

PORT ST MARY COMMISSIONERS

ORDINARY BOARD MEETING

26th JUNE 2019

AGENDA – OPEN PUBLIC SESSION

Item Number	Item	Action Required
1.	OPENING OF THE MEETING	
1.1	Welcome, Apologies & Declarations	As required by Board members
2.	MINUTES	
2.1	Minutes of the Ordinary Meeting held on the 12 th June 2019 (orig. scheduled for 22 nd May 2019)	For Board approval
3.	MATTERS ARISING	
3.1	Matters arising from previous meetings	Clerk to provide necessary updates
3.2	Coffee van information	For Board discussion
3.3	Ganseay parking	For Board discussion
4.	MOTIONS - None	
5.	FINANCE	
5.1	Invoices for payment June 2019	For Board approval
5.2	Donations to Mona's Queen III participants	For Board approval
6.	PROJECTS	

6.1	Mariners Shelter	For noting
6.2	Manxonia House	For noting
6.3	Remembrance Garden	For noting
6.4	Skate Park	For noting
6.5	Public Conveniences	For Board approval
6.6	Traffic Consultations	For noting
6.7	Happy Valley	For noting
6.8	Boat Park – Project on hold	N/A
6.9	Reduction in Board numbers	For Board discussion
6.10	Jetty Repair	For noting
6.11	Celebration of Christmas - participants	For Board discussion
7.	PUBLIC CORRESPONDENCE – None	
7.1	Letter of appreciation re Day in the Life exhibition from ratepayer	For Board discussion & approval
7.2	Donny Collister Grant	For noting

8.	PUBLIC CONSULTATIONS	
8.1	Development Orders Consultation	For Board discussion & response
9.	PLANNING MATTERS	
9.1	Planning Applications	For Board discussion
9.2	Planning Approvals	For noting
9.3	Planning Objection	For Board discussion
9.4	Planning Refusals	None
10.	POLICY & RESOURCES	
10.1	Internal Audit Report	For Board discussion
10.2	Strategy Document review	For Board discussion & approval
10.3	Second supplemental list	For noting
10.4	Final Report of the Independent Health and Social Care Review	For noting
10.5	2019 Meeting Dates	For noting
11.	INVITATIONS – None	
12.	ANY OTHER BUSINESS OF AN URGENT NATURE (BY PERMISSION OF THE CHAIR)	

Item 3.1

PORT ST MARY COMMISSIONERS

MATTERS ARISING & PUBLIC CORRESPONDENCE REPORT

Matters Arising

Draft Complaints Procedure – To be completed.

Wall Art – The Arts Council have agreed to fund the project in PSM, discussions regarding the design are ongoing with the Artist.

Grass Cutting/Footpaths/Verges – The Chair, Clerk & Foreman have scheduled a time to go around the village and identify areas which can be improved/adjusted. A report on this will be brought back to the Board.

Manx Utilities – The Clerk met with Manx Utilities to discuss the street light audit. A document will be provided to the Board at the meeting to take away and read. It is then recommended to invite the engineer to discuss the report and future with the Board. Manx Utilities are responsible for inspecting the lights only, the columns are primarily our responsibility, however they look at them out of courtesy. They only drive under the lights and stop if there is a problem, hence the columns are often missed. The columns also rust from the inside out, meaning that by the time the rust is showing, action is required.

Fencing – The contractor is still due to return and complete the work to bevel the fencing at The Paddocks. This has been chased.

Street Signs by Rushen Heritage Trust – Sample signs are still awaited.

Bathing Water consultation – The Board's response was submitted.

Bay Queen planning – A letter objecting the proposal was submitted and the residents who brought the matters to the attention of the Clerk were thanked.

Climate Change Emergency Declaration paper – The approved paper was uploaded to the website.

Probation Services – Agreement has been given to the probation services, the Board will be notified of any possible placement in advance.

Armed Forces Covenant – The covenant was signed on behalf of the Board by the Vice Chairman.

High Street – A letter is currently being drafted and will be issued prior to the Board meeting – a verbal update will be provided.

Windsurf/Paddleboard instructor – Discussions are ongoing.

Public Correspondence

Letter to derelict property owners – A chaser letter was issued.

Rushen Players request – Permission was granted and further discussions will be held when a date is agreed.

Coffee van request – A letter was issued to all proprietors in the area and responses are being collected. A response to a request for further information follows on item 3.2.

Item 3.2

PORT ST MARY COMMISSIONERS

From: [REDACTED] >
Sent: 17 June 2019 11:13
To: Port St Mary Commissioners
Subject: Fwd: Dropped pin

Hi

I have attached a map of the area for the proposed site for the coffee van (the red dot marking the spot)
Ideally looking to be open Thursday to Sunday inclusive 10-7 on those days from April through to end of September. But would need to judge demand so these days and times may vary .
The rubbish would be removed daily by myself
Would look to put a few tables and chairs so we can offer a sit down as well as a takeaway option

Hope that this is the missing information that will help you make a decision

Kind regards

[REDACTED]



laps 54°04'40.5\"N 4°43'50.7\"W



Item 3.3

28th May 2019

Ms Hayley Fargher
PSM Commissioners
Town Hall
Port St Mary
Isle of Man

Dear Ms Fargher,

Re Parking at Gansey Mill

I reside at [REDACTED] the South end of Gansey Beach. The Studio is the last house, next to Mellray – before the footpath to Gansey Point and Port St Mary.

Over many years, I have had to cope with restricted access to my property due to the inconsiderate parking by visitors on the single lane track that leads from Beach Road, past the Mill Flat car park and Mellray and on to my property. At times, the nature of the parking has led to me being either unable to leave the property or indeed access it by car.

More concerning however, is the fact that at times it would be impossible for emergency vehicles (ambulances included) to pass cars parked on the road.

I have a legally enforceable right of way to my property which needs to be upheld and maintained. Without measures to control and restrict parking along the narrow point of the access road, my right of way is being restricted and potentially limits access for the emergency vehicles – putting lives at risk.

This is not a normal road; it is an access road and is far narrower than a normal B road. As such, it should not be used for long term parking. None of the residents – The Studio, Mellray, the Pottery or indeed the Mill Flats park cars on the access road – so why should non-residents be given such a right – to the detriment of the actual residents. That is not equitable.

I do not object to visitors parking on the access road for a limited period of time; it is only fair that people can enjoy the footpath and indeed the beach. However, parking should be restricted to a few hours and it should be limited to certain areas where parking does not impinge on my legal right of access and indeed the ability of the emergency services vehicles to access in the event that they need to. To date this situation has not arisen; however, I am now 88 years old and my husband is 95 and who knows what the future holds!

The issue is not the visiting car user. It is those residents nearby who use the access road as a private car park. It is they who monopolise any room on the access road and cause the genuine "visitor" to park inconsiderably

and block my right of access. I understand that these nearby residents believe they should have the unrestricted right to park their vehicles there 24/7.

A number of questions arise:

1. Since when was the DoI responsible for the provision of parking to residents on public rights of way hundreds of yards from their actual residences?
2. If people do not have sufficient parking at their property since when has it become the responsibility of the DoI to find parking for them?
3. Is the DoI really prepared to put the views of residents who may live hundreds of yards away from the road in question ahead of the views of those who are directly affected by any decision taken and who have a legal right (that has been established in law for over one hundred years) to access their properties?

If these local residents do not have sufficient parking at their own properties then perhaps they should either:

1. Relocate or
2. Sell their vehicle
3. Arrange to keep the vehicle somewhere where it does not impinge on a narrow right of access thereby causing other "visiting" users of the road to park inconsiderably and to actually block access to my property and others. Incidentally I see that the road outside of the Bayqueen has become such an area. Perhaps they should be directed to park their vehicles there?

Not only are these residents "taking up" the space for other casual visitors who want to enjoy the beach and the footpath, they are also parking in such a way as to block access to the slipway; thereby making it difficult for canoeists, paddle boarders and boaters to use it.

Of course, the other issue is the plethora of large camper vans that are now being parked on our public roads. It only takes one of the nearby residents (or others) to purchase such a vehicle and park it on the access road to cause even greater access problems. Without restrictions being established, this scenario is a real prospect.

It is clear that the problem is the nearby residents parking their vehicles and monopolising the space for casual visitors. I re-iterate, I have no objection to casual visitors parking on the access road but restrictions (such as those that apply on the area around Gansey Point) should exist and double yellow lines or bollards should be erected opposite Mellray's front step to the front of The Studio to ensure that my LEGAL RIGHT OF ACCESS is upheld.

I wish to be informed of any decision that is taken by DoI before it is implemented so that I have the opportunity to take legal advice and take whatever legal steps are available to me to protect the long established right of access to my property.

Yours sincerely



28th May 2019

Ms Hayley Fargher
PSM Commissioners
Town Hall
Port St Mary
Isle of Man

Dear Ms Fargher,

Re Parking at Gansey Mill

The parking situation on the access road outside of Mellray and the Mill Flats is a concern for me and other residents. In response to your letter dated 17th April I would make the following points:

1. This access road is not a normal road; it is an access road and is far narrower than a normal B road. As such, it should not be used for long term parking. None of the residents – The Studio, Mellray, the Pottery or indeed the Mill Flats park cars on the access road – why should non-residents?
2. The state of the road and surrounding area needs addressing. There is too great a volume of traffic in the area and it is causing significant potholing – this represents considerable danger to older residents and indeed difficulties for those with wheelchairs or prams.
3. Long term parking by non residents should not be allowed. It is an access road, not a car park. Long term parking takes up the space that should be reserved for those who want to visit the area for an hour or two. It is the long term parking that creates the problem and forces visitors to park in places that block access or make manoeuvring difficult.

Yours sincerely,

A blue rectangular redaction box covering the signature area.

Hi Hayley

I understand that there is a parking consultation currently for the Gansey area and I wish to provide feedback.

As a resident of [REDACTED] for 9 years I have witnessed a number of issues with parking in the area. In summary:

1. The area in front of our house adjacent to the sea wall is often a 'long term car park' for some people - possibly residents who leave nearby but also potentially people who don't live in the area. Invariably a number of the cars haven't moved for months.
2. The Slipway is frequently blocked which causes me huge concern as it is preventing emergency access. Picture attached to illustrate. Typically someone is always blocking it. You can see someone has this morning if you go past.

Also when people are simply dumping cars invariably it is causing emergency access issues for our neighbours with regard, who are elderly, with regard to emergency vehicle access.

I want to stress that we aren't against people parking there to enjoy the walk along to Port St Mary/ walk dogs etc. What we object to is simply using it as a free car park to leave cars long term.

I'm copying my wife in case she has any further points she wishes to make.

Kind regards

[REDACTED]



Dear Hayley

I write in response to your letter dated 17/04/19 regarding the parking near to Gansey Mill. I have spoken to the residents of the Mill and we wish to raise the following points:

You mention in your letter that other near-by residents wish to park near the Mill as they cannot park outside of their own properties. Other residents and myself have witnessed on several occasions people being dropped off at the Mill and then getting into cars parked there; likewise parking up and then getting collected by another car and driving away. Therefore, we believe that at least some of the cars parked near Gansey Mill are not local residents.

We observe the same group of five to seven cars parked near the Mill close to the wall of the old slipway. Some of these cars have not moved for months, so much so that we have seen them being jump started due to having flat batteries. These cars are always there at weekends which heavily restricts where surfers and dog walkers can park. The cars are often parked so close to the slipway entrance that they leave only a tiny gap for walks to squeeze past; I am sure that kayakers and surfers struggle to carry their boards etc down to the Beach.

It is worth mentioning again that Mr Collyer and his wife are very elderly and have had several ambulance visits to their property, The Studio, at the end of the path at Gansey Mill. The regular cars do sometimes encroach further up the path; also visitors, struggling for places to park, regular drive up the path blocking it completely for ambulances.

We understand that safety is an issue as far as parking on Beach Road is concerned but we feel that local residents and visitors would benefit from some parking restrictions being in place at the area in question. Perhaps resident's permits, or the previously suggested 16hrs parking within every 24hrs?

Should you like clarification of any of the above points, please let me know.

Best regards



Gansey Mill Association



Isle of Man



**Mrs Hayley Fargher
Clerk to Port St. Mary Commissioners
Town Hall
Port St. Mary
IM9 5DA**

30 May 2019

Dear Mrs Fargher

Re: Lane Leading to Gansey Point, Port St. Mary

Thank you for your letter dated 17 April 2019 regarding the above, which we were surprised to receive bearing in mind that there had already been a full public consultation, and a decision made by the Department of Infrastructure not to go ahead with a Parking Order.

We attach a copy of our previous letter with our objection to a Parking Order being made, which sets out the reasons for our objections to the proposal, and confirm that our objection still firmly stands for all those reasons.

In addition to this however, we also enclose a random series of observations of the daily parking at the Lane, which we can see very clearly, as our main view from the house is of the Lane, and we spend most of our time in the part of the house which overlooks it. Some photographs are also enclosed, which are for illustrative purposes only, and not to be attached to any Public Agenda.

It is very clear from the observations that residents' cars that regularly park there move frequently and usually on a daily basis, as does our vehicle when it is used for work/shopping etc. There is also a turnover of "visitor" cars, particularly at weekends and sunny days.

