



# Record of decision

**THE FOLLOWING DECISIONS WERE TAKEN ON THURSDAY, 11 JANUARY 2018 BY THE CABINET**

**THE CALL IN PERIOD FOR THESE DECISIONS EXPIRES AT 5.00 PM ON MONDAY, 22 JANUARY 2018**

Members of the Cabinet who were present

Cllrs Dave Stewart (Chairman), Barry Abraham, Paul Brading, John Hobart, Stuart Hutchinson, Clare Mosdell, Michael Murwill, Gary Peace and Wayne Whittle

Apologies

Cllr Ian Ward

Members also present (non-voting)

Cllrs Debbie Andre, George Cameron, Paul Fuller, Tig Outlaw and Ian Stephens

Confirmed as a true record of decisions taken .....

**Leader of the Council**

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| <b>Agenda item</b>            | <a href="#"><u>Minutes of the Last Meeting</u></a>   |
| <b>Decision reference</b>     | <b>52 (17/18)</b>  |
| <b>Decision Taken</b>         | <p>The minutes to the previous meeting were reviewed and it was noted that with regard to Public Question Time, page 2, decision reference 44 (17/18) should state that Mr Hards asked a supplemental question around whether a local family could meet with the Leader to discuss their circumstances.</p> <p>The Leader responded that he anticipated that providing it was appropriate and bona fide to do so the Cabinet Member would be happy to receive (the families) feedback.</p> <p>Subject to the above being noted, the minutes of the meeting held on <a href="#"><u>9 November 2017</u></a> were agreed.</p> |
| <b>Questions / Amendments</b> | None.  |

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| <b>Agenda item</b>        | <a href="#"><u>Declarations of Interest</u></a> |
| <b>Decision reference</b> | <b>53 (17/18)</b>                               |
|                           | No declarations were made.                      |

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| <b>Agenda item</b>        | <a href="#"><u>Public Question Time</u></a>   |
| <b>Decision reference</b> | <b>54 (17/18)</b>   |
| <b>Questions</b>          | <p>Mr Richard Hards of Whippingham submitted a written question to the Cabinet Member for Children’s Services around future plans for Looked After Children in Hampshire and the Isle of Wight.</p> <p>The Cabinet member provided a response (<a href="#"><u>PQ 09/18</u></a>)</p> <p>Mr Hards asked a supplemental question on whether the Isle of Wight Council would consider setting the same target as that of Hampshire County Council (HCC) with regard to Looked After Children.</p> <p>The Leader responded by saying that all proposals could be considered. The Cabinet Member advised that policy and guidance for Island children were set by the Isle of Wight Council and that the new Corporate Plan had goals agreed to reduce children in care numbers which would incur a budget saving. However the figures would be different to those in Hampshire owing to the different context and plans compared to HCC.</p> |

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| <b>Agenda item</b>           | <b>Performance and Finance Report – Quarter Ended 30 September 2017 (<a href="#"><u>Part One</u></a>) (<a href="#"><u>Part Two</u></a>)</b>  |
| <b>Decision reference</b>    | <b>55 (17/18)</b>  |
| <b>Summary of Discussion</b> | <p>Before introducing the item, the Cabinet Member referred to the Call In by the Scrutiny Committee of the decision around the Variation of Option to South Coast Leisure Limited, Land at St Georges Way, Newport (<a href="#"><u>Delegated Decision Ref 11/17</u></a>), which was debated at an extra-ordinary meeting of the Scrutiny Committee on 3 January 2018; where Members voted in favour of asking the Cabinet Member to defer his decision.</p> <p>The Cabinet Member for Resources advised that, following due consideration of the Scrutiny Committees’ comments, he was minded that his decision would stand, unless any Cabinet colleagues had a view to the contrary. The Cabinet Member circulated a paper setting out his position (<a href="#"><u>click here</u></a>) and no views to the contrary were expressed.</p> <p>The Cabinet Member for Resources then presented a report which set out the outturn results of the council’s performance against the established indicators and targets that underpinned</p> |

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|   | <p>the delivery of the current Corporate Plan for the period ending 30 September 2017.</p> <p>The report was also accompanied by the risk and financial position, relevant at that point in time. It was also noted that the appendices had been redesigned in line with the new Corporate Plan and would be subject to further development over the next two quarters.</p> <p>The Cabinet Member highlighted that the council was forecasting an overall underspend of £540,000 and slippage of £59.3m was projected, however £50m of this was in relation to the property acquisition fund, although it was noted that approval to spend this would be required.</p> <p>Recommendations from the Scrutiny Committee for all items of Cabinet business were circulated to members prior to the meeting and were noted. (<a href="#">click here</a>)</p> |
| <b>Issues raised by other members</b>                                 | The Chair of the Scrutiny Committee requested that the Policy and Scrutiny Committee for Regeneration, Planning, Housing and the Environment be provided with an update on the status of the Floating Bridge when required.  |
| <b>Decision taken</b>   | THAT the performance in relation to the council's priorities as set out in the report and the priority report detail as set out in Appendix A of the report, together with the council's financial position as set out at Appendices B and C in the report, be noted.  |
| <b>Reason for the decision and corporate objective it aligns with</b> | <p>To support the successful delivery of agreed council priorities and as such, provide the Cabinet (and subsequently the council's scrutiny function) with the necessary information to record achievements and challenge areas of underperformance and to account for it to the wider community.</p> <p>To align with the following Corporate Plan Commitments:</p> <ul style="list-style-type: none"> <li>• Creating opportunities for all</li> <li>• Delivering economic growth and prosperity</li> <li>• Preserving our environment</li> <li>• Planning for our future needs</li> <li>• Protecting our community</li> <li>• Providing sound financial management</li> </ul>   |
| <b>Options considered and rejected</b>                                | There were no other options other than not to note the report.   |
| <b>Declarations of Interests</b>                                      | None declared.   |

