

PORT ST MARY COMMISSIONERS
ORDINARY BOARD MEETING
23rd SEPTEMBER 2020
AGENDA – OPEN 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 26 th August 2020	For Board approval
3.	MATTERS ARISING	
3.1	Matters arising from previous meetings	Clerk to provide necessary updates
4.	MOTIONS – None	
5.	FINANCE	
5.1	Invoices for payment in September 2020	For Board approval
5.2	Setting of Budget Committee – verbal item	For Board discussion
6.	PROJECTS	
6.1	Manxonia House	For noting
6.2	Remembrance Garden	For noting

6.3	Skate Park	For noting
6.4	Public Conveniences	For noting
6.5	Happy Valley	For noting
6.6	Boat Park	For noting
6.7	Jetty Repair	For noting
6.8	Bay Queen Exhibition	For noting
6.9	East Room	For noting
6.10	Celebration of Christmas 2020	For Board discussion
6.11	Town Branding Project	For Board discussion
7.	HOUSING	
7.1	Housing Report	For noting
7.2	Tenancy Arrears Report	For noting
8.	PUBLIC CORRESPONDENCE & COMMUNICATIONS - None	
9.	PLANNING MATTERS	

9.1	Planning Approvals	For noting
9.2	Planning Applications	For Board discussion
10.	POLICY & RESOURCES	
10.1	Amendment to Standing Orders	For Board approval
10.2	Bye-election update - Verbal update to be provided by the Clerk if required	For noting
10.3	2020 - 2021 Meeting Dates	For noting
11.	PUBLIC CONSULTATIONS	
11.1	Capacity Policy	For Board discussion
11.2	Civil Contingencies Bill 2020	For Board discussion
12	INVITATIONS - None	
13	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

NFU Health & Safety Report – A meeting has been arranged and further verbal update should be available from the Clerk.

Dog restriction signage – Improved signage has been ordered.

Manx Utilities Contract – A response from Manx Utilities is awaited.

Street Light Repair – The police had no report of a collision in the area. The repair was authorised.

Climate Change Consultation – No submissions were received from Members of the Board to respond.

Courts, Tribunal & Local Authority Procedures 2020 Consultation – The Board response was issued.

Public Correspondence

Letter to Planning Department re building heights – No further correspondence has been received.

Letter from ratepayer regarding RHT book – A response has been issued and investigation into signage is ongoing.

Local Democracy Reporter regarding speed limits – The Board response was issued.

Rent Setting Letter – The Board response was issued.

Planning Department re withdrawal of paper copies – The letter was issued to the Minister & Director for Planning as requested, a response is awaited.

**PORT ST MARY COMMISSIONERS
INVOICES TO BE PAID IN SEPTEMBER 20**

Rate Born Expenses

Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT	Total Cost
1765	31/08/2020	202000006	Station Garage	Car Care	N	Vehicles- General	6060	4.98	1.00	5.98
1766	31/08/2020	202000006	Station Garage	Sandfield Unleaded	N	Recharge	6117	11.25	2.25	13.50
1767	31/08/2020	202000006	Station Garage	Motor Oil	N	Vehicles- General	6060	16.98	3.39	20.37
1768	31/08/2020	202000006	Station Garage	Sandfield Unleaded	N	Recharge	6117	4.63	0.93	5.56
1769	11/09/2020	2201	Terry Crook	Repairs to Porch Roof	N	Golf - Pavilion	5690	85.00	17.00	102.00
1770	15/08/2020	35008	Signrite Ltd	A4 ACM Dog Byelaw Signs	N	Plaques and Flags	5720	72.00	14.40	86.40
1771	01/09/2020	13314052	Manx Telecom Ltd.	Stores 1.9.20 to 30.9.20	N	Office - Telephone	5160	75.98	15.20	91.18
1772	28/08/2020	4126660	Isle of Man Newspapers Ltd.	lom Courier- All (11cms x 2 Column)	N	Elections	5090	176.00	35.20	211.20
1773	01/09/2020	13191	ORB Limited	Isle of Man payroll Administrator	N	Town Hall - Office Expenses	5170	76.00	15.20	91.20
1774	26/08/2020	447411.000	APPLEBY	Legal advice- 28 May 2020 to 26 Aug 2020	N	Legal Fees & Professional fees	5040	2,590.97	518.19	3,109.16
1775	01/09/2020	4515152	Sure	Broadband and phone Sep 2020	N	Office - Telephone	5160	101.86	20.37	122.23
1776	10/09/2020	49864	WDS Ltd.	Various: Hand Towel, scourer, Disinfectant	N	Town Hall - Cleaning	5152	81.30	16.26	97.56
1777	10/09/2020	49864	WDS Ltd.	Soft Vinyl gloves, Medium	N	Town Hall - Cleaning	5152	21.90	0.00	21.90
Subtotal								£ 3,318.85	£ 659.39	£ 3,978.24