During the course of the period of observations, from 19 April 2019 to present date, we have not observed any occasion when every space has been occupied, including Easter Weekend and two busy May Bank Holidays, and to the extent that anyone has been unable to park. But even in that eventuality, there are a large number of parking spaces further round the Bay towards Castletown Road, and that is indeed where most of the water sports users park their cars to access the Beach more easily.

Reference is also made to the fact that "residents visitors may be unable to park". As residents, our visitors sometimes need to use that area to park as well. When we have family and visitors staying for periods of time, if they park there, (which they reasonably should be able to do), they need to be able to leave their cars there in peaceful enjoyment, while they are out and about, or during the night, without having to worry about going out and moving it because of time constraints.

At the Port St Mary Commissioners Board Meeting on 13 March 2019, it was commented that "not all residents involved had been consulted". This is incorrect, as a public consultation by the Commissioners took place from 24 January to 8 February 2019. So everybody had the opportunity to comment. I believe only one comment was received on the website, apart from the two letters (including ours) which objected to the proposals.

The only other points that we would wish to add, are that:-

- The Highway Department have confirmed that Emergency Services have never raised any issues in respect of the Lane;**
- Details of any concerns made by the original complainant (and we understand from that there is only one complainant) have never been made know to us, although our objections to the proposal have been made public;**

- **The Highway Department in its letter of 27 February 2019 stated that the Traffic Order would not be going ahead “in the interest of road safety along Beach Road”.**

We therefore confirm, in respect of this second consultation period, that we object to any proposed Traffic Order on Gansey Lane, as not only would this be totally detrimental to us as residents there, but it would also spoil the look of the Bay with columns and signs destroying the natural environment and view.



[Redacted] - Highway Services, Department of Infrastructure.

25 APR 2019



21st April, 2019

Port St. Mary Commissioners
Town Hall
Port St. Mary
IM9 5DA

For the attention of Hayley Fargher

Dear Hayley

Re: **Parking by Gansey Mill**

Thank you for your letter dated 17th April regarding the above.

We are opposed to any change in the current parking arrangements. We feel this will create a problem on Beach Road, which is a busy road with heavy and fast traffic including lorries and buses.

I regularly walk the path in front of Gansey Mill and have never noticed a problem with parking. There are often dog walkers parked there for short periods during the day and there appears to be adequate space. If space were not available then they could park on the promenade and walk from there. Surfers and other beach users seem to prefer in any case to park on the promenade and use the steps directly onto the beach.

This proposal will have a negative impact on those few property owners in the immediate vicinity who do not have the benefit of a car park.

Yours sincerely



PORT ST MARY COMMISSIONERS
INVOICES TO BE PAID IN JUNE 2019

Rate Born Expenses									
Inv #	Date	Inv Number	Supplier	Description	Category	NL Code	Total Net	VAT	Total Cont
910	01/04/2019	1819/2232	Apse	Safety course training certificate	Staff training	5180	£50.00	£10.00	£60.00
911	20/05/2019	5133189	Argon	Photocopying 23.04-17.05.19	Photocopying	5060	£83.79	£16.76	£100.55
912	15/06/2019	AWD551	Ask	PSM web site hosting and support June-Aug	Computer expenses	5140	£75.00	£0.00	£75.00
913	31/05/2019	232489	BHX Stationery & Furniture	Stationery	Office Expenses	5170	£46.97	£9.39	£56.36
914	28/04/2019	280419	Calvert Newsagents Limited	Newspapers and postage stamps	Office Expenses	5170	£177.83	£0.00	£177.83
915	31/05/2019	310519	Calvert Newsagents Limited	Newspapers and postage stamps	Office Expenses	5170	£120.48	£0.00	£120.48
916	11/06/2019	G19C1929	Colas	Bags for litter bins	Refuse Miscellaneous	5270	£119.80	£23.96	£143.76
917	25/05/2019	1180250519	Cooll Bros	Office milk May	Office Expenses	5170	£7.20	£0.00	£7.20
918	25/05/2019	1270250519	Cooll Bros	Workshop milk May	Office Expenses	6020	£12.60	£0.00	£12.60
919	29/05/2019	600106361	Douglas Borough council	Year end 31.03.19 PRS102 report	Professional Fees	5040	£287.90	£57.58	£345.48
920	11/06/2019	383005	DOI	Chippings path maintenance	Paths Maintenance	5520	£12.64	£2.53	£15.17
921	13/06/2019	383376	DOI	May FFW tipping	Refuse	5210	£4,610.07	£922.01	£5,532.08
922	15/05/2019	1166	Heattech	Boiler TH	Town Hall	5150	£3,761.00	£188.05	£3,949.05
923	08/06/2019	1174	Heattech	TH heating repair	Town Hall	5150	£24.50	£1.23	£25.73
924	18/06/2019	SIP1244184	IMS	PSMC notice print and deliver	Printing & Stationery	5050	£347.35	£69.47	£416.82
925	17/05/2019	20438	Island IT	Call out PC corrupt after update 150519	Computer expenses	5140	£55.00	£11.00	£66.00
926	23/05/2019	20476	Island IT	Call out PDF issues	Computer expenses	5140	£27.50	£5.50	£33.00
927	29/05/2019	20525	Island IT	Screen replacement	Computer expenses	5140	£227.60	£45.52	£273.12
928	04/06/2019	20481	Island IT	Email hosting 25.05-24.06.19	Computer expenses	5140	£70.00	£14.00	£84.00
929	06/05/2019	20564	Island IT	Monthly checks	Computer expenses	5140	£123.75	£24.75	£148.50
930	09/05/2019	165629	Isle of Man Farmers	Weed killer	Street maintenance	5500	£120.00	£24.00	£144.00
931	30/05/2019	166288	Isle of Man Farmers	Garden scraper	Gardens & Flowerbeds	5260	£10.00	£2.00	£12.00
932	10/06/2019	15	Isle of Man Municipal Association	Annual subscription 19-20	Memberships	5081	£270.00	£0.00	£270.00
933	23/05/2019	25840	JC Farther	TH lift call out	Town Hall	5150	£442.10	£88.42	£530.52
934	31/05/2019	153175	JDW Engineering Ltd	Empty Toilet Beach Road 29.04.19	Public conveniences	5400	£25.00	£5.00	£30.00
935	31/05/2019	153176	JDW Engineering Ltd	Empty portaloos Promenade weekly 29.04-02.06.19	Public conveniences	5400	£125.00	£25.00	£150.00
936	31/05/2019	153205	JDW Engineering Ltd	Empty portaloos PSM Promenade 30.05.19	Public conveniences	5400	£25.00	£5.00	£30.00
937	07/05/2019	2014450	J. Qualtrough & Co Ltd	Town hall store materials	Town Hall	5150	£49.18	£9.84	£59.02
938	27/05/2019	2019270	J. Qualtrough & Co Ltd	Fence posts - boat park	Boat park	6015	£40.15	£8.03	£48.18
939	14/06/2019	19051	Kella Catering	Refreshment Mona Queen service	Civic Events	5082	£333.33	£66.67	£400.00
940	31/05/2019	16439	Manx Fish Producers	Raft shackles	Beach	5850	£7.40	£1.48	£8.88
941	31/05/2019	16439	Manx Fish Producers	Protective clothing	Stores	6020	£51.20	£10.24	£61.44
942	14/05/2019	960960240	Manx Gas	TH gas to 140519	TH heat and light	5151	£883.95	£44.20	£928.15
943	01/06/2019	12563455	Manx Telecom	Rent June, calls May	TH heat and light	5151	£122.27	£24.45	£146.72
944	01/06/2019	10442	Orb	Payroll office May	Office Expenses	5170	£87.00	£17.40	£104.40
945	01/06/2019	10471	Orb	Payroll SCASB May	Office Expenses	5170	£40.00	£8.00	£48.00

PORT ST MARY COMMISSIONERS

INVOICES TO BE PAID IN JUNE 2019 Continued

Rate Born Expenses									
Inv #	Date	Inv Number	Supplier	Description	Category	NL Code	Total Net	VAT	Total Cost
946	23/05/2019	52318	Quire & Cubbon	Order of Service, Mona's Queen.	Civic Events	5082	£261.20	£0.00	£261.20
947	30/05/2019	52376	Quire & Cubbon	Foamex boards for exhibition	Civic Events	5082	£650.00	£130.00	£780.00
948	31/05/2019	3828	Raven	Workshop PAT testing	Stores	6020	£157.50	£31.50	£189.00
949	31/05/2019	3829	Raven	TH PAT testing	TH	5150	£227.50	£45.50	£273.00
950	11/06/2019	8702	Reillance	TH fire alarm/emergency lightning annual	TH	5150	£360.00	£72.00	£432.00
951	16/05/2019	105	JR Riley	Contract 01/07-30/06/19	Gardening - Machinery	5267	£400.00	£80.00	£480.00
952	23/05/2019	20	Royal British Legion	Garden Equipment Stihl engine	Civic Events	5082	£68.00	£0.00	£68.00
953	06/06/2019	R0047	SafetyNet	Wreaths for Mona's Queen	Staff Training	5180	£438.00	£87.60	£525.60
954	06/06/2019	R0047	SafetyNet	Risk Assessment Training 26.03.19 PSMC	Recharge	6109	£60.50	£12.10	£72.60
955	06/06/2019	R0047	SafetyNet	Risk Assessment Training 26.03.19 Rushen	Recharge	6109	£121.00	£24.20	£145.20
956	06/06/2019	R0047	SafetyNet	Risk Assessment Training 26.03.19 PEC	Recharge	6109	£60.50	£12.10	£72.60
957	27/05/2019	1749	Stewart Clague Services	Risk Assessment Training 26.03.19 SCASB	Recharge	6109	£187.95	£37.59	£225.54
958	20/05/2019	32230	Sigrite	Annual emergency lighting tests	Golf Pavilion	5690	£24.00	£4.80	£28.80
959	20/05/2019	32234	Sigrite	Playground signs	Playground	5820	£74.00	£14.80	£88.80
960	20/05/2019	32242	Sigrite	Creggan Lea road sign	Signage	5880	£60.00	£12.00	£72.00
961	01/06/2019	958	Silva Consulting Ltd	No parking sign	Signage	5520	£1,225.00	£245.00	£1,470.00
962	31/05/2019	107442	SCASB	Happy Valley Shelter works appraisal	Paths Maintenance	5270	£194.94	£38.99	£233.93
963	31/05/2019	20190000390	Station Garage	Refuse disposal May	General Refuse	6108	£20.31	£4.06	£24.37
964	27/05/2019	609	TT shirts	Petrol for C&MEPH mower - recharge	C&M EPH	5720	£41.40	£8.28	£49.68
965	06/06/2019	297907	WDS Ltd	Flags	Public conveniences	5400	£259.07	£51.81	£310.88
966	13/06/2019	298031	WDS Ltd	Toilet maintenance items	Town Hall Cleaning	5152	£77.10	£15.42	£92.52
967	19/06/2019	298313	WDS Ltd	TH cleaning materials	Town Hall Cleaning	5152	£60.90	£12.17	£73.07
968	20/05/2019	24828	WT-Menx	TH cleaning materials	Office Telephone	5160	£255.86	£51.16	£307.02
969	24/05/2019	806217	Wickstead	Phone calls April hosting June	Playground	5820	£135.63	£27.13	£162.76
Sub Totals - Rate Born							£18,292.92	£2,759.69	£21,052.61

PORT ST MARY COMMISSIONERS

INVOICES TO BE PAID IN JUNE 2019 (continued)

Housing Expenses										
Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT	Total Cost
970	08/06/2019	1182	Heattech	Reset electric fuse board	BTH	Housing Repairs	6100	£24.50	£1.23	£25.73
971	08/06/2019	1183	Heattech	Replace pipe work	6CB	Housing Repairs	6100	£48.00	£2.40	£50.40
848	08/06/2019	1184	Heattech	New bath and wall boarding	19SA	Housing Repairs	6100	£1,091.64	£54.58	£1,146.22
972	08/06/2019	1196	Heattech	Refix WC	19SA	Housing Repairs	6100	£24.50	£1.23	£25.73
973	08/06/2019	1198	Heattech	Boiler repair	188B	Housing Repairs	6100	£49.00	£2.45	£51.45
974	08/06/2019	1202	Heattech	WC repair	10SA	Housing Repairs	6100	£59.00	£2.95	£61.95
975	08/06/2019	1203	Heattech	Boiler repair	2SMA	Housing Repairs	6100	£24.50	£1.23	£25.73
976	08/06/2019	1204	Heattech	Changed filling loop	28B	Housing Repairs	6100	£40.97	£2.05	£43.02
977	01/04/2019	1096	Heattech	Top up pressure	13SA	Housing Repairs	6100	£24.50	£1.23	£25.73
978	08/06/2019	1176	Heattech	Top up pressure	1SMA	Housing Repairs	6100	£24.50	£1.23	£25.73
979	08/06/2019	1177	Heattech	Boiler repair	38B	Housing Repairs	6100	£41.00	£2.05	£43.05
980	08/06/2019	1178	Heattech	Shower call out	7LA	Housing Repairs	6100	£24.50	£1.23	£25.73
981	10/06/2019	2020953	J. Qualtrough & Co Ltd	Sealant	TP	Housing Repairs	6100	£16.07	£3.21	£19.28
982	13/06/2019	2975	Magee & Co	Bathroom replacement completion		Bathroom scheme	6099	£656.25	£131.25	£787.50
983	28/05/2019	660/24388	MC Locksmith Services	Sashlock	4CB	Housing Repairs	6100	£12.86	£2.57	£15.43
984	23/05/2019	52321	Quine & Cubbon	A4 Barne Beg sign	BB	Housing Repairs	6100	£34.20	£6.84	£41.04
985	31/05/2019	3830	Raven	ECR and electrical work	2PR	Housing Repairs	6100	£557.87	£111.57	£669.44
986	31/05/2019	3831	Raven	Electrical work	CB block2	Housing Repairs	6100	£95.20	£19.04	£114.24
987	13/05/2019	8638	Reliance Security Ltd	Fire alarm call out	CB	Housing Repairs	6100	£125.00	£25.00	£150.00
988	22/05/2019	8666	Reliance Security Ltd	Front door fault	CB	Housing Repairs	6100	£220.00	£44.00	£264.00
989	11/06/2019	8687	Reliance Security Ltd	Annual service, fire alarm, emergency lighting	CB	Housing Repairs	6100	£360.00	£72.00	£432.00
Sub Totals - Housing								£3,554.06	£489.34	£4,043.40
Totals								£21,846.98	£3,249.03	£25,096.01