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| <b>Agenda item</b>  | <a href="#"><u>Harbour Authority Activities Annual Report - 2016-2017</u></a>  |
| <b>Decision reference</b>   | <b>56 (17/18)</b>  |
| <b>Summary of Discussion</b>  | <p>The Cabinet Member for Environment and Heritage presented a report which detailed the key activities of both Newport and Ventnor Haven ports and harbours for which the council had been designated a statutory harbour authority.</p> <p>Cabinet were requested to approve the 2016-2017 annual report as well as the accounts for both Newport Harbour and Ventnor Haven. Following this, the reports would then be submitted to the Department for Transport (DfT).</p> <p>It was noted that whilst the council owned a small harbour at Ryde this was not however a statutory port and does not, therefore, require a separate account.</p> <p>The net loss of £136,000 at Ventnor Haven was largely due to the removal of accumulated seaweed and that the net loss of £35,000 at Newport Harbour was down to the ongoing running and maintenance costs.</p> |
| <b>Issues raised by other members</b>                                 | No issues were raised.   |
| <b>Decision taken</b>   | THAT the annual reports set out in Appendices 1 (Newport Harbour) and 2 (Ventnor Haven) of the report be agreed and submitted to the DfT   |
| <b>Reason for the decision and corporate objective it aligns with</b> | <p>Delivering economic growth and prosperity is one of the council's priorities in its corporate plan 2017-20 and the harbours can play an important role in support of this priority.</p> <p>It is also important that the harbours are operated in a way that was consistent with the priority to deliver statutory duties and achieve value for money. The decision can therefore help achieve this objective.</p>  |
| <b>Options considered and rejected</b>                                | Option B – That the annual reports and accounts are not approved due to areas of concerns being identified in one or both of the reports   |
| <b>Declarations of Interests</b>                                      | None declared.   |

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| <b>Agenda item</b>           | <a href="#"><u>Newport Harbour – Formation of Harbour Board</u></a>  |
| <b>Decision reference</b>    | <b>57 (17/18)</b>  |
| <b>Summary of Discussion</b> | The Cabinet Member for Environment and Heritage presented a report which set out the requirements of the Port Marine Safety Code in relation to the establishment of a Harbour Board to assist in demonstrating its compliance with the code and in particular its |

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|   | <p>performance in ensuring safe marine operations.</p> <p>Members were therefore requested to approve the establishment of such a Board.</p> <p>Members noted that the membership of the Board would comprise of three Cabinet Members (Resources, Infrastructure and Transport and Environment and Heritage) as well as two other co-opted members as and when required.</p> <p>The Leader also highlighted the recommendation of the Scrutiny Committee where consideration should be given to allowing Newport Parish Council having observer status on the Board and advised that as it would be a public meeting, any member of the public would be welcome to attend and therefore have such standing. Local ward members would also be given every opportunity to make any valid contribution.</p> |
| <b>Issues raised by other members</b>                                 | No issues were raised.  |
| <b>Decision taken</b>   | <p>I. THAT the requirement to establish a Harbour Board to undertake the role of duty holder as set out in the PMSC and subsequently to refer the formation of the Board and delegation of appropriate powers to Full Council, be accepted and agreed.</p> <p>II. THAT the terms of reference as drafted for the proposed Harbour Board be accepted and agreed.</p>   |
| <b>Reason for the decision and corporate objective it aligns with</b> | <p>To ensure that Newport Harbour is managed effectively and has a clear direction of travel in order to help it to contribute fully to the economic wellbeing of the town and the Medina valley</p> <p>To be in accordance with the 2017 to 2020 Corporate Plan and assist in the delivery of economic growth and prosperity.</p>  |
| <b>Options considered and rejected</b>                                | <p>I. Option A – not to accept the requirement to establish a harbour board and investigate the possibility of the Cabinet undertaking the role of duty holder as set out in the PMSC.</p> <p>II. Option D – to accept the terms of reference as drafted for the proposed Harbour Board.</p>  |
| <b>Declarations of Interests</b>                                      | None declared.  |

