



Minutes

Name of meeting	FULL COUNCIL
Date and time	WEDNESDAY, 16 JULY 2014 COMMENCING AT 6.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Ian Ward (Chairman), Jonathan Bacon, Julia Baker-Smith, Reg Barry, Paul Bertie, Bob Blezzard, Ray Bloomfield, Charles Chapman, Rodney Downer, David Eccles, Paul Fuller, Conrad Gauntlett, Jonathan Gilbey, Luisa Hillard, John Hobart, Alan Hollands, Richard Hollis, John Howe, Stuart Hutchinson, Julie Jones-Evans, Phil Jordan, Gordon Kendall, Geoff Lumley, John Medland, John Nicholson, Lora Peacey-Wilcox, Graham Perks, Daryll Pitcher, Matthew Price, Richard Priest, Colin Richards, Bob Seely, Shirley Smart, Ian Stephens, Dave Stewart, Steve Stubbings, Ivor Warlow, Roger Whitby-Smith, Chris Whitehouse, Wayne Whittle

34. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [18 June 2014](#) be confirmed.

35. [Declarations of Interest](#)

Councillor Bacon declared a prejudicial interest in minute 37 as his wife was a sessional employee of the Council. He was not present during the discussion and voting thereon.

36. [Chairman's Report](#)

A [written report](#) had been circulated for information.

37. [Use of Casual Contracts](#)

(Councillor Jonathan Bacon declared an interest for the following item and left the room).

Members were reminded that Councillor Pitcher had submitted a motion to Full Council at its 14 May 2014 meeting.

- (a) Every person who works for the Isle of Wight Council on either a zero hours or non-contract basis, upon completion of twelve months service, should be entitled to ask for a guaranteed hours' contract.
- (b) The hours offered should be equivalent to their average weekly hours for the previous three months (unless negotiated otherwise).

A clause be put in all future contracts drawn up by the Isle of Wight Council that when procuring services anybody working on a Council contract should be given the same entitlement by their employer.

At its meeting on 13 January 2014, the Employment Committee had received a report relating to the use of casual/relief staff. The Committee examined the use of casual workers and was satisfied that the necessary regulation in the use of such contracts was being applied within the council.

It was noted there was likely to be significant additional budget implications for all service areas which used casual staff.

The Executive considered the matter at its meeting on 10 June 2014 and determined to reject the motion.

An amendment to the motion was proposed as follows:

Every person who works for the Isle of Wight Council on a contract with no specified hours, upon completion of twelve months service is not entitled to a guaranteed hours' contract. However, the Executive member for HR should, as a matter of urgency investigate the feasibility of employing permanent peripatetic employees to cover for staff holidays and sickness as requested by the Employment Committee at its meeting on 13 January 2014

The motion was seconded. A vote was then taken on accepting the amendment which fell.

At the conclusion of the debate a named vote was taken the result of which was as follows:

For (34)

Councillors Julia Baker-Smith, Reg Barry, Paul Bertie, Ray Bloomfield, Charles Chapman, Rodney Downer, David Eccles, Paul Fuller, Jonathan Gilbey, Luisa Hillard, John Hobart, Alan Hollands, Richard Hollis, John Howe, Stuart Hutchinson, Julie Jones-Evans, Phil Jordan, Gordon Kendall, Geoff Lumley, John Medland, John Nicholson, Lora Peacey-Wilcox, Matthew Price, Richard Priest, Colin Richards, Bob Seely, Shirley Smart, Ian Stephens, Dave Stewart, Steve Stubbings, Ivor Warlow, Roger Whitby-Smith, Chris Whitehouse, Wayne Whittle

Against (2)

Councillors Graham Perks, Daryll Pitcher,

Abstention (2)

Councillors Bob Blezzard, Conrad Gauntlett,

RESOLVED :

THAT Council endorsed the Executive's decision to reject Councillor Pitchers motion.

(Councillor Bacon re-entered the room).

38. Contract Standing Orders

Council was advised that a substantial review of the Contract Standing Orders (CSOs) had not taken place for at least five years. It was highlighted that contracts needed to be fit for purpose.

Consideration was given to a revised CSOs, with the intention it would be implemented with effect from 1 November 2014. It was noted that CSOs had been renamed Contract Procedure Rules.

An amendment was proposed as follows:

That the following text be added after sub paragraph (c) of paragraph 6 of the report

“Where the value of a contract is reasonably expected to exceed £100K an elected member shall also be present when the tenders are opened.”

A vote was then taken on the amendment which was upheld.

A further amendment, to be inserted at the end of the recommendation, was proposed as follows:

“and subject to the redrafted guidance on the Contract Procedure Rule and their use, referred to in paragraph 6 of the report, being approved by the Audit Committee.