**PORT ST MARY COMMISSIONERS
INVOICES TO BE PAID IN SEPTEMBER 20**

Rate Born Expenses (continued)

Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT
1778	04/09/2020	49541	WDS Ltd.	Various: Sponges, Jangro Compactor Sacks	N	Town Hall - Cleaning	5152	18.12	3.62
1779	28/08/2020	SINV003049	Bridson-Horrox	Envelopes, highlighters, spiral files, mesh bags	N	Town Hall - Cleaning	5152	64.44	12.89
1780	16/09/2020	1138 Aug 2	Calvert Newsagents Ltd	Newspapers, files 1.8.20 to 15.8.20	N	Stationary and Printing	5152	272.72	0.00
1781	31/08/2020	44044	Ballagawne Gardens	Hanging baskets, compost, plants and fertiliser	N	Gardens and Flowerbeds	5260	2,152.25	430.45
1782	03/09/2020	21584	JRB Enterprise Ltd	Standard dog gloves, refill waste bags 800 per case	N	Refuse	5270	146.00	29.20
1783	16/06/2020	16339	Manx Fish Producers Org Ltd	Raft Access	N	Chapel Beach	5850	7.90	1.58
1784	29/08/2020	127029082	Cool Bros Ltd	Stores Milk Aug 2020	N	Stores	6020	9.00	0.00
1785	10/09/2020	405632	Department of Infrastructure	Aug 2020 Tipping charge at EFW plant Commercial and domestic	N	Refuse	5210	5,053.29	1010.66
1786	31/08/2020	159819	JDW Engineering	Aug 2020 empty & Service toilets	N	Public Conveniences	5400	300.00	60.00
1787	20/08/2020	2107196	J Qualtrough & Co. Ltd.	3 in 1 Aerosol Can 200ml and 450ml spray can (gulleys)	N	Stores	6020	33.58	6.72
1788	10/08/2020	2104065	J Qualtrough & Co. Ltd.	Island Cement 25kg	N	Stores	6020	3.97	0.79
1789	04/08/2020	177496	Isle of Man Farmers	Glyphosate Weedkiller 20L	N	Stores	6020	110.00	22.00
Subtotal								£ 8,171.27	£ 1,577.91

PORT ST MARY COMMISSIONERS
INVOICES TO BE PAID IN SEPTEMBER 20
Rate Born Expenses (continued)

Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT
1790	09/09/2020	313204	Sadler Agricultural Supplies Ltd.	Stihl Strimmer Part	N	Gardening - Machinery	5267	220.00	44.00
1791	14/09/2020	1681	HeatTech Limited	New office- Change Saniflo under sink	N	Town Hall - New Office	5156	284.00	14.20
Subtotal								£ 504.00	£ 58.20