PORT ST MARY COMMISSIONERS

INVOICES TO BE PAID IN JUNE

Continued

Summary Breakdown of Expenditure (excluding VAT)	
Office, Stationery, Telephone, Photocopying,	£2,015.33
Computer Exps	£287.90
Professional Fees	£488.00
Staff Training	£7,918.35
Refuse, stores, garden, paths, golf, WC's	£6,008.50
Town Hall Expenses	£262.31
Recharges	£1,312.53
Civic Events	£3,554.06
Housing	
Total	£21,846.98

	Salaries Gross	Employers' NI Contribution	Contributions	Members' Attendance Allowance
Rate Born Payments in May 2019				
Office including Town Hall cl	£9,990.26	£1,048.22	£2,416.85	
DLO	£12,747.90	£1,146.09	£2,942.42	
Members Allowance for May will be paid with June after June meeting				£0.00
Total	£22,738.16	£2,194.31	£5,359.27	£0.00
Rate Born Payments in June 2019				
Office	£9,997.59	£1,049.16	£2,416.85	
DLO	£12,493.90	£1,113.57	£2,942.42	
Members Allowance for June will be paid with May after June meeting				£0.00
Total	£22,491.49	£2,162.73	£5,359.27	£0.00

PORT ST MARY COMMISSIONERS

RATES 2019-2020 TO BE PAID BEFORE 30TH JUNE 2019

Housing Expenses									
Date	Property	IOM Government - Treasury	Rates	BB	Housing Rates	NL Code	Total Cost		
01/04/2019	A0050671	IOM Government - Treasury	Rates	BB	Housing Rates	6105	£14,271.66		
01/04/2019	A0050672	IOM Government - Treasury	Rates	CB	Housing Rates	6105	£6,830.84		
01/04/2019	A0050673	IOM Government - Treasury	Rates	FR	Housing Rates	6105	£5,233.85		
01/04/2019	A0050674	IOM Government - Treasury	Rates	LA	Housing Rates	6105	£9,300.95		
01/04/2019	A0050675	IOM Government - Treasury	Rates	TP	Housing Rates	6105	£7,562.72		
01/04/2019	A0050676	IOM Government - Treasury	Rates	PR	Housing Rates	6105	£12,075.33		
01/04/2019	A0050677	IOM Government - Treasury	Rates	SMA	Housing Rates	6105	£18,113.94		
01/04/2019	A0050678	IOM Government - Treasury	Rates	SA	Housing Rates	6105	£21,224.40		
							£94,613.69		

Rate Born Expenses									
Date	Property	IOM Government - Treasury	Rates	Town Hall	Town Hall Rates	NL Code	Total Cost		
01/04/2019	175582	IOM Government - Treasury	Rates	Town Hall	Town Hall Rates	5153	£934.49		
01/04/2019	350988	IOM Government - Treasury	Rates	Golf course store	Golf course rates	5615	£53.50		
01/04/2019	172788	IOM Government - Treasury	Rates	Golf links	Golf course rates	5615	£759.53		
01/04/2019	174146	IOM Government - Treasury	Rates	The Smithy	Sundry Stores Rates	6025	£91.17		
01/04/2019	256770	IOM Government - Treasury	Rates	Ballagawne tip	Amenities Ballagawne site	5815	£2.17		
01/04/2019	272772	IOM Government - Treasury	Rates	Garage 1	Sundry Stores Rates	6025	£43.47		
01/04/2019	272780	IOM Government - Treasury	Rates	Garage 2	Sundry Stores Rates	6025	£43.47		
01/04/2019	272798	IOM Government - Treasury	Rates	Garage 3	Sundry Stores Rates	6025	£43.47		
							£1,971.27		

TOTAL **£96,584.96**

PORT ST MARY COMMISSIONERS

MQ3 PARTICIPANTS 2019

Would the Board like to make donations to all / any?

And if so, how much?

Rushen Silver Band	
Ellan Vannin Pipes & Drums	
Paul Costain	
The Mariners Choir	
Port St Mary Lifeboat	
Isle of Man Sea Cadets, T S Manxman	
Flowers for Lulu Gillow?	

PORT ST MARY COMMISSIONERS**PROJECTS UPDATE**

6.1	Mariners Shelter Repairs are due to commence shortly.
6.2	Manxonia House The property is on the market and to date there has been 6 viewings to date. Options for the building are being explored by the Clerk.
6.3	Remembrance Garden Lighting options for the new sentinels are currently being explored and quotes are being obtained which will be provided to the Board for consideration when available.
6.4	Skate Park Revised drawings are awaited from the contractor.
6.5	Public Conveniences The front door may need to be replaced to fit a timer lock, this is currently being explored and further information will be provided to the Board when available.
6.6	Traffic Consultations A meeting with the Departments new liaison officer and the Clerk took place. The officer has since advised that Beach Road is due to be resurfaced later this year. A schedule of what has been identified and is due to be actioned has been requested.
6.7	Happy Valley The final report is awaited.
6.8	Boat Park Ongoing.
6.9	Reduction in Board numbers The notification was delivered to all houses in PSM as requested.
6.10	Jetty Repair A letter was issued to the Department regarding the liability of the jetty and the stance of the Board, a response is awaited.
6.11	Celebration of Christmas With no events committee in place, the Board are requested to advise if they wish to follow the same format for the Celebration of Christmas as performers will need to be requested ASAP.

Item 7.1

**PORT ST MARY COMMISSIONERS
PUBLIC CORRESPONDENCE**



4 June 2019

Dear Commissionssioners

Thank you for discussing my concerns over the boat charges down at the Harbour which I think are excessive.

I would only add that if this is considered to be a fair going rate per square metre those who have land to let need to review their charges.

On a more pleasing note...

Well done to all involved in putting the photographic exhibition on in the West Room. It was really most interesting and an excellent event to add for the public. I hope these images regularly appear in the future for more to enjoy or see for the first time. It must have appealed to all ages which is difficult to do.

Yours sincerely



Item 7.2

PORT ST MARY COMMISSIONERS
PUBLIC CORRESPONDENCE



Manx National Heritage
Eiraght Ashoonagh Vannin
www.manxnationalheritage.im

Manx National Heritage, Douglas, Isle of Man IM1 3LY
Eiraght Ashoonagh Vannin, Doolish, Eilan Vannin IM1 3LY
☎: +44 (0)1624 648000
☎: +44 (0)1624 648001
✉: enquiries@mnh.gov.im

Dr M Haywood
Marina House
Bay View Road
PORT ST MARY
Isle of Man
IM9 5AQ

24 May 2019

Dear Dr Haywood,

Donald Collister Heritage Grants Programme – Round 2

I write to confirm that the Trustees have approved the grant amount of up to £4,750 (FOUR THOUSAND SEVEN HUNDRED AND FIFTY POUNDS) in relation to your recent application for: Mona's Queen 80th Anniversary.

The Trustees have requested that the research material be made available within the public domain.

As per the scheme terms, please arrange settlement direct with your suppliers, and forward confirmation of these paid invoices for my attention. I will then arrange reimbursement to the bank details you supplied from your grant amount.

Please supply updates of your progress (photographic/written) as your project progresses. The terms of the scheme are for completion within the next 12 months.

Please arrange acknowledgement of the scheme as per your application.

In the meantime should you require any further information or advice, please do not hesitate to contact me directly (E: [REDACTED]) and I shall endeavor to assist.

Yours sincerely



Charity Finance & Administration Officer

Item 8.1

PORT ST MARY COMMISSIONERS
PUBLIC CONSULTATIONS

From [REDACTED] >

Sent: 12 June 2019 09:54

Subject: Development Orders Consultation

TO whom it may concern,

Re: Development Orders Consultation

The Department of Environment Food and Agriculture along with the Cabinet Office have been working together to draft three new orders.

This update is to advise that the following documents have been uploaded to the Consultation Hub under two separate consultations:

Town and Country Planning (Telecommunications) Development Order 2019; and

- Town and Country Planning (Use Classes) Order 2019 and Town and Country Planning (Change of Use) (Development) Order 2019.

Development Orders fall within the remit of Cabinet Office whilst the identification of 'use classes' through a Use Classes Order, falls within the remit of DEFA. The two orders associated with 'use' are closely interlinked as one must reference the other. As both Departments must complete this work at the same time it was agreed to make this a joint venture, including 'twin tracking' the approval process.

We would therefore like to invite you to respond to the consultations which are open for an 8 week period from the 10th of June 2019 until the 5th of August 2019.

Telecoms Permitted Development Update - <https://consult.gov.im/cabinet-office/telecommunications-development-order/>

[Telecommunications Development Order - Cabinet Office of the Isle of Man Government - Citizen Space - consult.gov.im](https://consult.gov.im)

consult.gov.im

Why We Are Consulting. Under part 2, section 8 of the Town and Country Planning Act 1999 the Cabinet Office wishes to bring about a new development order.

- **Use Classes and Changes of Use** - <https://consult.gov.im/cabinet-office/copy-of-town-and-country-planning/>

Consultation responses are strongly recommended to be made via the Consultation Hub. However, written submissions can be made to PlanningPolicy.CO@gov.im or via post to:

Planning Policy

Cabinet Office

3rd Floor, Government Office
Bucks Road
Douglas
IM1 3PN

If you wish to discuss these draft orders further prior to making any response, please contact the planning team on the above email address.

Ms Helen Stewart

Technical and Customer Support Officer

Planning & Building Control Directorate

Department of Environment, Food & Agriculture (DEFA)

Murray House

Mount Havelock

Douglas

Isle of Man

IM1 2SF

Email helen.stewart2@gov.im

Items 9.1 - 9.3

PORT ST MARY COMMISSIONERS

PLANNING

APPLICATIONS

PA19/00560/B Garage Store, Creg dy Shee, Lhargan, Port St Mary. Mr A Teare. Alterations and erection of second storey extension to garage to provide residential and tourism accommodation.

PA19/00610/B Shanhowe, Station Road, Port St Mary. Ballacreggan Farms Ltd. Alterations, erection of extension, installation of replacement roof slates and additional use of dwelling as tourist living accommodation.

PA19/00651/C Quay Cottage, Shore Road Underway, Port St Mary. Mr P Burrige. Additional use of residential dwelling as tourist living accommodation.

APPROVALS

PA/00413/B 3 Gellings Avenue, Port St Mary. Miss J Cooil Replace existing garage door with a window, widening vehicular access and creation of an additional parking space approved.

PA19.00351/B 1 Fistard Grove, Fistard, Port St Mary. Mr T Bugg. Erection of extension above existing garage and single storey extension at the rear of property approved.



20th June 2019

Planning and Building Control Directorate,
Department of Environment, Food and Agriculture,
First Floor,
Murray House,
Mount Havelock,
Douglas,
Isle of Man,
IM1 2SF

RE: 19/00560/B Alterations and erection of second storey extension to garage to provide residential and tourism accommodation at Creg dy Shee, Lhargan, Port St Mary

Dear Sir/Madam

We are writing to object to the above planning application included in the weekly planning list of 31/5/2019. We own the neighbouring property, Thie ny Lhaggan, to the south of Creg dy Shee.

We object to the development on the following grounds

- 1) Unsympathetic development within the Port St Mary Proposed Conservation Area**
Although the site lies within a proposed rather than an adopted CA, it is relevant to consider the Environment Policy 35: "Within Conservation Areas, the Department will permit only development which would preserve or enhance the character or appearance of the Area, and will ensure that the special features contributing to the character and quality are protected against inappropriate development."

Similar allowance is made in Planning Policy Statement 1/01 - Guide to the Conservation of the Historic Environment of the Isle of Man "POLICY CA/2 SPECIAL PLANNING CONSIDERATIONS When considering proposals for the possible development of any land or buildings which fall within the conservation area, the impact of such proposals upon the special character of the area, will be a material consideration when assessing the application. "

There are 2 recently constructed properties at the extreme southern end of Lhargan (P/A 10/00700/B) and 2 semi-detached properties (14/00292/B) in the grounds of the Old Police House on the eastern side of the street. Both of these developments

are of modern materials and, with tiny or no gardens and concrete hardstanding for cars detract from the general streetscape and we do not feel should be treated as relevant precedents. Otherwise however, the Western side of the Lhargan, extending into Cronk Road is as yet largely untouched by recent development and where properties have been renovated, this has been done in a largely sympathetic fashion. This retains a pleasing mixture of houses, terraced and detached. One particularly attractive aspect is the staggered nature of the properties with terraces opening directly onto the street, interspersed with detached properties built further up the hill and set back from the street itself.