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| <b>Agenda item</b>        | <a href="#"><u>Approval of the Local Care Plan</u></a>     |
| <b>Decision reference</b> | <b>58 (17/18)</b>  |
| <b>Summary of</b>         | The Cabinet Member for Adult Social Care and Public Health |

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| <b>Discussion</b>   | <p>presented a report which sought members approval of an endorsement of a new Local Care Plan for the Isle of Wight, which was intended to set out the key activities to be undertaken by the Island's health and care system and improve the quality of health and wellbeing of the Island's community.</p> <p>The plan was set in the context of the increasing and significant, financial and regulatory challenges facing the sector.</p>   |
| <b>Issues raised by other members</b>                                 | No issues were raised.   |
| <b>Decision taken</b>   | THAT the Local Care Plan as attached at appendix 1 of the report be endorsed.  |
| <b>Reason for the decision and corporate objective it aligns with</b> | <p>The council's Corporate Plan 2017 – 2020 establishes twelve outcomes as measures of success in achieving the overall ten-year vision for, 'the Isle of Wight to be an inspiring place in which to grow up, work, live and visit'. The plan specifically contributes to the following outcomes:</p> <ul style="list-style-type: none"> <li>• Vulnerable people are supported and protected.</li> <li>• People take responsibility for their own health and wellbeing</li> <li>• People have a place to call home and can live with independence.</li> <li>• Community needs are met by the best public services possible</li> <li>• A financially balanced and sustainable council.</li> </ul> |
| <b>Options considered and rejected</b>                                | Option (b) - Do not endorse the Local Care Plan as attached at appendix 1.   |
| <b>Declarations of Interests</b>                                      | None declared.   |

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| <b>Agenda item</b>           | <a href="#"><u>Draft Freshwater Neighbourhood Plan</u></a>  |
| <b>Decision reference</b>    | <b>59 (17/18)</b>   |
| <b>Summary of Discussion</b> | <p>The Cabinet Member for Planning and Housing presented a report which sought approval of modifications to the proposed Freshwater Neighbourhood Development Plan and to agree to proceed to a referendum and to make (bring into force) the plan, subject to the outcome of the referendum.</p> <p>It was noted that there had been three typographical errors within the recommendation which referenced the wrong paragraphs within the report. Paragraph 34 should refer back to paragraph 27(a), paragraph 35 should refer back to paragraph 27(b) and paragraph 36 should refer back to paragraph 27(d).</p> |

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| <b>Issues raised by other members</b>                                 | The local ward member expressed his grateful thanks to those involved in expediting the matter.   |
| <b>Decision taken</b>   | <p>THAT the following be agreed:</p> <ol style="list-style-type: none"> <li>I. That the proposed Freshwater Neighbourhood Development Plan (as per paragraph 27(a) of the report), meets the requirements of paragraph 12(4) of schedule 4B to the Town and Country Planning Act 1990, as amended by part 3 of the Planning and Compulsory Purchase Act 2004 and therefore proceeds to a referendum covering the designated neighbourhood plan area of the parish of Freshwater.</li> <li>II. If there is a positive referendum vote in favour of the proposed Freshwater Neighbourhood Development Plan (as per paragraph 27(b) of the report), that the plan be made (brought into force) as soon as possible and forms part of the statutory development plan.</li> <li>III. To authorise the Head of Place (as per paragraph 27(d) of the report) to make editorial amendments to the proposed Freshwater Neighbourhood Development Plan, in consultation with the Cabinet member for planning and housing. These changes will not alter the meaning of the document and will be restricted to correcting factual, grammatical and typographical errors and improving clarity.</li> </ol> |
| <b>Reason for the decision and corporate objective it aligns with</b> | <p>To underline the council's commitment to working with the community and town and parish councils, as set out in the Isle of Wight Council's Corporate Plan 2017-2020, particularly those of the Leader and strategic partnerships key activities.</p> <p>To align with the following Corporate Plan Commitments:</p> <ul style="list-style-type: none"> <li>• Delivering economic growth and prosperity</li> <li>• Preserving our environment</li> <li>• Planning for our future needs</li> <li>• Protecting our community</li> </ul>  |
| <b>Options considered and rejected</b>                                | Option c) Not to agree that the proposed Freshwater Neighbourhood Development Plan, as attached, proceeds to a referendum.  |
| <b>Declarations of Interests</b>                                      | None declared.  |

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| <b>Agenda item</b>                       | <a href="#"><u>Consideration of the Forward Plan</u></a>   |
| <b>Decision reference</b>                | <b>60 (17/18)</b>  |
| <b>Amendments / Additions / Removals</b> | The Forward Plan of Key Decisions was reviewed and it was noted that all future key decisions were on schedule at the time of the meeting. |

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| <b>Agenda item</b>        | <a href="#"><u>Members' Question Time</u></a> |
| <b>Decision reference</b> | <b>61 (17/18)</b>                             |
| <b>Questions</b>          | No written questions were received            |