PORT ST MARY COMMISSIONERS
INVOICES TO BE PAID IN SEPTEMBER 20
Housing Expenses

Inv #	Date	Inv Number	Supplier	Description	House	Category	NL Code	Total Net	VAT	
1792	24/08/2020	2199	Terry Crook	10 Barna Beg- Repairing porch leak	10BB	Housing	6100	60.00	12.00	
1793	25/08/2020	109332802	Trade UK	Rotary Ailer Replacement Clothes		Housing	6100	6.67	1.33	
1794	26/08/2020	73760	Safety Management Services Ltd	Links Avenue, Barna Beg,Creggan beg, Paddock-Bathroom refurb		Housing	6099	998.00	199.60	
1795	14/09/2020	1670	HeatTech Limited	12 Creggan Beg- Repair leak	12CB	Recharge	6100	26.50	1.33	
1796	14/09/2020	1671	HeatTech Limited	5 Creggan Beg- Replace condense pipe	5CB	Recharge	6100	61.00	3.05	
1797	14/09/2020	1672	HeatTech Limited	4 Seafield Ave- Fit new non return valve for heating	4SA	Housing	6100	59.50	2.98	
1798	14/09/2020	1673	HeatTech Limited	1 Seafield Ave- Change pressure vessel on boiler	1SA	Housing	6100	107.00	5.35	
1799	14/09/2020	1674	HeatTech Limited	9B St Marys- Maintenance	9B	Housing	6100	24.50	1.23	
1800	14/09/2020	1675	HeatTech Limited	6 Barna Beg- Change tap inserts	6BB	Housing	6100	54.00	2.70	
1801	14/09/2020	1676	HeatTech Limited	11B St Marys Draw of excess pressure from filling loop pass	11B	Housing	6100	24.50	1.23	
1802	14/09/2020	1679	HeatTech Limited	15 Park Road Change tap inserts	15PR	Housing	6100	38.50	1.93	
1803	14/09/2020	1680	HeatTech Limited	15 Links Ave-Repair leaking radiator	15LA	Housing	6100	38.50	1.93	
1804	19/08/2020	NR/EW/224	Corlett Bolton & Co	Legal advice: Various Housing matters	N	Legal Fees & Professional fees	5040	2,032.00	406.40	
								Subtotal	£ 3,530.67	£ 641.06
								Total	£ 15,524.79	£ 2,936.56

PORT ST MARY COMMISSIONERS

Category	Amount
Chapel Beach	£ 7.90
Elections	£ 176.00
Gardening - Machinery	£ 220.00
Gardens and Flowerbeds	£ 2,152.25
Golf - Pavilion	£ 85.00
Housing	£ 1,411.17
Legal Fees & Professional fees	£ 4,622.97
Office - Telephone	£ 177.84
Plaques and Flags	£ 72.00
Public Conveniences	£ 300.00
Recharge	£ 103.38
Refuse	£ 5,199.29
Stationary and Printing	£ 272.72
Stores	£ 156.55
Town Hall - Cleaning	£ 185.76
Town Hall - New Office	£ 284.00
Town Hall - Office Expenses	£ 76.00
Vehicles- General	£ 21.96
Total	£ 15,524.79

Rate Born Payments in August	Salaries Gross	Employers' NI Contribution	Government Pension Scheme Contributions	Members Allowances
20				
Office	£ 12,315.27	£ 1,247.14	£ 3,177.33	
DLO	£ 12,759.54	£ 1,097.41	£ 3,023.35	
Members Allowances				£ 180.00
Total	£25,074.81	£2,344.55	£6,200.68	£180.00

**PORT ST MARY COMMISSIONERS
PROJECTS UPDATE**

6.1	<p>Manxonia House</p> <p>Several viewings have taken place since restrictions were lifted, further information is on the private Agenda due to commercial sensitivity.</p>
6.2	<p>Remembrance Garden</p> <p>Contractors have been approached and undertaken site visits, quotations are awaited.</p>
6.3	<p>Skate Park</p> <p>A meeting with an interested party was held, discussions regarding lack of location and funding were had and it was agreed the most reasonable solution would be the area at Ballakilley zoned for recreation.</p>
6.4	<p>Public Conveniences</p> <p>Gellings Avenue - A valuation by the estate agent is awaited.</p>
6.5	<p>Happy Valley</p> <p>The contractor has requested putting the work on hold until April 2021, the structural engineer has agreed this would be acceptable. The Board are requested to approve the postponement.</p>
6.6	<p>Boat Park</p> <p>The project is on hold.</p>
6.7	<p>Jetty Repair</p> <p>A response from the Department is still awaited and has been chased.</p>
6.8	<p>Bay Queen Exhibition</p> <p>The project is on hold.</p>
6.9	<p>East Room</p> <p>Options for the old office are being explored and will be brought before the Board once complete.</p>
6.10	<p>Celebration of Christmas</p> <p>A possibility of funding from the Department of Enterprise is being investigated, which would allow the Board to consider food/drinks and extending the event for this year. A verbal update will be provided.</p>

Item 6.11

PORT ST MARY COMMISSIONERS

PROJECTS UPDATE – TOWN BRANDING

A suitable date for the Board to meet with the Business Association is to be discussed. Below is a revised logo based on feedback and revised stickers.