It is felt that the proposed development would detract from streetscape on the as yet largely unspoilt West side of Lhargan for the following reasons:-

- a. The prominence of the new dwelling as being set closer to the street than neighbouring properties. Despite its smaller size, given the perspective, it would be visually intrusive when viewed from the street, substantially obscuring the more traditional neighbouring properties.
- b. The building materials – smooth render, white uPVC windows, garage doors and (presumably) modern slates are bland and unappealing
- c. The space within which the proposed property is being constructed is too small with little opportunity for landscaping to soften the appearance
- d. It would constitute an unfortunate precedent for further development of that side of the street



View from Lhargan showing relative positions of the proposed site and surrounding properties, demonstrating the prominence within the streetscape that the new dwelling will have

2) The proposed dwelling is too close to and would have an overbearing impact on Thie ny Lhaggan

The distance from the proposed dwelling to the common property boundary is 2.5m. The separation of the proposed dwelling from the northern gable end of Thie ny Lhaggan is 3 metres. We have been unable to locate relevant supplementary planning guidelines for IoM but from a sample of UK Local Authority SPG notes, recommendations for building separation when not immediately overlooked range from 8-17m

As the property is offset forward from Thie ny Lhaggan, whilst not readily visible from the inside, it would be very prominent from outside the house and from the front garden. As such this will have a negative effect on the sense of perceived space



Distance to development site from Thie ny Lhaggan and showing boundary wall



View of proposed development site from outside the front door of Thie ny Lhaggan

3) Overlooking

The new property will overlook the currently secluded front garden of Thie-ny-Lhaggan, in particular because

- a) the facade is slightly angled towards it

- b) The proposed Juliet balcony will mean the natural outlook from that window will be virtually 90 degrees to the face of the building



View of proposed development site from the front garden of Thie ny Lhaggan

4) On-street parking

Parking is already inadequate on Lhargan and it is rarely possible to park close to ones home. It is a narrow road open to two-way traffic just outside the PSM disk zone and is consequently used by visitors and residents of High Street properties backing on to as well as residents of Lhargan itself. There is also existing planning approval for an apartment development on the site of the former Bay View Hotel(17/00976/B). The cumulative effect of recent and planned new development in the area will place additional pressure on the currently inadequate provision. Whilst there is space for 4 cars on the Creg-dy-Shee hardstanding plus the garages, the hardstanding spaces are already used by the residents and their configuration will make it inconvenient for the garages to be used on a regular basis leading to temptation for tourists and their visitors to park on the road.



Typical on-street parking density on Lhargan

In summary therefore, we feel that the proposed development is of an inappropriate scale for the site, that it would detract from the existing streetscape and does not sit well at the heart of the Lhargan section of the proposed conservation area within which context approval would provide precedent for further development. We therefore believe it should be rejected as it fails to satisfy the following three provisions under the Strategic Plan General Policy 2 which states :

"Development which is in accordance with the land-use zoning and proposals in the appropriate Area Plan and with other policies of this Strategic Plan will normally be permitted, provided that the development:

(b) respects the site and surroundings in terms of the siting, layout, scale, form, design and landscaping of buildings and the spaces around them;

(c) does not affect adversely the character of the surrounding landscape or townscape and

(g) does not affect adversely the amenity of local residents or the character of the locality."

In view of the proximity of the site to Thie ny Lhaggan we would be grateful to be assigned interested party status.

We are happy to meet with the responsible planning officer on-site to go over our concerns.

Yours faithfully,

[Redacted signature block]

Email: junbridson@btinternet.com



Alexander Elliott

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4 Christian Road
Douglas
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Internal Audit Review of Port St Mary Commissioners 2018/19

This report has been prepared at the request of the Clerk and is limited to the areas, and the processes and procedures connected with the Commissioners' Offices and Board functions.

When performing an internal audit there are three main areas to be considered. These are:

Organisational Control: Financial

The preparation of reliable published financial statements.

Operational

The effectiveness and efficiency of the operations.

The safeguarding of resources against loss.

Compliance

Adherence to laws and regulations.

Governance:

The process conducted by the Board to authorise, direct and oversee management towards the achievement of the Board's objectives.

Risk Management:

The process conducted by management in order to understand and deal with uncertainties.

It is important to recognise that internal audit is a much broader discipline than just finance risk management, covering such areas as logistics, IT, change management, project management, regulation and strategic planning. Whilst it is important that internal audit should examine all areas of risk over a period, to be able to scrutinise all spheres every year, without investing additional time/cost, does tend lead to a broad-brush approach.

We at Alexander Elliott believe that, whilst always exploring those matters already identified as being moderate or high, to carry out a more detailed assessment of subjects that are identified by yourselves as causing concern or where you need to have more information to assess your risk fully, produces a more personalised report which you can utilise to mitigate those risks.

In accordance with the policy stated above, all items which were reported in the previous report, as representing a risk level of moderate and above, have been reviewed and included in this document.

In order to cover this spectrum of risk we have divided the report into two sections:

1. Section 1 reports on areas we have noted as requiring attention. It also reports briefly on areas of last year's report where remedial work is still in progress.
 - a. Column 1 contains the topic name.
 - b. Column 2 is a brief overview of the function and existing controls.
 - c. Column 3 lists our views on the risk and any recommendations.
 - d. Column 4 gives a risk grade from "catastrophic" to "low" for each area where:
 - i. **Catastrophic** – Unacceptable risk activity should be ceased immediately
 - ii. **High** – Unacceptable threat*
 - iii. **Moderate** – Hazard requires attention or consideration*
 - iv. **Acceptable** – Normal controlled risk level
 - v. **Low** – Little or no danger
2. In a continuing endeavour to match the commitment shown by the Board, Section 2 consists of a short report, this time on the Isle of Man Equality Act 2017. Should you require any assistance with this report please do not hesitate to contact us.

* There are some areas where a risk grade will remain as "moderate" despite you having, in our opinion, taken those actions which in normal circumstances reduce that risk to "acceptable" or "low". In these cases, where it is only the nature of the activity that leads us include it at that level, we have added the word "mitigated" alongside the grading.

Internal Audit Findings Report

Section 1

<p>Freedom of Information (FOI)</p>	<p>The Clerk has written and introduced procedures for the handling of requests. This includes the publishing on the website of all requests and replies.</p> <p>The introduction of these procedures will help considerably to control the risks, both from sanction under the legislation and to contain the additional cost which could be necessary in the preparation of meeting requests received. They also help in reducing the risk associated with the conflict with the GDPR legislation, when preparing responses.</p>	<p>Due to the very public issues that have been faced by the Board in the last year, the number of requests received has been higher than we would expect to see.</p> <p>The actions of the Clerk, with the backing of the Board, would appear to have helped reduce follow-up and new requests in the short-term. However, there is no scientific way to fully assess how successful this process will be in stemming future, time consuming, demands.</p> <p>This item will be removed from future reports unless there is a change of perceived risk.</p>	<p>Acceptable</p>
<p>Cash receipts</p>	<p>Whilst the cash handling procedures are acceptable and the risk of significant financial loss due to theft does not exist, cash still presents a substantial risk. Cash counting, by necessity, is carried out in the office area in full public view. However:</p> <ol style="list-style-type: none"> 1. the office is separated from the general area by a door with keypad control 2. the counter area is through a sliding hatch 3. only small amounts are held in counter area 4. surplus is regularly removed to safe area 5. banking is performed regularly 6. CCTV coverage is now in place covering the public counter (The presence of CCTV is correctly signed.) <p>In a small community, it will be known that people use cash to pay rent and there is therefore a chance of robbery, be it opportunistic or brought on by desperation. Such an incident could prove dangerous to members of staff both physically and mentally.</p>	<p>It is pleasing that attempts are continuing to be made to extend the direct debit scheme by requesting that new tenants pay by direct debit. Debit cards are now accepted as well as online payments.</p> <p>Cash continues to be minimised by the wider use of the direct debit scheme and is banked regularly.</p> <p>As has been mentioned in previous years, the very nature of cash means it always carries a risk and therefore will always be part of our report. Whilst this risk may be reduced by the introduction of good procedures and a decrease in the amount of cash processed, the only way to eliminate the risk is to not handle it. It is appreciated that, at this time, this is not an option.</p> <p>The presence of CCTV in the counter area can be a substantial deterrent. However, for this to be fully effective, we would recommend that the signage be highly visible with unmissable notices throughout the premises.</p>	<p>Moderate (Mitigated)</p>
<p>Changes in legislation</p>	<p>Changes in legislation in employment, local government, health and safety, data protection, etc., which are likely to affect the operational functionality of the Board are monitored by central government and advised to the Deputy Clerk. This information is reported to the Board and/or filtered down to employees where required.</p> <p>Since our last report, a file has now been created noting any changes in legislation and the action required/taken.</p>	<p>The introduction of the additional procedure reduces the risk in this area to acceptable.</p> <p>This item will be removed from future reports unless there is a change of perceived risk.</p>	<p>Acceptable</p>



<p>Personal Risk</p>	<p>Members of the Board and staff are subject to risk in respect of being made personally responsible for loss, damage or injury caused to others (be they members of the public or staff) due to negligence. The financial risk is covered by insurance but the social threat or even the prospect of imprisonment is still a possibility.</p> <p>In order to mitigate this risk, it is advisable to be able to demonstrate that the actions taken by the individual were not negligent in so much as there is a precedent, they are acceptable practice, or they are perfectly reasonable.</p> <p>The Clerk has joined a HR Forum, organized by the Clerk for Sheltered Housing to Garth Commissioners. The aim of the is for all members to meet and investigate setting up courses / advise of available training.</p> <p>The financial risk is covered by insurance but the social threat or even the prospect of imprisonment is still a possibility.</p>	<p>Attendance of courses relating to this, or any other aspect of their role, by Board members or senior staff should be encouraged to reduce this threat. At the time of our meeting the Clerk was actively investigating the possible availability of suitable courses with DOI.</p> <p>The importance of this should be stressed to all new members and to existing Board members. The adoption and implementation of the Isle of Man Corporate Governance Principles and Code of Conduct goes a long way to reducing this risk</p> <p>As well as being an excellent resource for staff training this can used to investigate training availability for new board members, or those established members who would benefit from a refresher. By spreading the cost across several Boards/Authorities this could prove a valuable resource, hopefully supplying solutions to the at an acceptable price.</p> <p>There is always a need to be aware of the extra restrictions that will come with Office. Care must be taken, even when expressing a personal opinion, due to the risk of, as a public figure, being misquoted or abused, particularly in the media.</p>	<p>Moderate (mitigated)</p>
<p>Data Protection</p>	<p>Legislation introducing "GDPR" was introduced in May last year. As the requirements of GDPR had a substantial effect on the operation of a local Board, in particular the requirement to appoint a Data Protection Officer, this was assessed as "High" last year.</p> <p>The work to become fully compliant has been commenced and Alexander Elliott has been appointed as Data Protection Officer.</p> <p>Port St Mary email accounts have been set up for all Commissioners.</p> <p>The Board have expressed a wish to demonstrate openness in all their actions.</p> <p>The Private Meeting is now kept very short and the use of personal names in the minutes has been minimised.</p> <p>The Clerk would like to be in a position to consider passing generic private minutes at the next public meeting.</p>	<p>The implications of this legislation on Local Authority Boards in the Isle of Man are considerable, both in short-term preparation and long-term compliance.</p> <p>The clerk is working on the matrix and progress will be assessed further when we visit shortly, under our role as Data Protection Officer.</p> <p>This procedure is considered satisfactory.</p> <p>Whilst it is appreciated that this is not easy to achieve, it is a very worthy ambition and matches the aims contained within the "Code".</p> <p>This is considered to be a commendable aspiration. It could then permit them to be published on the website. This could be an aid in containing the number of Freedom of Information Requests.</p>	<p>Moderate</p>

