	0	0	0	0
Castletown & Malew	0	0	0	0
Cooil Roi	0	0	0	0
Marashen Crescent	0	0	0	0
Peel & Western	0	0	0	0
Ramsey & Northern	0	0	0	0
Annual Total	7	8	10	25

Reasons for Eviction

1. DOI

Year	Reason for Eviction	Arrears (if applicable)	Number of children (if applicable)
2016-17	Arrears & not living at property	£857.19	0
2016-17	Not living at property	n/a	2
2016-17	Arrears & not living at property	£1,611.16	3
2017-18	Not living at property	n/a	0
2017-18	Not living at property & condition of property	n/a	0
2018-19	Arrears & condition of property	£4,168.03	0

Total of six evictions between April 2016 and March 2019

There are no costs to the rate payers, this is part of the Housing function funded via Departmental budget and are not identified separately.

2. Onchan District Commissioners

Year	Reason for Eviction	Arrears (if applicable)	Number of children (if applicable)
2018-19	Arrears	£7,888.32	0
2018-19	Arrears & not living at property	£2,190.76	0

Total of two evictions between April 2016 and March 2019

Cost to Ratepayer - £6,433.50

3. Douglas Borough Council

Total of 17 evictions between April 2016 and March 2019

Douglas Borough Council are unable to provide any further information.

IN TYNWALD

May 2019

FOR WRITTEN ANSWER 56

The Hon. Member for Garff (Mrs Caine) to ask the Minister for Infrastructure –

Pursuant to his responses to questions on 9 April 2019, a) what buses his department has recently purchased or will be ordered in this financial year; b) what the spend will be on new buses in this financial year; c) whether he will purchase any non-diesel bus ahead of the Mercedes electric bus trial in 2022; d) whether the Department will consider any manufacturer other than Mercedes to supply Bus Vannin non-diesel buses; e) whether an electric or hybrid bus will be considered to operate the free promenade shuttle service, and f) what CO2 emissions were estimated to be for the Bus Vannin fleet in 1990s, what the current emissions are and how they will reduce emissions by 2050

Answer

Taking each question in turn:-

a) What buses his Department has recently purchased or will be ordered in this financial year?

In the financial year 2018/19 12 Mercedes Benz Citaros were purchased, 4 of which were the shorter K version. For this financial year the Department has ordered a further 6 Mercedes Benz Citaros and is currently evaluating the requirement for an additional 5 double deck buses.

b) What the spend will be on new buses in this financial year?

Should the Department purchase the 5 double deck buses and the 6 single deck buses the total spend on new buses in this financial year will be approximately £2.4 million.

c) Whether he will purchase any non-diesel bus ahead of the Mercedes electric bus trial in 2022.

The Department will commence a two week trial of a hybrid bus by the end of 2019. The outcome of this trial will indicate whether the technology is suitable for the bus service on the Island and will inform future purchasing decisions.

d) Whether the Department will consider any manufacturer other than Mercedes to supply non-diesel buses?

The Department keeps under review advances being made in other areas with regards to moving services towards non-diesel buses. This includes looking at all manufacturers. The other areas which have made the move to date are predominately urban in nature. This means that the service and the driving conditions lend themselves much more to being able

to move to new technology. The current supplier of buses on the Isle of Man is looking to provide a fully electric test vehicle by 2022 which will be able to cope with the rural-urban driving conditions on the Island and meet the commitment to lower emissions and the customer expectation of reliability of service. If other suppliers can supply a suitable vehicle for local conditions the option to change supplier will be considered.

e) Whether an electric or hybrid bus will be considered to operate the free promenade shuttle service?

The Department does not have a suitable vehicle in the fleet for this service. Given that this is a trial service, the Department is not considering acquiring such a vehicle for this purpose. It is hoped that for such short journeys more active means of travel will be used.

f) What CO2 emissions were estimated to be for the Bus Vannin fleet in the 1990's, what the current emissions are and how they will reduce emissions by 2050?