Visit
Port St Mary
ISLE OF MAN



Item 7.1

**Housing Officer's Report to Port St Mary Commissioners
23rd September 2020**

Decisions Sought	<ol style="list-style-type: none"> 1. To note summary of housing works & repairs 2. To approve transfer request 3. To note fixed five year tenancies & temporary licences 4. To note shared housing waiting list update 5. To note transfer list 6. To note callouts in August 7. To note the 2020 All Island Strategy for Affordable Housing 8. To note dog fouling issue
August 2020 Summary of Housing Works & Repairs	<ul style="list-style-type: none"> • 1 responsive repairs was carried out by DLO in August <p>12 responsive repairs were carried out by contractors in August:</p> <ul style="list-style-type: none"> • 2 boiler related issues • 5 plumbing repairs • 3 electrical repairs • 2 door repairs
Transfer Request	A tenant currently in a 2 bed first floor flat at Creggan Beg will be retiring in 2022. She requests a transfer to a one bed bungalow so she can have a garden. Recommendation: To accept the applicant onto the transfer waiting list.
Fixed Five Year Tenancies & Temporary Licences	<ul style="list-style-type: none"> • Following inspections of the properties, two temporary licences were converted to fixed five year tenancies as the tenants had kept to the terms of their licence. • Following inspections and completion of their reviews, two expiring fixed five year tenancies were renewed for a further five years.
Southern Shared Housing Waiting List	<ul style="list-style-type: none"> • One new application was processed and placed on the waiting list in August.
Transfer List	There is currently one family on the transfer waiting list.
Out of Hours Callouts in August 2020	None
2020 All Island Strategy for Affordable Housing	I attended a Public Housing Managers meeting recently, where we were provided with a list of Strategic Policy Principles for Affordable Housing (attached below). This was taken from the government's document published in February 2020. The entire 16 page report is available on the link below: https://www.gov.im/media/1369246/200220-all-island-strategy-for-affordable-housing.pdf
Dog Fouling	When grass cutting, the DLO encountered large amounts of dog faeces on the communal area at The Paddocks. A letter has been sent to all the residents reminding them of their obligations as dog owners.

6.0 Strategic Policy Principles

- Principle 1** – Government will continue to support and facilitate the provision of affordable housing for the wider benefit of all across the island.
- Principle 2** – Housing providers and stakeholders will work collaboratively to encourage the delivery of good quality affordable homes and services which meet the changing needs of the Island’s population.
- Principle 3** – The subsidy for affordable housing will be appropriately targeted to those with the least means and most in physical, social and financial need.
- Principle 4** – The changing needs of the individual should be at the heart of affordable housing services.
- Principle 5** – There is a continued commitment to cost effective, efficient and sustainable housing design capable of delivering good quality energy efficient homes.
- Principle 6** – Affordable housing development and refurbishment should support a mix of types of home to help deliver diverse and sustainable local communities.
- Principle 7** – There should be an appropriate legislative and regulatory framework to underpin the affordable housing sector and support the principles of social provision.

Item 7.2

PORT ST MARY COMMISSIONERS

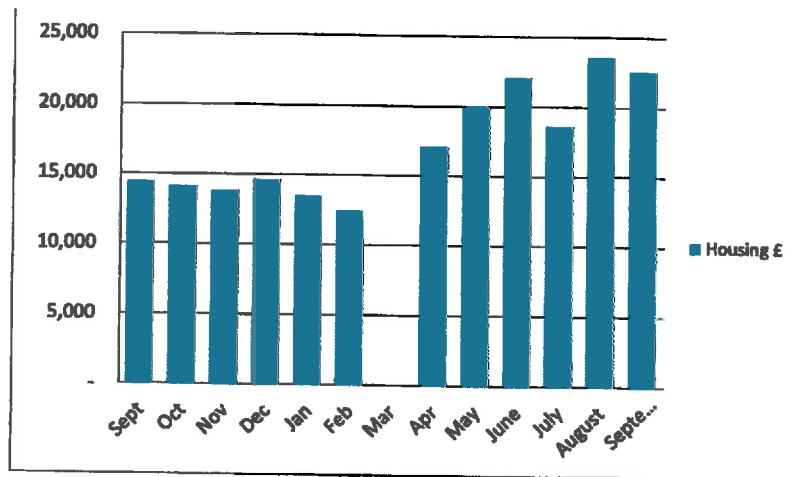
Tenancy Arrears Report for September Meeting