<p>Health and Safety</p>	<p>A consultancy firm have been appointed to advise, when required.</p> <p>The Clerk attended a level one health and safety course, provided by Central Government, during the year. In addition, both she and the foreman attended an IOSH "leading safely" course. The Board have increased the training budget for the coming year.</p> <p>The Foreman runs "tool box training" sessions on a regular basis. Training records are maintained, and the required number of staff are first aid trained. The Foreman also runs induction courses for new members of staff.</p> <p>Risk assessments have now been prepared and are available to staff in the Workshop. The Foreman intends to review the assessments on a regular basis, with input from the consultant, where applicable. The Foreman has started to prepare procedural notes for all tasks undertaken and these are issued to each member of staff who is assigned that job.</p>	<p>This is considered good practice. This provides a backup for the internal staff, as their own knowledge increases.</p> <p>The Clerk would like to continue this process, leading to an increase in her knowledge and qualifications and that of the Foreman, in this area.</p> <p>The endeavours in this area are highly commendable. Health and safety is a area where the expectations of the courts are ever changing so it is important that those responsible for setting the procedures and standards continue to update their knowledge.</p> <p>The training budget increase should assist in achieving this.</p> <p>Preparation of risk assessments and procedural notes is a long and arduous process but extremely worthwhile in the long-term. It must be remembered, that once introduced, they must be strictly abided by, as the courts can be particularly sever on failures to follow things introduced to counter recognised risks.</p>	<p>Moderate (Mitigated)</p>
<p>Interruption to Services / Contingency Planning</p>	<p>There is no process in place for disaster recovery:</p> <ol style="list-style-type: none"> There is no agreement in place regarding an alternative place of operation for a skeleton clerical staff in the case of an emergency. There is no arrangement for the provision of computers or software. <p>There is no succession planning.</p>	<p>The Clerk is keen to produce a plan.</p> <p>Whilst this is recommended, with the data being backed up to a central data bank and the remote access by laptop by key members of staff, provided software is duplicated off site or is easily obtainable, the Commissioners could carry out basic office functions from almost anywhere. Talks are being held with Port Erin Commissioners and the Board have good relations Arbory and Rushen Commissioners.</p> <p>Due to the size and staffing it is not considered practical to have any form of succession planning. There will, of course, continue to be a risk associated with the inability to achieve this so it will remain a constant item.</p>	<p>Moderate</p>
<p>Social Media</p>	<p>There is currently a website, a Twitter account and a Facebook page maintained by the Commissioners.</p> <p>There is no Social Media policy in place for Board Members or staff. The absence of a clear policy can lead to misunderstandings when this medium is used.</p>	<p>The Clerk would like to remove the ability of the public to comment on the Commissioners Twitter or Facebook. As there is a danger that items posted can be missed or that the Commissioners social media pages can be used as a forum, we would recommend that this is put in place.</p> <p>In order to ensure a consistent approach by all parties, it is recommended that a policy is introduced. There is a danger that Members and staff can seen to be voicing a Commissioners view when expressing a personal opinion.</p>	<p>Moderate</p>



<p>Disability Discrimination Act 2006</p>	<p>From 1 January 2020 where a physical feature makes it impossible for disabled persons to access your goods or services, service providers are required to take reasonable steps to:</p> <ul style="list-style-type: none"> • Remove the feature; or • Alter it so it no longer has that effect; or • Provide a reasonable means of avoiding the feature; or • Provide a reasonable alternative method of making the service available where it would otherwise be unreasonably difficult for a disabled person to use that service. <p>(excerpt from "What You Need to Know. A Guide for Small to Medium Businesses". Department of Health and Social Care)</p> <p>At the time of our visit, it had been arranged that an assessment of the all Board's buildings is to be carried out by an external contractor.</p> <p>This legislation will be replaced from 1 January 2020, following introduction of further clauses of the Isle of Man Equality Act 2017 (see report on this Act in section 2)</p>	<p>The Clerk is aware of the legislation and what needs implementing.</p> <p>A self-assessment checklist is available at: https://www.gov.im/media/1353463/dda-2006-self-assessment-checklist.pdf</p> <p>This is commendable.</p> <p>Any report on outstanding items from this section will be reported in next year's report under Isle of Man Equality Act 2017.</p>	<p>Moderate</p>
<p>Conflict of Interest</p>	<p>Under the Code, Board members and staff are required to declare their interests. When a member is sworn into Office, they complete the register of Members' interests. These interests are now included on the Commissioners' website. Whilst this is acceptable, there is a risk that new interests could be omitted.</p> <p>At the time of our previous report there were some gaps in the declarations on the website.</p>	<p>Acceptance of the Code and introduction of the policy make it difficult to justify not carrying it out fully.</p> <p>It is recommended that the list of interests on the website be completed, if only by the insertion of the word "none" and that members complete a new declaration of interests on an annual basis.</p> <p>A review is now being undertaken on an annual basis, following the AGM, to ensure both the information and the website are up to date.</p> <p>This item will be removed from future reports unless there is a change of perceived risk.</p>	<p>Acceptable</p>
<p>Long-Term Absence of Clerk</p>	<p>A new Clerk has been appointed and is in place.</p>	<p>This item will be removed from future reports unless there is a change of perceived risk.</p>	<p>Low</p>
<p>Standing Orders</p>	<p>Section 40.2 of the Standing Orders states "these Standing Orders will be formally reviewed at least once a year during the month of April."</p>	<p>A review is now being undertaken on an annual basis, following the AGM.</p> <p>This item will be removed from future reports unless there is a change of perceived risk.</p>	<p>Low</p>

Section 2

The Isle of Man Equality Act 2017

Contents

Foreword	8
Introduction of the Act.....	8
Overview.....	9
Types of Discrimination.....	9
Direct Discrimination	9
Indirect Discrimination.....	10
Harassment.....	10
Victimisation	10
Protected Characteristics:	11
Age	11
Disability.....	11
Gender Reassignment.....	11
Marriage & Civil Partnership.....	11
Race.....	12
Religion	12
Sex.....	12
Sexual Orientation	13
Pregnancy & Maternity.....	13
Sources of help for discrimination	13
Local Authorities and the Act.....	15
General provisions	16
UK Case Law.....	17
Further Reading and Sources of Information:.....	19

Foreword

The Isle of Man Equality Act 2017 seeks to provide a unified legal framework to protect individuals from discrimination in both the workplace and the provision of goods and services.

Perhaps the major change, that will have the widest impact on Manx employment, is the introduction of new protected characteristic categories that extend to employment as well as the provision of goods and services.

Introduction of the Act

Royal Assent was obtained on 18 July 2017, with the Act being phased in with all of the provisions due to come into operation by January 2020. Many of the substantive equality provisions came into operation in January 2019 while the remainder are due to come into operation in January 2020.

The Act protects all people from discrimination on the basis of possessing one of nine 'protected characteristics'.

The following protected characteristics became effective from 1 January 2019:

- Gender Reassignment
- Marriage & Civil Partnership
- Race
- Religion
- Sex
- Sexual Orientation
- Pregnancy & Maternity

The Equality Act has repealed the following legislation:

- Breastfeeding Act 2011
- Race Relations Act 2004
- Employment (Sex Discrimination) Act 2000

The remaining two characteristics protected under the Act will be effective from 1 January 2020:

- Age
- Disability

The Equality Act will repeal the following legislation from 1 January 2020:

- Disability Discrimination Act 2006

In addition to the above provisions, however, the Act makes a number of amendments to:

- The Redundancy Payments Act 1990
- The Shops Act 2000
- The Minimum Wage Act 2001
- The Employment Act 2006
- The Control of Employment Act 2014

Overview

The legislation is unquestionably one of the most significant pieces of social legislation to be advanced in the last couple of decades. Amongst many other issues, the Hollywood “MeToo” scandal and the ongoing reporting in relation to the disparity in gender will certainly ensure that discrimination issues remain in the spotlight

Compliance with the Equality Act 2017 is a legal obligation, but it also makes good business sense.

Organisations that:

- are able to provide services that meet the diverse needs of its users generally run more efficiently
- have a culture of a supportive working environment and draw on a wider range of talent, representing a diverse community are generally more productive
- embody a diverse workforce result in better informed decision-making and policy development

Commitment to equality and diversity is fundamental to businesses, providing the environment, support and culture that will enable all of its employees to flourish and to achieve its objectives. This commitment needs to be led from the top down in every organisation. At board level, a diverse governing body provides a range of expertise and insights and robust decision-making.

The Equality Act will affect all businesses of all sizes island-wide, whether big or small and across all sectors. Government and Local Authority leaders will need to take a proactive role in ensuring that companies comply with the legislation as and when the legislation comes into force; both employers and their employees can be held responsible and liable for their actions where they discriminate.

Types of Discrimination

There are four main types of discrimination:

Direct Discrimination

A person cannot be treated worse than another person because of a protected characteristic. This also includes treating a person worse than another because they are associated with a person who has a protected characteristic, or a person who is perceived to have a protected characteristic.

Indirect Discrimination

You must not do something through the use of a policy, rule or practice (way of doing things) that has or would have a worse impact on a person and on other people who share a protected characteristic, than on people who don't share that same characteristic. This will be indirect discrimination unless you are able to show that you had a good enough reason (objective justification) for what you have done or intend to do.

Harassment

A person cannot be treated in a way that violates their dignity, or creates a hostile, degrading, humiliating or offensive environment.

Victimisation

A person cannot be treated unfairly for taking action under the Equality Act, nor can a person be treated unfairly for supporting someone else who is doing so.

From 1st January 2020, when the final provisions come into force, Members of the public will be protected from discrimination, harassment or victimisation:

- in the workplace
- in education
- using public services (for example healthcare or education)
- using businesses and organisations that provide goods and services
- using transport
- buying or renting property
- as a member or guest of a private club or association and
- when contacting public bodies (for example local commissioners or government departments)

They are also protected from discrimination, harassment or victimisation if they:

- are associated with someone who has a protected characteristic, for example a family member or friend
- have complained about discrimination or supported someone else's claim

Someone who thinks they have been unlawfully discriminated against, harassed or victimised can:

- complain directly to the person or organisation
- use conciliation services
- make a claim to the Employment and Equality Tribunal

Protected Characteristics:

Age

Protected characteristic of age means a person belonging to a particular age group. An age group includes people of the same age and people of a particular range of ages. Where people fall in the same age group, they share the protected characteristic of age. The Act protects people of all ages from unlawful discrimination.

For the first time in the Isle of Man, age discrimination becomes unlawful with the significant consequent effect that compulsory retirement at, say, age 65 can no longer be automatic. Fixing a compulsory retirement age will amount to unlawful age discrimination unless an employer can show retirement to be objectively justified as a proportionate means of achieving a legitimate aim.

What this means will be dependent on the individual facts and may include reasons such as ensuring the availability of career progression opportunities and/or a spread of skills and experience.

Disability

Disability however might be widely construed – obesity might in certain circumstances be included, for instance when it results in reduced mobility. In general terms under this section, a person is considered to have a disability if he or she has a physical or mental impairment which has substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Where people have the same disability, they share the protected characteristic of disability.

Regarding disability, employers and service providers will need to make reasonable adjustments to accommodate people with disabilities. For example, an office layout may need to be changed to accommodate staff who are wheelchair users.

Gender Reassignment

A woman making the transition to being a man and a man making the transition to being a woman both share the characteristic of gender reassignment, as does a person who has only just started out on the process of changing his or her sex and a person who has completed the process. A transsexual person has the protected characteristic of gender reassignment.

Marriage & Civil Partnership

People who have or share the common characteristics of being married or of being a civil partner can be described as being in a marriage or civil partnership.

Race

“Race” includes a person’s colour, nationality, ethnic or national origins and caste. People who have or share characteristics of colour, nationality, ethnic or national origins, or caste can be described as belonging to a particular racial group. A racial group can be made up of two or more different racial groups.

The term “caste” denotes a hereditary, endogamous (marrying within the group) community associated with a traditional occupation and ranked accordingly on a perceived scale of ritual purity. It is generally (but not exclusively) associated with South Asia, particularly India, and its diaspora. It can encompass the four classes (varnas) of Hindu tradition (the Brahmin, Kshatriya, Vaishya and Shudra communities); the thousands of regional Hindu, Sikh, Christian, Muslim or other religious groups known as jatis; and groups amongst South Asian Muslims called biradaris. Some jatis regarded as below the varna hierarchy (once termed “untouchable”) are known as Dalit

Religion

The protected characteristic of religion or religious or philosophical belief, which is stated to include for this purpose a lack of religion or belief. It is a broad definition in line with the right to freedom of thought, conscience and religion guaranteed by Article 9 of the European Convention on Human Rights. The main limitation for the purposes of Article 9 is that the religion must have a clear structure and belief system. Denominations or sects within a religion can be considered to be a religion or belief, such as Protestants and Catholics within Christianity.

The criteria for determining what is a “philosophical belief” are that it must be genuinely held; be a belief and not an opinion or viewpoint based on the present state of information available; be a belief as to a weighty and substantial aspect of human life and behaviour; attain a certain level of cogency, seriousness, cohesion and importance; and be worthy of respect in a democratic society, compatible with human dignity and not in conflict with the fundamental rights of others. So, for example, a cult involved in illegal activities would not satisfy these criteria. The section provides that people who are of the same religion or belief share the protected characteristic of religion or belief. Depending on the context, this could mean people who, for example, share the characteristic of being Protestant or people who share the characteristic of being Christian.

Sex

Having the protected characteristic of sex is to mean being a man or a woman, and that men share this characteristic with other men, and women with other women.

Equal pay protection is extended such that a new concept of equal pay for work of equal value can be claimed rather than the existing position of equal pay for similar work. A sex equality clause will be read into the terms of all employment contracts. For example, if a male employee’s contract provides for a company car, a female comparator who does equal work can assert a similar contractual right.

Sexual Orientation

A person's sexual orientation towards people of the same sex as him or her (In other words the person is a gay man or a lesbian); people of the opposite sex from him or her (the person is heterosexual); people of both sexes (the person is bisexual).

It also explains that references to people sharing a sexual orientation mean that they are of the same sexual orientation.

Pregnancy & Maternity

Discrimination of women on the grounds of pregnancy or maternity during pregnancy and any maternity period is prohibited under the Act.

Sources of help for discrimination are listed in explanatory notes to the Act and are as follows:

At work

Employees should talk to their employer/manager first to try and sort out the problem informally. If this informal approach is not successful, they can contact [Manx Industrial Relations](#). Manx Industrial Relations Service can provide free and impartial service to both employers and workers about employment rights, employment disputes and potential claims to the Employment & Equality Tribunal.