At the conclusion of the debate a named vote on the substantive motion was taken the result of which was as follows:

For (39)

Councillors Jonathan Bacon, Julia Baker-Smith, Reg Barry, Paul Bertie, Bob Blezzard, Ray Bloomfield, Charles Chapman, Rodney Downer, David Eccles, Paul Fuller, Conrad Gauntlett, Jonathan Gilbey, Luisa Hillard, John Hobart, Alan Hollands, Richard Hollis, John Howe, Stuart Hutchinson, Julie Jones-Evans, Phil Jordan, Gordon Kendall, Geoff Lumley, John Medland, John Nicholson, Lora Peacey-Wilcox, Graham Perks, Daryll Pitcher, Matthew Price, Richard Priest, Colin Richards, Bob Seely,

Shirley Smart, Ian Stephens, Dave Stewart, Steve Stubbings, Ivor Warlow, Roger Whitby-Smith, Chris Whitehouse, Wayne Whittle

RESOLVED :

- (i) THAT the Contract Procedure Rules set out in the Appendix (attached to and forming part of these minutes) be implemented on 1 November 2014;
- (ii) THAT minor amendments to the Contract Procedure Rules be delegated to the Head of Financial Management as required from time to time.
- (iii) THAT sub paragraph (c) of paragraph 6 of the report (attached to and forming part of these minutes) reads as follows: The Guidance will contain all and any relevant information from the current CSOs, the current Procurement Code and anything else in relation to procurement and the award of contracts which is relevant and/or appropriate. Where the value of a contract is reasonably expected to exceed £100K an elected member shall also be present when the tenders are opened.
- (iv) THAT subject to the redrafted guidance on the Contract Procedure Rule and their use, referred to in paragraph 6 of the report, being approved by the Audit Committee.

39. Constitution Amendments

A number of constitutional changes had been reviewed and agreed by the Constitutional Review Working Party. There had been a number of changes which included the acceptance of on-line petitions and the appointment of deputies to the Planning Committee.

An amendment was proposed but not seconded.

After some debate regarding the appointment of deputies to the Planning Committee it was agreed that a separate vote be taken on that.

At the conclusion of the debate a named vote was taken on the addition to a new procedural rule for the appointment of deputies to the planning committee, the result of which was as follows:

For (28)

Councillors Jonathan Bacon, Julia Baker-Smith, Bob Blezzard,
Charles Chapman, Rodney Downer, David Eccles, Paul Fuller,
Conrad Gauntlett, Jonathan Gilbey, Luisa Hillard, Alan Hollands, John Howe,
Stuart Hutchinson, Phil Jordan, Gordon Kendall, Geoff Lumley,
John Medland, John Nicholson, Lora Peacey-Wilcox, Graham Perks,
Daryll Pitcher, Matthew Price, Richard Priest, Colin Richards, Shirley Smart,
Ian Stephens, Steve Stubbings, Ivor Warlow

Against (7)

Councillors Reg Barry, Paul Bertie, Ray Bloomfield, John Hobart, Richard Hollis, Julie Jones-Evans, Roger Whitby-Smith,

Abstentions (4)

Councillors Bob Seely, Dave Stewart, Chris Whitehouse, Wayne Whittle

RESOLVED :

THAT the addition of a new procedural rule for the appointment of deputies to the planning committee be agreed.

A named vote was then taken on recommendations (a) - (j) (excluding (e)), as set out in paragraph 52 of the report (attached to and forming part of these minutes)

For (37)

Councillors Jonathan Bacon, Julia Baker-Smith, Reg Barry, Paul Bertie, Bob Blezzard, Charles Chapman, Rodney Downer, David Eccles, Paul Fuller, Conrad Gauntlett, Jonathan Gilbey, Luisa Hillard, John Hobart, Alan Hollands, John Howe, Stuart Hutchinson, Julie Jones-Evans, Phil Jordan, Gordon Kendall, Geoff Lumley, John Medland, John Nicholson, Lora Peacey-Wilcox, Graham Perks, Daryll Pitcher, Matthew Price, Richard Priest, Colin Richards, Bob Seely, Shirley Smart, Ian Stephens, Dave Stewart, Steve Stubbings, Ivor Warlow, Roger Whitby-Smith, Chris Whitehouse, Wayne Whittle

Abstentions (2)

Councillors Ray Bloomfield, Richard Hollis,

RESOLVED :

THAT the following changes to Constitution be agreed;

- (a) THAT the delegated authority of the managing director to determine the senior management structure of chief officers be removed;
- (b) THAT the requirement for agendas for Executive Advisory Committees to be agreed with the executive member or, where not agreed, with the leader be removed;
- (c) THAT the quorum for the Health Scrutiny Sub Committee be amended to 3, or one quarter, whichever is greater;
- (d) THAT the terms of reference for the Health Scrutiny Sub Committee be amended to include public health and adult social care;
- (f) THAT the petition scheme be amended to remove the requirement for signature;

- (g) THAT the membership of the Scrutiny Committee be amended from 14 to 10 members;
- (h) THAT changes that would remove political proportionality on the Scrutiny Committee not be agreed;
- (i) THAT changes that executive members be appointed by full council not be agreed;
- (j) THAT the managing director's responsibility as to timing and scope of the Task and Finish Groups be retained.