Week 24 2020 commencing 14th September 2020

Management Summary

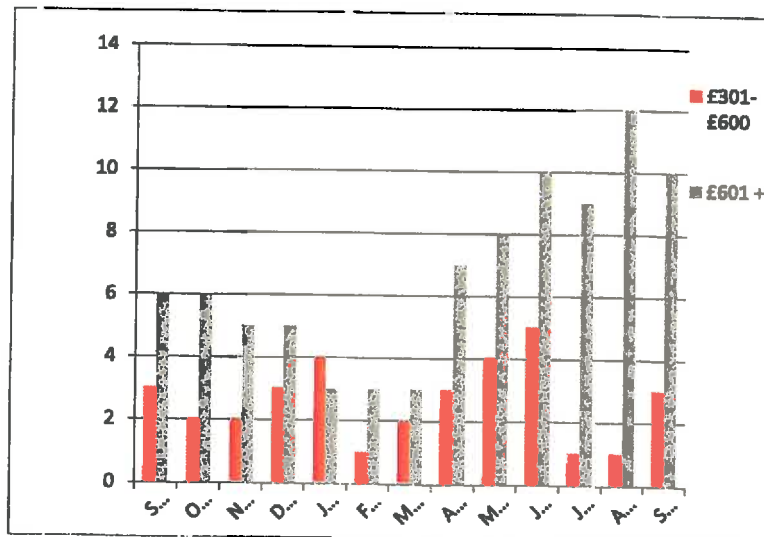
Unpaid rents currently stand at £ 22,534.19 a decrease of £ 1,031.66 since the previous report.

The first graph shows the rent arrears by sector over the last 12 months. As in previous months, all arrears are housing related.



Number of Debtors and Actions Taken

The second graph shows the number of debtors categorised by how much they owe.



**Tenancy Arrears Report for September Meeting
Week 24 2020 commencing 14^h September 2020**

(Continued)

Below is a detailed analysis of the arrears and the separate action being taken for each tenant.

Uncontrolled debt

There are currently 3 tenants with uncontrolled debt.

Tenant 1- Arrears £863.34

Arrears to be noted and left on account at year end.

Tenant 2 – Arrears £3,542.83 (no payment since last report)

Request for judgment of an instalment order granted by court, payments of £ 100.00 per month to be received from 14th September 2020. Finance officer has communicated payments are to be received by individual no later than the 23rd of each month, or further proceedings will ensue.

Tenant 3 - Arrears £ 9,821.28 (Increased by £ 361.20 since previous report)

Small claims court has granted attachment of earnings on 10 August 2020, to commence and be received by Coroner of Rushen from tenant's employer on monthly basis as of 26 August 2020. Attachment of earnings only in respect of arrears, tenant still obligated to pay monthly rent, for which are still awaiting payment. Ongoing correspondence between Coroner of Rushen, tenant's employer and elected advocates acting on behalf of Port St Mary Commissioners.

Controlled Debt

The following tenants have controlled debt but due to the amounts, are being brought to the Boards attention:

Tenant 4 – Arrears £ 1,487.30 (increased by £ 347.4 since previous report)

Currently undergoing medical treatment, set in motion for final assistance from DHSS and will keep housing officer informed.

Tenant 5 – Arrears £ 1,124.72 (increased by £ 710.48 since previous report)

Making regular payments of rent and additional to cover arrears, housing officer will contact tenant to agree a payment plan.

Tenant 6 – Arrears £ 1,076.52 (decreased by £ 87.37 since previous report)

Tenant has agreed a payment plan to pay £ 500 per month (rent and additional sum) until arrears cleared.

Tenant 7 – Arrears £ 805.32 (decreased by £ 87.37 since previous report)

Tenant promised to clear arrears by month end, arrears not cleared therefore housing officer chasing outstanding arrears.

Tenant 8 – Arrears £ 518.38 (decreased by £ 286.94 since previous report)

Tenant has changed employment and paying additional amount each week to clear arrears.

Tenant 9 – Arrears £ 927.37 (decreased by £ 172.18 since previous report)

Has recommenced rent payments by direct debit and will pay additional £ 10.00 per week by direct debit, remitting more when circumstances allow tenant to do so.

Tenant 10 – Arrears £ 493.66 (decreased by £ 62.23 since previous report)

DHSS benefit delayed with remitting payments.