[Manx Citizens Advice](#) also provide free impartial advice and facilitate referrals where required. Where appropriate, an industrial relations officer can conciliate even if no claim has been made to the Tribunal.

As a consumer when accessing goods and services

Try to resolve the problem by talking to the trader or service provider first. If things cannot be sorted out informally contact the Office of Fair Trading for free advice which can include conciliation.

Buying or renting property

Try to resolve the problem by talking to the vendor, landlord or agent first. If things cannot be sorted out informally contact the Office of Fair Trading for free advice including conciliation.

Member or guest of a private club or association

If unfairly discriminated against by a private club or association who have 25 or more members and whose membership is controlled by rules involving a selection process, try to resolve your problem by talking to the service provider first.

If things cannot be sorted out informally contact the Office of Fair Trading for free advice including conciliation.

In education (state & independent schools)

Try to resolve the problem informally first by, for example, talking to the appropriate teacher, head teacher or governing body.

If the problem isn't resolved by an informal approach to the school, contact an independent conciliator through the Department of Education, Sport & Culture.

In healthcare

Try to resolve the problem by talking to the service provider first.

There is guidance available that aims to help with a complaint about healthcare services provided by the NHS.

If things cannot be sorted out informally contact the Office of Fair Trading for free advice including conciliation.

Public sector housing

Try to resolve the problem by talking to the service provider first.

If things cannot be sorted out informally contact the Office of Fair Trading for free advice including conciliation.

Local authorities

Try to resolve your problem by talking to the service provider and/or your Local Authority first.

If things cannot be sorted out informally contact the Office of Fair Trading for free advice including conciliation.

Public Transport

Try to resolve the problem by talking to the service provider first.

There is guidance available to help with a complaint about Isle of Man Public Transport.

If things cannot be sorted out informally contact the Office of Fair Trading for free advice including conciliation.

Emergency services

Try to resolve your problem by talking to the service provider first.

If things cannot be sorted out informally contact the Office of Fair Trading for free advice including conciliation.

Alternatively, you may take your case to the Employment and Equality Tribunal.

Taking formal legal action can be a long and stressful process so should only be undertaken where there is reasonable evidence that unlawful discrimination, harassment or victimisation has taken place, in accordance with the Equality Act.

You should first get informal advice by contacting one of the organisations listed above before contacting the Tribunals Service.

The Tribunals Service cannot offer legal advice or assess the merits of your case that would be heard by the Employment and Equality Tribunal.

Local Authorities and the Act.

As a Local Authority Board, you need to be aware that the Act creates an obligation on public authorities, or those who carry out public functions, with the aim of positively promoting equality, known as the public sector equality duty. This shifts the onus from individuals to organisations, removing or reducing the need for individuals to bring discrimination claims.

You, as a Board, will be required to consider how you can contribute to the advancement of equality and good relations.

Such equality considerations should be manifested in policy design and service delivery through the assessment of how a function may affect a different group in different ways.

Section 51 of the Act deals with official business of local authority members and says:

- (1) A local authority must not discriminate against a member of the authority in relation to the member's carrying out of official business —
 - (a) in the way the authority affords the member access, or by not affording the member access, to opportunities for training or for receiving any other facility;
 - (b) by subjecting the member to any other detriment.
- (2) A local authority must not, in relation to a member's carrying out of official business, harass the member.
- (3) A local authority must not victimise a member of the authority in relation to the member's carrying out of official business —
 - (a) in the way the authority affords the member access, or by not affording the member access, to opportunities for training or for receiving any other facility;
 - (b) by subjecting the member to any other detriment.

- (4) A member of a local authority is not subjected to a detriment for the purposes of subsection (1)(b) or (3)(b) only because the member is —
- (a) not appointed or elected to an office of the authority,
 - (b) not appointed or elected to, or to an office of, a committee or subcommittee of the authority, or
 - (c) not appointed or nominated in exercise of an appointment power of the authority.
- (5) In subsection (4)(c), an appointment power of a local authority is a power of the authority, or of a group of bodies including the authority, to make —
- (a) appointments to a body;
 - (b) nominations for appointment to a body.
- (6) A duty to make reasonable adjustments applies to a local authority.
- (7) A reference to the carrying-out of official business by a person who is a member of a local authority is a reference to the doing of anything by the person —
- (a) as a member of the authority,
 - (b) as a member of a body to which the person is appointed by, or appointed following nomination by, the authority or a group of bodies including the authority, or
 - (c) as a member of any other public body.

General provisions

Small businesses

As in the case of the UK legislation there is no exemption for small businesses. However, in relation to the duty to make reasonable adjustments for disabled people, what is reasonable for a large business may not be reasonable for a small business.

Support for business

At present DTE operates a scheme, the Employment Persons with Disabilities etc. Scheme 1999 which provides grant assistance in respect of disabled employees.

Equality Act affect the rules on minimum wage

The Act does not affect the rules on minimum wage because differential minimum wage rates are permitted under Schedule 9 to the Act. It should be noted that sex discrimination is already prohibited in relation to employment and the minimum wage.

UK Case Law

UK Case law is persuasive on the Manx Courts and it is therefore unusual for the Deemster to rule differently in the Isle of Man to a similar case in the UK. We therefore have the advantage of being able to consider cases that have come to the UK courts since the passing of the UK Equalities Act 2010. These cases are more for interest but in some cases will help Board Members to consider actions that the Board is being asked to consider i.e. the Smailes' case may assist in considering housing applications.

Smalles v Clewer Court Residents Ltd 2019

Mrs Smailes has Ehlers-Danlos syndrome, which restricts her mobility. She needed to make adaptations to her home to accommodate her needs, such as moving the kitchen and the bedroom. Mrs Smailes and her husband own the leasehold for their flat, but a term in the lease prohibited alterations.

When they asked the landlord, Clewer Court Residents Limited, to allow them to do this given their circumstances, they were refused.

The Smailes' had to move out of their home and brought a disability discrimination case against the landlord.

The court ruled that the landlord should have agreed to let the Smailes carry out the alteration works, which were reasonable in light of her disability.

The court also found that Mrs Smailes was harassed by the landlord at a meeting held to consider the proposed alterations.

Smith v Pimlico Plumbers 2018

Mr Smith worked for Pimlico Plumbers Ltd as a plumber from August 2005 until April 2011. He did not carry out work for anyone else during this period.

He had a heart attack in 2010 and required adjustments to his work. These were not made. He brought a complaint of disability discrimination.

Pimlico Plumbers argued that the arrangement was a business-to-business relationship. If correct, Mr Smith would have been without protection of the Equality Act 2010.

The Supreme Court found that Mr Smith's employment situation fell within the definition of 'employment' in the Equality Act and so he should be protected by equality law.

City of York v Grosset 2018

This case is particularly notable as it settles any issues around Section 15 of the Equality Act and gives employees a very powerful protection from discrimination due to disability. As a background, Section 15 consists of two elements, one of which is unfavourable treatment (e.g. dismissal) because of a 'something' arising from disability.

Mr Grosset, a teacher at a school in York, was dismissed for showing an 18-rated film to 15 and 16-year-olds. Grosset has cystic fibrosis, and alleged that showing the film was a 'lapse in judgement', which came about because of a 'high level of stress' caused by his workload being too heavy and a punishing exercise regime, required because of his condition.

The Court of Appeal agreed with the employment tribunal in support of Mr Grosset. Importantly, this case shows an employer can be liable even when they don't know that the 'something' leading to the dismissal – in this case, an error in judgement – has arisen from the disability.

If an employee can prove these two things, then the burden is firmly on the employer to prove objective justification, which is often a relatively high bar to pass. A classic instance involving Section 15 is where an employee is absent because of cancer. Ostensibly dismissed for the absences, Section 15 could mean the employee wins their case unless the employer can show objective justification.

Plummer v Royal Herbert Freehold Ltd 2018

This case in the County Court which was brought by Mr Plummer who has multiple sclerosis and who couldn't access the leisure facilities in the apartment block where he rented a flat. He requested reasonable adjustments which the property owners Royal Herbert Freehold Ltd rejected.

His main argument was that Royal Herbert Freehold Ltd is a 'service provider', outlined in part 3 of the Equality Act 2010, and failed to make reasonable adjustments.

Royal Herbert Freehold Ltd was found to be a service provider. As such, they have a duty to make reasonable adjustments.

Davey v Oxfordshire County Council

Mr Davey is a severely disabled man who challenged the council's decision to cut his 24 hour care package.

He argued this would result in his team of care workers losing or deciding to leave their positions. His care workers had been supporting him for 20 years.

Mr Davey lost his appeal.

The Court of Appeal found that Oxfordshire County Council had acted lawfully in reducing Mr Davey's care package.

Dove v Brown & Newirth Limited 2016

This English employment tribunal case is a recent example of a workplace nickname - not designed or intended to be disrespectful or hurtful - that resulted in a tribunal finding for the recipient (here, Mr Dove) as regards his claim for age discrimination. The tribunal considered that the practice had resulted in real detriment to Mr Dove; the fact that it was "banter" and Mr Dove on occasion referred to himself by the nickname did not matter. The tribunal considered that Mr Dove's dismissal following the transfer of his accounts to another salesperson, in circumstances where clients had allegedly communicated a desire for "a fresh approach" where Mr Dove was "old fashioned" and "long in the tooth", was influenced by discrimination and thus unfair. It didn't matter that age discrimination was not the main or principle reason for the less favourable treatment; the dismissal was nevertheless found to be tainted by such discrimination and thus warranting the level of compensation awarded.

The case of Mr Dove demonstrates the financial risk to employers in failing to address employee discrimination in the workplace. You might consider that to call someone "Gramps" is obviously discriminatory, however not all examples will be so clear cut.

Further Reading and Sources of Information:

<https://www.gov.im/about-the-government/equality-act/>

https://www.gov.im/media/1361400/equalityact2017_3.pdf

<https://www.gov.im/media/1364235/amendments-to-general-employment-law-made-by-the-equality-act-2017-new-2812019.pdf>

<http://mplegal.im/info-centre/news/q-a-on-the-manx-equality-act-2017-the-act>

<https://www.visitisleofman.com/trade/registration-schemes/disability-discrimination-act>

<http://www.dg.im/news/equality-age-discrimination>

<https://www.gov.im/media/1358197/equality-act-2017-explanatory-notes-27th-nov-2017.pdf>

<https://www.gov.im/about-the-government/equality-act/action-you-can-take/>

<https://www.equalityhumanrights.com/en/legal-casework/legal-cases>

<http://mplegal.im/info-centre/news/q-a-on-the-manx-equality-act-2017-the-act>

<https://www.applebyglobal.com/insights/insights-2018/the-equality-act-2017.aspx>

<https://www.peoplemanagement.co.uk/experts/legal/this-year-standout-equality-cases>

Alexander Elliott

April 2019

Item 10.2

~~October 2018~~ June 2019

Vision:

To support our community and ensure Port St Mary is an excellent place to work, live and enjoy.

Communications

Strategy: To be open, clear and honest in our communications, using all available methods to ensure that our community is included and informed.

Goals:

- Update minutes on website within 48 hours of ratification ✓
- Biannual newsletter ✓
- Respond to emails within 1 working day
- Clearly publicise deadlines for letters to be received prior to meeting
- Develop a clear communications flowchart for events, meetings and other activities.
- To invite the public to contribute to discussions with the Board at regular meetings.

Assets

Strategy: We recognise that our assets are owned and managed by the Commissioners on behalf of the community we represent. We aim to manage our assets in a financially responsible way, using clear and accurate business plans to derive maximum benefits (financial or otherwise) for our community.

Goals:

- Manage our assets to obtain maximum revenue, or community benefit ✓
- Create and maintain an asset list – status reported quarterly
- To develop community assets to improve opportunity within Port St Mary
 - To construct a skate park
 - To develop a performance area in Happy Valley
 - To improve the tennis courts
 - To improve the boat park facilities
 - To update the playground equipment
- Develop a maintenance schedule for our assets

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~~October 2018~~ June 2019

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Housing

Strategy: To provide appropriately designed, affordable housing on a means-tested basis for our community.

Goals:

- To maintain an excellent standard of LA owned housing ✓
- To respond to tenants urgent requests within 24 hours ✓
- To manage our waiting list according to DoI regulations ✓
- To look for opportunities to expand our housing offer
- To inspect all our properties and gardens on an annual basis
- To manage a system of programmed maintenance ✓.

Environment

Strategy: We aim to manage our activities in Port St Mary so that we minimise any negative impacts on our environment.

Goals

- To commission a DED energy efficiency survey of the Town Hall
- To reduce energy bills by 10%
- Support recycling ✓
- Reduce household waste to the SITA plant
- ~~To designate the Triangle as a wildlife area with supporting signage~~
- To manage our green areas in an environmentally sensitive way
- To have the catwalk designated as a shared space
- ~~To reduce unnecessary street signage~~
- ~~To position and maintain floral displays throughout the village to enhance the streetscape~~
- To sensitively manage our open spaces and reduce the use of harmful chemicals
- ~~To actively promote-discourage~~ the use of single use plastics when hiring PSMC premises
- To pursue carbon offsetting related to our activities
- To establish a Climate Change working group

Finance

Strategy: We recognised that we make financial decisions on behalf of our ratepayers and residents, and we have a duty to spend money carefully and with due diligence.