40. **[Audit Committee Annual Report 2013/14](#)**

Members were told that the report had been approved at a meeting of the Audit Committee on 1 May 2014. It was noted that in line with best practice in other sectors, an annual report to Full Council should be prepared that set out the committee's work and performance during the year, including how it had met its terms of reference.

RESOLVED :

THAT the report be noted.

41. **Reports of the Executive Members**

(i) **[The Leader](#)**

A [written report](#) had been circulated for information.

Oral questions were put to the Leader as follows :

Name	Subject	Comment
Cllr Whitehouse	Would the leader be prepared to change the council constitution to remove officer delegated decisions.	The Leader advised that there was sometimes a need to make urgent decisions although it would be kept under constant review.
Cllr Stewart	Appeared to be a bit of an anomaly and hoped it would be reviewed. Supplementary - Could members be updated on how the LEP is involved in sustainable energy such as tidal power, wind turbines etc.	The Leader indicated Scrutiny would look into decisions of the Council. The Leader informed that the LEP had not been involved, he believed it had been a cross Island move.
Cllr Blezzard	What comments had been made regarding the marine conservation zones the consultation to which had closed the previous day.	The Leader believed the consultation was still open and information had been gathered to submit a representation.
Cllr Hollis	In light of successful funding in East Cowes, how	The Leader advised that the plans were still being

Name	Subject	Comment
	had the plans for the Red Funnel marshalling area progressed?	drafted with a view that the marshalling area would be reduced in size, would keep members updated.
(ii)	<u>The Deputy Leader and Executive Member for Adult Social Care and Community Wellbeing</u>	
	A <u>written report</u> had been circulated for information.	
(iii)	<u>Executive Member for Human Resources, Organisational Change and Exchequer Services</u>	
	A <u>written report</u> had been circulated for information.	
(iv)	<u>Executive Member for Fire and Rescue Services and Public Health/Safety</u>	
	A <u>written report</u> had been circulated for information.	

Oral questions were put to the Executive Member as follows :

Name	Subject	Comment
Cllr Lumley	Could you outline the representations made to central government to help settle the ongoing fire service strike.	The Executive Member informed members that no written representation had been made following discussions with the chief fire officer; a written representation may be required although this would be a matter of timing.
	Supplementary - What do you mean by a matter of timing?	The Executive Member advised that a representation would be made in conjunction with other authorities, it was believed an offer had been made.
Cllr Hollis	Were you aware that dog bins had been removed in Parkhurst without consultation, causing a public health issue, could you assure me that these would be re-instated	The Executive Member indicated it was not within his remit. The Leader advised Members that the removal had been a mistake and the bins would be re-instated.

(v) **Executive Member for Economy and Tourism**

A [written report](#) had been circulated for information.

A written question was put to the Executive Member as follows :

Name	Subject	Comment
CLlr Seely	Given the remarkable success of the recent UK stage of the Tour de France and the significant potential for cycling tourism and tourism in general that the Tour would bring to the Isle of Wight, will the leader of the Council be willing to discuss with his colleagues in the Solent Local Enterprise Partnership or other relevant bodies whether a new UK bid, which included the Isle of Wight/Hants be feasible, and if so to establish how to take forward such as bid. Supplementary – not asking for it to happen next year but maybe in five or six years' time	The Executive Member provided a written response which was available on the following link (MQ 17/14) The Leader advised that he would speak with the LEP to see if they would be prepared to get involved.

Oral questions were put to the Executive Member as follows :

Name	Subject	Comment
CLlr Fuller	Could you advise when superfast broadband would be available in areas across the island.	The Executive Member advised that a list would be provided to members.
CLlr Whittle	Could you ensure that Scrutiny see the ferry statistics that have been produced.	The Executive Member indicated he would.
CLlr Hollands	Could you advise how the Island had done regarding visitor numbers	The Executive Member advised that she had a meeting the following week and would circulate the figures.

(vi) **Executive Member for Finance and PFI Contract**

A [written report](#) had been circulated for information.