Tenant 11 – Arrears £ 448.08 (new addition to report)

Tenant making regular payments, but not sufficient to cover outstanding arrears. Housing officer to discuss an increase in incremental payments to clear arrears.

Tenant 12 – Arrears £ 620.22 (decreased by £ 235.76 since previous report)

Tenant has changed employment and is making regular payments to clear arrears.

Tenant 13 – Arrears £ 805.17 (decreased by £ 265.71 since previous report)

Tenant has changed employment and will clear arrears as soon as able to do so, paying additional and switched to direct debit.

Items 9.1-9.2

PORT ST MARY COMMISSIONERS

PLANNING

9.1 Planning Approvals

PS20/00856/B Heather Cottage, 15 Lime Street – Alterations, erection of extension and additional use of residential dwelling as tourist living accommodation. Approved.

PA20/00738/B 20 Rhenwyllan Close – Alterations to rear window. Approved.

PA20/00755/B2 The Lhargan – Installation of replacement windows and doors. Approved.

PA20/00769/C Church Hall, Bay View Road – Additional use of church hall as playschool. Approved.

9.2 Planning Applications

20/00899/B 2 Endfield Avenue, Port St Mary. Erection of an extension to rear elevation.

20/00918/B Blair Athol, The Promenade, Port St Mary. Creation of French doors from an existing window to front elevation (retrospective).

20/00969/B Sunrise, Linden Avenue, Port St Mary. Extension of existing dormer window to front elevation.

20/00989/B Site of former dwelling, 22 Shore Road Underway, Port St Mary. Erection of a dwelling with integral garage (in association with 20/00990/CON).

20/00990/CON 22 Shore Road Underway, Port St Mary. Registered building consent for erection of a dwelling with integral garage to be attached to (in association with 20/989/B) Registered building Nos. 203

**PORT ST MARY COMMISSIONERS
AMENDMENT TO STANDING ORDERS**

any member shall not affect the validity of a meeting.

- 2.2 Any notice of a meeting of the Authority shall be served electronically on a member by transmitting it to such electronic mail address as the member has provided to the Authority except where the member has elected not to accept such means of delivery and notified the Clerk in writing accordingly. Such notice shall be signed by the Clerk and specifying the business to be transacted, shall be sent to each member at least three clear days preceding the holding of an annual or ordinary meeting, and in the case of an extraordinary meeting shall be delivered with all possible despatch.

3. ELECTION OF CHAIRMAN AND COMMITTEES

- 3.1 The election of the Chairman and Vice-Chairman of the Authority, and any other appointments necessary for the ensuing year shall take place at the annual meeting or, in the case of any vacancy arising during the year, at the next ordinary meeting after such vacancy occurs.

- 3.2 The ~~Clerk-current Chairman~~ shall occupy the chair and conduct the proceedings necessary for the election of ~~a new~~the Chairman of the Authority.

At such election of Chairman, should there be more than one nomination, voting shall be by secret ballot, each member placing a mark, opposite the nominated person for whom he wishes to record his vote.

- 3.3 The Chairman so elected shall then proceed to the election of:

- (a) the Vice-Chairman, and
- (b) any other appointments, including any committees of the Authority. Should the situation arise where two candidates remain and both receive the same number of votes, the result shall be determined by the drawing of straws. The candidate who draws the longest straw shall be deemed to be the winner.

In any case where there are more nominations than vacancies such election shall be by ballot as prescribed in Standing Order 3.2 above. In the event of any candidate failing to receive a majority of the votes of the members present, the candidate with the least number of votes shall be excluded wherever possible. Fresh nominations shall be sought if equality of votes prevents the majority election of a member after two ballots.

4. CHAIRING OF MEETINGS

The Chairman of the Authority shall preside, if present, at all meetings of the Authority, in the absence of the Chairman, the Vice-Chairman shall preside, if present, and in the event of both the Chairman and the Vice-Chairman being absent, another member chosen by the members present shall preside. Any power of the Chairman in relation to the conduct of a meeting may be exercised by the person presiding at that particular meeting.