Goals:

- To set a clear budget that will allow the Commissioners to deliver their goals for developing Port St Mary ✓
- To aim to reduce rate borne expenditure by streamlining our activities through:
 - the use of structured rather than reactive activities with a well planned maintenance system for our assets
 - increased use of technology (online payments, online bookings)

~~October 2018~~ June 2019

2

Planning

Strategy: We will provide informed and justified opinion and local guidance on planning matters

Goals:

- To ensure that Commissioners receive appropriate training and support in planning matters.
- To liaise closely with central government regarding planning applications, refusals and appeals

To fully support appropriate development and recognise the need to balance conserving the character of Port St Mary without compromising its future.

Community

Strategy: To play a lead role in organising community events and supporting local community groups.

Goals:

- Remembrance Day Service ✓
- Monas Queen service ✓
- Christmas Concert ✓
- Library support ✓
- Swimming pool support ✓

Governance

Strategy: To ensure that Commissioners have access to information, training and support to make informed decisions.

Goals:

- To build good working relationships with other local authorities. ✓
- To provide representatives to a number of other local boards. ✓
- To ensure members conduct themselves in accordance with the Local Government Act, the Local Government Code of Conduct and our Standing Orders.
- To support the physical and mental wellbeing of all our staff.

Item 10.3

Valuation List for the VILLAGE OF PORT ST MARY under the Rating and Valuation Acts, 1953 to 1991
2ND SUPPLEMENTAL LIST 2019

Property Code	Town	Area	Property Reference	Address	Description	Proprietor	Occupier	Remarks	Valuations Cancelled		Proposed New Valuation		Final Valuation	
									GV	RV	GV	RV	GV	RV
576138	59	0070	0078	House rear Wavecrest, Bay View Road	House	Mr J Binns		Amalgamate properties	40	32	0	0		
169533	59	0070	0080	Wavecrest, Bay View Road	House	Mr J Binns	o/o	Amalgamate properties	160	128	200	160		
170786	59	0180	0300	278 London House, High Street	Ground floor flat	Mr Hawkins & Mrs Gutierrez	o/o	Convert former shop to flat	90	72	60	48		
172615	59	0270	0040	Point House, 4 Marine Terrace	House & garage	Mr & Mrs Wilson	o/o	Garage demolished	330	264	310	248		
663618	59	0360	0340	Renwell Garden, Queens Road	Bungalow	Mr & Mrs Wilson		New	0	0	220	176		
Total									620	496	790	632		

Item 10.4

PORT ST MARY COMMISSIONERS

Final Report of the Independent Health and Social Care Review

From: [REDACTED] (Healthcare Review) <[REDACTED]>

Sent: 09 May 2019 11:42

Subject: Final Report of the Independent Health and Social Care Review

Dear all

Please find attached a press release announcing the publication of the final report for the Independent Health and Social Care Review. A copy of the report can be found by following the links within the press release or downloaded from the Review's website [www.gov.im/healthcare-review]www.gov.im/healthcare-review. There is also a summary of the report and an easy read version on the website.

The final report and the Council of Minister's response will be presented to Tynwald at its May sitting. The Government has signalled its support for the final report and so we are hopeful that Tynwald will approve the recommendations in order for them to be implemented.

We would like to take this opportunity to thank everyone who has taken the time to contribute to the Review.

Kind regards

[REDACTED]

Healthcare Review Manager

Healthcare Review Secretariat

Cronk Coar | Noble's Hospital | Strang | Braddan | Isle of Man | IM4 4RJ

Final report of the Independent Health & Social care Report

This is a 281 page document -

<https://www.gov.im/media/1365879/independent-health-and-social-care-review-final-report.pdf>

An 11 page summary is included here:



Independent Review of the Isle of Man Health and Social Care System

SUMMARY FINAL REPORT – Foreword and Executive Summary
SIR JONATHAN MICHAEL

18 April 2019

1

Foreword

This Report should be seen as a catalyst for change. Several reviews of health and social care on the Isle of Man have been undertaken over recent years, identifying deep-seated problems in the way the services were organised and delivered. They made many good recommendations, which appeared to be accepted at the time but were not fully implemented – or, in some cases, not implemented at all. It would be extremely disappointing if the same were to occur with the recommendations in this Report, given that it has become very clear and widely recognised that the current system of health and care on the Island is both clinically and financially unsustainable.

In addition, the system cannot be shown to offer best value, either in terms of outcomes or costs. Therefore, now is the opportunity to make some fundamental changes to ensure that the service user is at the centre of the provision of services and that a clinically and financially sustainable system is secured for the people of the Island, now and for future generations.

Given my experience as a physician and a chief executive of leading NHS Trusts, I have considerable experience of managing major change programmes within the health and care environment. Since being asked to lead this important independent Review by the Council of Ministers last year, I have spent a considerable amount of time meeting people on the Island. I have gained an understanding of what health and care services mean to them, what challenges they find within the current system, what improvements are needed and at what cost. I found that the citizens of the Island want to see a comprehensive health and care service that is of the highest quality and delivered in a way which is efficient, effective and, whenever possible, provided on the Island. My Report has been informed by a combination of past experience and engagement with the lived experience of the people of the Isle of Man.

Above all I have learned about the talent, compassion and commitment of so many staff and volunteers, working across all sectors of health and care. I have heard very clearly their views about what changes they believe are needed to deliver better services. When in this Report I criticise the way services are organised, I recognise that the vast majority of staff are striving to deliver good care despite the system. However, patches of poor practice and behaviour do exist and, wherever they occur, they should be addressed.

No Government has unlimited budget. Whilst this Report does recommend increases in funding in the future, it also acknowledges that regular improvements in efficiency should be found to ensure that the increase in funding delivers the maximum benefit for the citizens of the Isle of Man. If the forecasted increased funding levels and efficiencies are not secured, the range, accessibility and quality of services provided would need to be adjusted accordingly.

Given this situation, the degree of change required in health and care services on the Island is significant. This Report explains the need for legislative changes, organisational changes and service reconfiguration (which will determine what care is provided and how). I view health care and social care as equally vital components of the entire system and so my recommendations apply equally to health and care, except where specified. The changes I recommend will impact all aspects of the health and care system on the Island.

This Report also urges action to further embrace the technological advances, which can enable better care to be provided on-island, reduce appointments off-island and allow more accurate information to be gathered and used for performance management and planning purposes.

The programme to transform the provision of health and care on the Isle of Man will not be quick, without significant challenges or without some further costs. However, in my opinion, the recommendations in this Report are collectively essential to ensure that health and care services on the Island are focussed on the needs of the service user, safe, of high quality and get most value for taxpayers.

The Isle of Man Government and the Department of Health and Social Care (DHSC) have for some considerable time espoused a vision of a fully integrated health and care system for the Island. I fully support that vision, although I recognise that, as yet, limited progress has been made towards achieving it. I feel that the acceptance and, crucially, the implementation of the recommendations included in this Report will enable that vision to be realised.

I would encourage the Council of Ministers to strongly commend the recommendations contained in this Report to Tynwald and require the implementation of them as soon possible in order to provide a financially and clinically sustainable, high-quality health and care system for the Manx population.

I would like to conclude by expressing gratitude for the support shown to the Review by the public, service users, carers, clinicians, politicians, employers and others who work in the private and third sectors in the provision of health and care. They have all given their time, encouragement and thoughts, thus enabling the Review to consider the health and care system in its entirety. We owe it to the population of the Island to act now to achieve the improvements that can give them the services they deserve.

A handwritten signature in black ink, appearing to read 'Jonathan Michael', written in a cursive style.

Sir Jonathan Michael

11 April 2019

Executive Summary

Section 1. Introduction

The Introduction to this Report explains that the Isle of Man is well placed to become a model of how to deliver a fully integrated health and care system. However, to achieve this aim, a fundamental rethink of the current arrangements is required.

The main objective of the Review was to obtain an independent opinion on the state of services as they stand and to identify options for delivering and funding a modern, fit-for-purpose and sustainable health and care system. Its Terms of Reference included examination of whether the Isle of Man is getting value for money for the sums currently being spent on health and care - and what is the likely increase in funding that will be needed to support those services by 2035-36. Core questions for the Review included asking whether the Isle of Man has the best possible organisational model for the delivery of health and care. Is the current health and care strategy still appropriate? What obstacles have limited progress and how should they be overcome in the future?

The independent Review was led by Sir Jonathan Michael, who was assisted by Isle of Man civil servants and external consultants. The Introduction explains the approach to taking evidence, including extensive engagement with the public, staff and service users. The Review was supported by an Advisory Panel of stakeholders and a Sponsor Group. Sir Jonathan greatly benefited from the views of the numerous contributors, but as this was an independent Review, he retained full editorial control of its conclusions.

The Report uses the term health and care to include health services, social services and others who deliver care within the Isle of Man health and care system.

Section 2. Current Costs and Models of Care

This Section looks at the growth in funding of health and care on the Isle of Man over recent years. It notes that budgets have tended to be overspent, predominantly due to overruns at Noble's Hospital. If changes are not made to the health and care system, costs are forecast to rise by 2.7% a year on average in real terms. This is due to demographic pressures, technological advance, rising public expectations and the tendency for healthcare costs to rise faster than general inflation.

If the 2.7% annual addition to costs were to persist until 2035-36, the annual cost of delivering current health and care services would rise to £433m at today's prices. This would require £156m more funding than is provided for health and care today – an apparently unsustainable proposition. These figures make it all the more important to make the system work more effectively.

The current service model is heavily focussed on delivering care from the main hospital site. Government policy since 2011 has been to shift services out of the hospital into the community, with an emphasis on the integration of services around the needs of the individual. However, although some progress has been made, integration remains limited.

The Review looked in turn at eight different sectors: public health; primary care; community services; social care (adults and children and families); third sector and private sector care; out-of-hours services; hospital-based services; mental health and learning disabilities. Each sector has its own set of issues.

Key points include:

1. The Public Health Directorate aims to protect and improve the health and well-being of the citizens of the Isle of Man as a whole. However, its ability to fully achieve this aim is

constrained due to a lack of key data from the health and care system and across Government, an inability to oversee key programmes delivering public health outcomes and a lack of resource to fully deliver on its remit.

2. **Primary care** on the Island relies heavily on GPs and by international standards makes relatively little use of practice nurses, nurse practitioners and pharmacists. However, there are fewer GPs per head of population on the Isle of Man than in England and their workload may be unsustainable. They also appear to refer more patients to other health services than in England.
3. **Community health services** (including community nurses, health visitors and a wide range of specialist therapists) are making progress towards formalised, integrated working with each other, but they are not yet able to integrate fully with other services, particularly with primary care and hospital-based services. This lack of wider collaboration results in greater pressure on hospitals and nursing/residential care, where costs are higher.
4. **Social care services** for adults are highly centralised. Services for people with more acute needs are predominantly provided in nursing and residential homes, rather than in their own homes. The benefit system encourages people to move into a care home instead of staying in their own home, where most people would prefer to be if sufficient support was available. Therefore, the Isle of Man gets the worst of both worlds from the system – higher cost and less satisfaction. Social care services for children and families have made progress in recent years and have undergone significant change, but structural fragmentation and limited integration pose risks to outcomes for some service users.
5. **Third sector and private sector organisations** can make a valuable contribution to the delivery of health and care services. They include charities, voluntary organisations, faith groups and care homes. However, partnership working between these organisations and the public sector is localised and not well developed.
6. **Out-of-hours services** depend on a “two-tier” system of GPs providing the Manx Emergency Doctor Service and Noble’s Hospital providing an Accident and Emergency Department. There are in effect two fully staffed services and there is no single centre of emergency care. This model has not changed since 2016, when an earlier review into urgent care by the Island’s Chief Ambulance Officer determined that it was unsustainable. A small number of emergency cases are diagnosed and stabilised in Noble’s Hospital, and then transferred via the airport to specialist centres in England. The Review has been advised that enhanced medical air transfer facilities to those specialist centres would allow more patients in need of urgent emergency care to be transferred in a safe and timely manner.
7. **Hospital-based services** on the Isle of Man provide a higher proportion of planned care than in other healthcare systems. Evidence demonstrates this is the most expensive and least appropriate place to deliver some of these services. The high volume of hospital-based care also exacerbates long waiting times and breaches of specific quality targets. This, coupled with a historic high rate of delayed discharges, means that the patient journey through the current hospital system is longer and more costly than necessary. At present, 13 different organisations based in England are contracted to deliver specialised services for the population of the Isle of Man. There are some indications that these services may be less than ideal and there are question marks over whether Isle of Man patients in English hospitals are being given the appropriate priority.
8. **Mental health services** are currently going through a long-term process of welcome change. A Mental Health Strategy for the Island was published in 2015, which mirrors the approach being taken in other health and care systems, the aim being to prevent mental ill health, promote mental wellbeing and treat mental illness. Considerable work has gone into the implementation of the strategy and there are clear, credible plans to build on this progress. Despite this, some elements of a mental health service that would be considered ‘best

practice' are not yet in place. There are also indications that elements of the system, as currently configured, are struggling to meet demand.

A Strategy for Learning Disability services on the Isle of Man was published in 2014 and a lot of effort has subsequently gone into its implementation. However, the Review process highlighted the need for greater medical input and improved integration, communication and education in order to support vulnerable people accessing care and navigating the system.