The Department is committed to lowering emissions from the bus fleet. In the 1990's the bus fleet was running to Euro 0 or Euro II standards. Over the years as the buses have been replaced, the Euro standards have all improved. The current fleet now runs to Euro V and Euro VI standards. This means in real terms is that from the 1990's to the present day 97% of particulates and nitrogen oxide have been removed from the emissions. Whilst this is a step in the right direction the Department is committed to having a zero emission fleet as soon as the technology allows. Increasing bus use will allow private cars to be used less, so the most important overall contribution of the bus fleet to emissions is the role in supporting Active Tractive to reduce transport emissions.

IN TYNWALD

May 2019

FOR WRITTEN ANSWER

The Hon. Member for Ramsey (Mr Hooper) to ask the Chairman of the Post Office –

Why the contract awarded to IJS consulting was not awarded to an on-Island supplier; what the contract is for; and what the cost of the contract is?

The appointed supplier met all of the criteria and evidenced their wide experience with facilitation of focus groups over Island based suppliers invited to quote. The selected provider was the only one that was Market Research Society accredited.

The engagement covered:

- initial meeting with IOMPO representatives to explore objectives of focus groups and decide formats
- to invite mixed demographic focus group participants
- chair and facilitate five focus groups to obtain feedback
- review and analyse feedback/findings
- provision of a written report, then presenting findings to IOMPO

The contract award complied with Isle of Man Post Office (IOMPO) Financial Directive 8 Procurement and Tenders with the value less than £10K.

IN TYNWALD

May 2019

FOR WRITTEN ANSWER – Q58

The Hon. Member for Rushen (Mr Speaker) to ask the Chairman of the Manx Utilities Authority –

What the current timetable is for decommissioning Peel Power Station; what the estimated cost is; and what reduction in carbon emissions will be realised by its decommissioning?

Mr President

Subject always of course to its obligations under the Electricity Act 1996, there are currently no firm plans to decommission Peel Power Station. The plant remains part of the generation mix to ensure electrical supply resilience for the Isle of Man i.e. the portfolio of plant and equipment available to Manx Utilities to use to securely supply electricity to the Island. It is however expensive to operate due to the cost of fuel and so is only operated if other sources of generation, such as the Pulrose CCGT or the interconnector cable, are unavailable. During 2018-19 usage of Peel Power Station was 4%.

It does supply energy into our power grid when market conditions are such that it is cost effective to do so. As a consequence the carbon emissions are significantly less than when the plant was initially commissioned as a primary generation facility prior to the commissioning of the UK-IOM Interconnector in 2000.

Although no longer a primary plant, the option to use the site for resiliency purposes can be useful when considering supply security matters especially when other large plant items are unavailable due to maintenance etc. This issue is an extremely important consideration in making plans for a future supply portfolio which will need to address power supply stability. Peel Power Station remains capable of supplying 38 MW of electricity, or approximately 40% of the Island's maximum peak winter demand.

Manx Utilities does recognise that it has a very significant role to play in the reduction of carbon emissions on the Island which will be a continuation of its track record in this regard which has included the commissioning of the hydro station at Sulby, the power interconnector to the UK, the CCGT plant with the coincident reduction in the use of heavy fuel oil and ceasing operation of the obsolete Ramsey Power Station.

The cost of eventually decommissioning Peel Power Station has not been determined and will depend on a number of factors, including any possible future alternative uses for the site and a competitive procurement process. With respect to emissions, I can advise as follows:

- Peel CO2 emissions account for approx 0.6% of Manx Utilities' overall emissions from the generation of electricity;
- Peel emissions are approximately 1,100 Tonnes per year;
- Peel station running hours are approximately 120 hours per year;
- Peel average running hours per engine are approx 80 hours per year;
- Manx Utilities' total CO2 emissions from energy production are approximately 180,000 Tonnes per year (approximately 98% of which is from CCGT).