5. QUORUM

- 5.1 Subject to Standing Order 5.4, no business shall be transacted at a meeting of the Authority unless more than one half of the whole number of the members of the Authority are present at the time set for the commencement of the meeting or within 15 minutes thereafter.
- 5.2 Where more than one-third of the members of a local authority become disqualified at the same time, until the number of members in office is increased to not less than two-thirds of the whole number of members of the authority, the quorum of the authority shall be determined by reference

Item 10.3

**PORT ST MARY COMMISSIONERS
MEETING DATES FOR 2020 - 2021**

2020 Meeting Dates	
14 th October 2020	Notice to be issued by 9 th October if meeting required
28 th October 2020	Request to move meeting due to Clerk's annual leave
11 th November 2020	Notice to be issued by 6 th November if meeting required
25 th November 2020	
9 th December 2020	Only 1 meeting held in December
13 th January 2021	Notice to be issued by 8 th January if meeting required
27 th January 2021	
10 th February 2021	Notice to be issued by 5 th February if meeting required
24 th February 2021	
10 th March 2021	Notice to be issued by 5 th March if meeting required
24 th March 2021	
14 th April 2021	Last meeting of the current Board
28 th April 2021	Date to be kept available if required

Item 11.1

PORT ST MARY COMMISSIONERS
PUBLIC CONSULTATION

Sent: Friday, August 21, 2020 1:02:07 PM

Subject: Consultation: Capacity Policy

Dear Local Authority Clerks, Officers,

As you are aware, the Department of Health and Social Care has launched today a public consultation on Capacity policy principles that will shape our new future Capacity laws.


Capacity issues potentially affect everyone. A person's capacity to make decisions may be impaired for a variety of reasons, such as having a significant learning disability or learning difficulties, mental health problems, suffering a stroke or head injury, or the onset of dementia. It is essential that services for people who may have lost capacity to make decisions for themselves are underpinned by a modern and legal framework which is clear and has necessary safeguards for an individual's rights, dignity and wellbeing.

We would like your input on some of the key policy areas including:

- Assessing what is in the best interest of a person lacking capacity;
- A new lasting Powers of Attorney;
- Donees (individual appointed for lasting power of attorney; fit and proper person);
- Court appointment (extended to cover health and welfare);
- Advance decisions (making arrangements in the event a person loses capacity in the future);
- Excluded decisions (those which cannot be taken on behalf of another person);
- Ill-treatment or neglect;
- Deprivation of Liberty.

The consultation can be completed online via the Isle of Man Government Consultation Hub accessible at: <https://consult.gov.im/health-and-social-care/capacity-bill-2021-principles>

The closing date is Friday 2 October 2020.

If you have any questions, or wish to receive a paper copy, please do not hesitate to contact our consultation coordinator 

Regards,



Interim Deputy CEO (Governance)

Department of Health & Social Care | Isle of Man Government

Item 11.2

PORT ST MARY COMMISSIONERS

PUBLIC CONSULTATION

Sent: Monday, August 24, 2020 3:00:01 PM

Subject: Public Consultation – Civil Contingencies Bill 2020

Good Afternoon / Fastyr mie

Re: Public Consultation – Civil Contingencies Bill 2020

I write to advise of a current Public Consultation for which your Local Authority may be interested in submitting comments. The hyperlink to submit such is here: <https://consult.gov.im/cabinet-office/civil-contingencies-bill-2020/>

Overview

This consultation is about the development of new legislation to replace the Emergency Powers Act 1936, which was used during the Island's recent response to Covid-19.

Broadly, 'Civil Contingencies' concern responses to emergencies, whether they be public health, natural, or otherwise.

The Bill moves the power to make emergency regulations from the Governor in Council [i.e. the Lieutenant Governor acting on the advice of, and with the concurrence of, the Council of Ministers] – to the Council of Ministers, and seeks to provide a more modern approach to emergencies, in line with the UK approach and adapted for the Isle of Man community.

Why We Are Consulting

A commitment was given that the draft Bill would be put out for public consultation before being taken to the Branches of Tynwald in October 2020.

The consultation seeks views on the draft Bill, its functioning and effect, alongside comments and observations relevant to civil contingencies and emergency measures.

Consultation process

The consultation commences on **Friday 21 August 2020** and will run for a period of 6 weeks. Responses must be submitted no later than 5pm on **Friday 2 October 2020**.

Should you have any queries please do not hesitate to contact this office.

With kind regards / Lhiats



LLB Law (Hons) (I) Cert.GDPR

Policy and Performance Manager | Executive Office

Council of Ministers, Government Office, Bucks Rd, Douglas, IM1 3PN | [MS Teams](#) |

 01624 686070