The Section proceeds to identify deficiencies in the governance of health and care, including a lack of data on quality and performance. There is not enough transparency about costs and spend. So it is not possible to judge whether, or to what degree, the spending of public money on health and care is appropriate or effective. There are insufficient processes or levers to hold to account the people with decision-making powers (whether clinical or non-clinical). There is also a lack of comprehensive, consistent quality regulation across health and care services. When inspectors do find fault, their recommendations are not consistently implemented.

There are a number of areas where the Isle of Man does not have legislation in force that is comparable to legislation covering the NHS in England, including lack of a clear framework against which clinicians can be held to account for the care provided. The current regulatory regime is not sufficiently robust to protect the public consistently and ensure that services are safe, relevant and of appropriate quality.

The health and care sector operates a multiplicity of IT systems that do not communicate well with each other and this inhibits relevant information sharing between providers of care. It is experiencing a variety of workforce challenges, including a high vacancy rate. The most recent comprehensive survey of the Department of Health and Social Care (DHSC) workforce highlights that the majority of its staff are committed to delivering a good customer service, but they do not feel encouraged to improve ways of working.

The section concludes by examining a number of cultural issues that may be standing in the way of progress.

Section 3. Principles of Health and Care

This Report is not suggesting any changes in fundamental principles. A motion passed by Tynwald on 20 March 2018 said:

"That Tynwald endorses and affirms the seven modern day care principles of the NHS [National Health Service]:

- *The NHS provides a comprehensive service, available to all;*
- *Access to NHS services is based on clinical need, not an individual's ability to pay;*
- *The NHS aspires to the highest standards of excellence and professionalism;*
- *The NHS aspires to put patients at the heart of everything it does;*
- *The NHS works across organisational boundaries and in partnership with other organisations in the interest of patients, local communities and the wider population;*
- *The NHS is committed to providing best value for taxpayers' money and the most effective, fair and sustainable use of finite resources;*
- *The NHS is accountable to the public, communities and patients that it serves."*

The Review has taken these principles as given and has extended them to ensure that the values that have been clearly stated for health services should also apply in social care. It has also adopted an additional principle, based on the DHSC's current vision and strategy, that health and care

services, wherever possible, should be delivered on the Island and close to a person's home. They should be provided centrally only when clinically necessary (whether in an Isle of Man facility or off-Island).

Section 4. Case for Change

The Review heard very clearly about the sort of health and care system that people on the Island say they need. It is based on five key aspects:

- High quality, efficient services
- Best value
- Delivered as locally as appropriate
- Timely provision of services, which are both accessible and integrated with other aspects of the system
- Sustainable, both financially and clinically

This is achievable. The Island already possesses several of the components required to deliver a high-quality health and care system. They include a supportive population, a highly skilled health and care workforce, some good infrastructure, a supportive third sector and a strong economy. However, these benefits cannot yet be leveraged fully because of barriers to progress, which are described in Section 2.

A modern model of integrated health and care services is now required. It should be focussed on the service user, with the provision of care delivered locally whenever possible, either in the home or close to it. The need to receive care off-Island should be satisfied, but limited to those cases requiring specialist care that cannot safely be provided on-Island.

This Section sets out a vision of how services should develop, including improved communications and an increased emphasis on health and well-being, to improve the quality of people's lives and delay their need for access to health and care services for longer. Services should be delivered to an agreed high standard based on professional best practice, within an increased funding envelope and an annual efficiency target. They should be planned and delivered according to proven evidence of need. To achieve a satisfactory standard of emergency care there should be improved air links giving immediate access to a small number of specialist centres.

These changes will need to be underpinned by a fully delivered digital strategy, which exploits the current investment in technology services. There should be ubiquitous access, for those who have the right to it, to information which will help in the delivery of care, and systems that reduce travel for follow up appointments.

Costs and outcomes should be linked and measured; and the complete relevant information should be made available regularly to managers, clinicians, service users and those charged with making policy decisions. This will allow for the most informed decisions to be made. There should be regular, empowered inspection of services, with an aim to maintain and further drive up standards. Where failings are identified, there should be an agreed improvement plan and implementation timetable.

Section 5. Creating a Sustainable System

This Section sets out the model of health and care that the Review has designed to enable the delivery of a financially and clinically sustainable system. The first step is to ensure that patients and service users always come first. As a result, the first of the Report's recommendations is that the Council of Ministers formally adopt the principle that puts patients and service users at the heart of the planning and delivery of health and social care services. It must put this principle into action in social

care as well as in health by ensuring that patients and service users are engaged at all stages in the planning and delivery of services.

New Governance Model

The second recommendation is for a fundamental change in the governance of health and care. At present, the DHSC sets the policy as well as taking responsibility for delivering and/or contracting others to deliver health and care services. This dual role is problematic. If policymakers become too involved in operational matters, it is almost certain to lead them to concentrate on apparently urgent day-to-day business at the expense of the really important strategic decisions.

The answer is to separate policy making from the delivery of services. The Report recommends that the officers of DHSC should focus on strategic policy, regulation, overall finances and supporting the Minister and Members. This would facilitate better analysis and more insightful policy development. Meanwhile health and care providers should be allowed to focus exclusively on the delivery of high quality, integrated care, based on clinical need, as opposed to any undue, external influence.

The recommendation is for the creation of a single public sector organisation, perhaps to be known as "Manx Care", which should be responsible for the delivery and/or commissioning from other providers of all required health and care services. Manx Care should be set up as an arm's length body and run by a Board appointed by Government and approved by Tynwald. However, importantly, it should be operationally independent of both Government and Tynwald.

A series of further recommendations are linked to the setting up of this new arm's length body. The services it provides directly or indirectly should be inspected regularly by independent, external quality regulators, with a report to the Manx Care Board and to the DHSC. To increase transparency, a publicly available annual report from Manx Care should be provided to DHSC and subsequently presented to Tynwald, summarising the delivery of the health and care services on the Island.

Other recommendations for improving the governance of health and care include:

- A new statutory duty of care, including a duty of confidentiality and a duty of candour;
- A transformation programme of health and care services;
- Progress reports on the transformation programme to the Council of Ministers and Tynwald; and
- Legislation to address weaknesses or gaps in the current system, enabling the implementation of recommendations in this Report, such as any necessary legislation to establish Manx Care.

New Service Model

Greater emphasis will need to be placed on the health and well-being of the population, so that people stay well for longer with less need. This will require health to be considered across Government policy-making and so those charged with providing expert guidance on public health matters should be placed at the centre of Government. The Review states that all Departments should be required to factor public health guidance into policy setting and legislation. To facilitate this, it recommends that the Public Health Directorate moves into the Cabinet Office.

The Public Health Directorate should be resourced to undertake a programme of health and care needs assessments to inform the development of clinical service delivery models. On an Island with a population of 85,000, the capability of health and care services is inevitably limited, but clearly people's needs must be met. A service-by-service review of health and care provision, in conjunction with the needs assessment, an analysis and implementation of care pathway design, should be undertaken. This should establish what services can, or should, or must be provided on- and off-

Island, against defined standards. Where services cannot be provided safely or deliver best value by Island-based providers, the default position should be to seek services from third parties for delivery on-Island whenever possible and off-Island where necessary. Integrated care pathways must be designed, agreed and delivered. At each point along the pathway, the provider(s) accountable for the service user should be clear. Work to establish the pathways should also incorporate the setting of quality standards.

Manx Care should deliver an enhanced 24/7 emergency air bridge, allowing for patients to be stabilised locally and moved quickly and safely to contracted specialist centres. This aviation solution (potentially using helicopters, fixed wing aircraft or both), with comprehensive in-flight emergency and critical care facilities, would transfer emergency activity to other specialist centres. The aim would be to provide a more reliable, faster and more comprehensive service than is currently in place in order to ensure access to timely and high quality, specialist emergency care. Enhanced emergency air transfer to off-Island specialist centres would alter the range of services that would need to be delivered on the Island.

Other recommendations for improving the service model include the establishment of a single, integrated out-of-hours service, deeper collaboration within primary care and removing disincentives to people requiring care and support remaining in their own home.

New Funding Model

Additional increases in day to day funding will be required going forward but must be linked to the achievement of annual efficiency targets. Evidence of progress against the targets should be outlined in the annual report to DHSC. The Review looked at how big an annual efficiency target would be appropriate to provide greater financial sustainability and concluded that a 1% target should be the standard measure, reviewed annually. Efficiency gains of 1% a year of the full costs of delivering health and care would still leave an additional funding gap of approximately £120m by 2035/36. The Review suggests savings that could be made without having a negative effect on the quality or availability of services.

The Review recommends a ring-fenced additional allocation to support the transformation programme, equal to 1.5% of health and care spend for up to five years of implementation (2019/20 to 2024/25.) This amount would be equivalent to £4.3m in 2019/20. It would include resources for a team of transformation professionals to lead on the significant change efforts required and for the delivery of this Report's recommendations.

Unless the Isle of Man decides to reduce the range of services offered, it will need to find a sustainable way to meet the remaining funding gap, even after efficiencies are made. This could be achieved in a number of ways including through making changes to the way health and care is funded and/or channeling Treasury income above inflationary rates. The Report includes an analysis of possible options.

The Review proposes that funding should move from the current annual budget allocation to a 3-5 years financial settlement. Predictable funding would enable those working in health and care to plan and deliver services more effectively.

Technology Enabled Transformation and Data

As the service is transformed through implementation of the recommendations proposed in this Report, reliance upon high quality digital systems will increase. To avoid delays in the delivery of health and care reforms, development of the Government-wide digital strategy needs to go further

and faster. This would enable greater integration across the system, improved monitoring and enhanced delivery of quality and efficiency-related information.

One of the key aspects of the digital strategy is the delivery of the “Manx Care Record”. The intention is to create a single overarching system that provides appropriate staff from all parts of health and care with access to all the key data from each relevant system used in the delivery of care. The Review considers this essential to the future clinical sustainability of care. Technology is not an add-on to delivery of care – it is an essential part of it for service users, staff, operational management and strategic planning.

A second important element of the digital strategy is the delivery of telemedicine services. By linking patients and their doctors to expert clinicians on and off the Island, the service can overcome many of the disadvantages of operating on a relatively small scale.

The Report calls for the collection of a core data set for the management and assessment of services. The systemic capture of accurate data should be a priority. Data sharing protocols and arrangements should be reviewed, agreed and implemented in accordance with the Information Commissioner’s regulations and guidance.

New Workforce Model

Delivery of the recommendations in this Report requires a fit-for-purpose workforce. That demands solutions to a variety of issues including filling gaps in staffing, reducing duplication, easing recruitment difficulties, building career paths and improving morale. The answer is not as simple as hiring more staff. Increasing staff numbers only, at the same level of demand, would create unsustainable financial pressure, given that staff costs currently make up around 65% costs within the Island’s health and care system. It will be critical to use the workforce more innovatively with new ways of working and increased use of technology to increase productivity, reduce unnecessary bureaucracy and enable more time to be spent delivering care. Such innovations are becoming especially important at a time of a growing international shortage of health and care staff.

A workforce skills audit should be conducted in order to objectively assess the ability of the current workforce to provide the services required. This should apply whether the services are to be delivered directly or indirectly by Manx Care. Any gaps in that ability will need to be addressed, e.g. through upskilling, recruitment or purchasing of those services from other providers.

Recruitment will need to focus more on appointing generalist clinicians, with suitable specialist skills delivered by other specialist providers both on and off Island, as required. The workforce model should include alternate approaches, such as contracting staff from off-Island specialist centres to deliver specific elements of care on-Island, linking in with professional networks and utilising tel-ecare/ telemedicine solutions.

The Report notes the importance of the working culture of organisations. It is important to do everything possible to root out negative attitudes and develop policies that encourage staff retention and recruitment, including fair rewards and flexible arrangements to achieve an appropriate work-life balance.

Section 6. Implementation and Transformation

It is formally outside of the scope of the Review to consider implementation in detail. However, given the failure to implement the recommendations included in a number of previous reports, it was considered prudent to provide some advice, working on the assumption that the Recommendations within this Report are accepted and that there is a desire to press forward to

implementation at pace. This section is intended to assist moving the Recommendations into actions and delivering change. It provides the outline of a transformation programme and describes the teams of people who will be needed to implement it.

Section 7. Recommendations

To make the recommendations stand out, they are presented prominently throughout the main body of the Report in bold italics. This section also lists all the Recommendations in the order that they appeared in this Report.

Section 8. Annexes

The Report is supported by a series of Annexes, including the Review's Terms of Reference and supplementary information.

Item 10.5

PORT ST MARY COMMISSIONERS

MEETING DATES 2019

Below is a list of scheduled meeting dates for the coming year along with annual leave dates for the Clerk.

2019 Meeting Dates	
24 th April 2019	
8 th May 2019	AGM
22 nd May 2019	Postponed to 12 th June due to illness
12 th June 2019	Notice to be issued by 7 th June if meeting is required
26 th June 2019	██████████, Policing Operations
10 th July 2019	Notice to be issued by 5 th July if meeting is required
24 th July 2019	██████████ attending
14 th August 2019	Notice to be issued by 9 th August if meeting is required
28 th August 2019	
11 th September 2019	Notice to be issued by 6 th September if meeting is required
25 th September 2019	
9 th October 2019	Notice to be issued by 4 th October if meeting is required
23 rd October 2019	
13 th November 2019	Notice to be issued by 8 th November if meeting is required
27 th November 2019	
11 th December 2019	