Written questions were put to the Executive Member as follows :

Name	Subject	Comment
Cllr Bacon	<p>Island Roads are now undertaking resurfacing work of high quality, however the quality of communication with members of the public prior to and during works often leaves a lot to be desired. In particular the quality of signage as to where and when works are taking place and the placing of Road Closure signs often seems unhelpful and sometimes downright misleading.</p> <p>Does Councillor Gilbey recognise and agree with these views and, if so, what steps can or have been taken to ensure better provision of information to residents as well as to visitors to the Island who may suffer particularly when they are unfamiliar with the layout of roads on the Island?</p>	<p>The Executive Member provided a written response which was available on the following link (MQ 18/14)</p>
Cllr Bacon	<p>There seems to be a problem with new road surfaces put down by Island Roads in respect of their effect on horses using the highway. Island Roads have produced a Briefing Note about this issue which refers to research undertaken in 2005 which recognised there was a problem and stated that “In certain circumstances a surface ‘treatment’ to increase friction is appropriate”.</p>	<p>The Executive Member provided a written response which was available on the following link (MQ 19/14)</p>

Name	Subject	Comment
	In light of this, are Island Roads according with their duty under the PFI contract to provide a safe and appropriate road surface for all reasonable road users?	

Oral questions were put to the Executive Member as follows :

Name	Subject	Comment
Cllr Lumley	Did members have any influence regarding the planned resurfacing timetable that Island Roads had drawn up.	The Executive Member advised that Members would have some influence, contact would need to be made with Island Roads.
Cllr Pitcher	Would you agree that if advertising space had been filled at bus stops the money raised would have enabled free parking in Wootton to remain?	The Executive Member agreed that there was money to be made in advertising although the conversation needed to be with Southern Vectis.
Cllr Baker-Smith	Asked a question regarding hedge cutting.	The Executive Member advised that he would investigate.
Cllr Nicholson	Asked if consideration be given to implementing a contractors parking permit.	The Executive Member informed him that it was being discussed.
Cllr Blezzard	Asked for clarification regarding budget issues.	The Executive Member would provide a written response.

(vii) **[Executive Member for Sustainability](#)**

A [written report](#) had been circulated for information.

(viii) **[Executive Member for Children's Services and Education](#)**

A [written report](#) had been circulated for information.

Oral questions were put to the Executive Member as follows :

Name	Subject	Comment
Cllr Whitehouse	Would the Executive member join in welcoming the new Secretary of Education and continue driving up education standards on the Island	The Executive Member agreed and believed that the working with Hampshire had a positive effect on the education standards.
Cllr Kendall	Did the Executive Member share the pleasure given	The Executive Member congratulated all staff for

Name	Subject	Comment
	the favourable results in primary schools over the last 12 months.	their support although there were still schools with improvements to be made, Sandown Bay Academy had four teachers graduate thanks to the support received.
Cllr Gauntlett	Due to the forthcoming free school meals what financial pressure was the Local Authority under in setting up on the Isle of Wight.	The Executive Member advised that a written report would be provided.

(ix) **Chairman of Scrutiny Committee**

A [written report](#) had been circulated for information.

Oral questions were put to the Chairman as follows :

Name	Subject	Comment
Cllr Whitby-Smith	Was the last paragraph of your report a personal view or did you have evidence to support this.	The Chairman advised that it was his personal view although he did have evidence.

(x) **Executive Member for Corporate Governance, Planning and Regulatory Services**

A [written report](#) had been circulated for information.

Oral questions were put to the Executive Member as follows :

Name	Subject	Comment
Cllr Stewart	When would the timeframe for pre application fees be available.	The Executive Member advised that a report would be prepared for September 2014.

(xi) **Isle of Wight Council representative on the Hampshire Police and Crime Panel**

A [written report](#) had been circulated for information.

42. **Motion submitted under Procedure Rule 16 of the Council's Constitution**

Members gave consideration to rescinding a previous decision made at a meeting of council held on 19 March 2014.

An amendment to the motion was proposed but not seconded

At the conclusion of the debate a named vote was taken the result of which was as follows:

For (17)

Councillors Paul Bertie, Bob Blezzard, Ray Bloomfield, David Eccles, Conrad Gauntlett, John Hobart, Alan Hollands, Richard Hollis, Stuart Hutchinson, Julie Jones-Evans, Geoff Lumley, John Nicholson, Matthew Price, Bob Seely, Dave Stewart, Chris Whitehouse, Wayne Whittle

Against (20)

Councillors Jonathan Bacon, Julia Baker-Smith, Reg Barry, Rodney Downer, Jonathan Gilbey, Luisa Hillard, John Howe, Phil Jordan, Gordon Kendall, John Medland, Lora Peacey-Wilcox, Graham Perks, Daryll Pitcher, Richard Priest, Colin Richards, Shirley Smart, Ian Stephens, Steve Stubbings, Ivor Warlow, Roger Whitby-Smith,

Abstention (1)

Councillor Charles Chapman

RESOLVED :

THAT the decision taken at Council on 19 March 2014 relating to Executive Advisory Committees not be rescinded.

43. [Motion submitted under Procedure Rule 10 of the Council's Constitution](#)

Councillor Ian Ward withdrew his motion.

CHAIRMAN