



Minutes

Name of meeting	ANNUAL COUNCIL
Date and time	WEDNESDAY, 17 JUNE 2009 AT 6.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Arthur Taylor (Chairman), Barry Abraham, Jonathan Bacon, Reg Barry, Peter Bingham, George Brown, George Cameron, Vanessa Churchman, Dawn Cousins, Roger Dixcey, Rodney Downer, Stuart Dyer, Paul Fuller, Edward Giles, John Hobart, Richard Hollis, John Howe, Heather Humby, Tim Hunter-Henderson, Julie Jones-Evans, Patrick Joyce, David Knowles, Geoff Lumley, Roger Mazillius, Lora Peacey-Wilcox, David Pugh, Colin Richards, Susan Scoccia, Ian Stephens, Andy Sutton, Ian Ward, Margaret Webster, Chris Welsford, Jerry White, Wayne Whittle, Adrian Whittaker, David Whittaker, David Williams, William Wyatt-Millington
Apologies	Cllr Ivan Bulwer

1. Introduction and Welcome

The Chairman welcomed all invited guests, Elected Members and members of the public to Annual Council. Canon Stephen Palmer was invited to lead the Chamber in prayers. Council was advised that this would be Canon Palmer's last Council meeting prior to his retirement. On behalf of the Council the Chairman thanked Canon Palmer for his service and presented him with a gift.

Canon Palmer responded by expressing his thanks for Members' support and encouragement for himself and the Minster Church during the previous four years.

2. Suspension of Procedure Rule 17(4)

A motion to formally suspend Procedure Rule 17(4) relating to voting by secret ballot for appointments, was proposed and seconded. This would enable all votes to be taken by a show of hands.

RESOLVED:

THAT Procedure Rule 17(4) be suspended for the duration of the meeting to enable voting on Council appointments to be by a show of hands.

3. **Election of Chairman**

A motion was moved that Procedure Rule 1.3 be suspended to enable Cllr Taylor be nominated as Chairman for a second year of service. The motion was seconded and following the vote it was

RESOLVED:

THAT Council Procedure Rule 1.3 be suspended to enable Cllr Taylor to be nominated to serve for a second year.

In view of this decision, the Chairman left the Chair and invited Members to elect a Chairman for the duration of this agenda item. A nomination was received and seconded for Cllr Mazillius to take the Chair and following the vote it was

RESOLVED:

THAT Cllr Mazillius take the Chair for the duration of this item.

The Leader proposed that Cllr Taylor be nominated to serve as Chairman for a second year and that a report incorporating the necessary changes to the Constitution would be submitted to the next Council meeting. The proposal was seconded and no further nominations were received.

RESOLVED:

- (a) THAT Cllr Taylor be elected Chairman for the ensuing year.
- (b) THAT a report be submitted to the next Council meeting amending the Council's Constitution accordingly.

Cllr Taylor thanked Members for their support and presented his Consort, Mrs Doreen Taylor with badge of office. The Revd James Buckett was appointed Council Chaplain and the Revd Brian Harley was appointed Deputy Chaplain. Charitable donations totalling £4,500 were presented to the Earl Mountbatten Hospice and Haylands Farm, Ryde and the Chairman indicated that these would continue to be his nominated charities for the following year. Cllr Taylor signed the declaration of acceptance of office and re-took the Chair.

4. **Election of Vice Chairman**

The names of Cllr Howe and Cllr Stephens were separately moved and seconded. Following the vote it was

RESOLVED:

THAT Cllr Stephens be elected Vice Chairman for the ensuing Council year.

The newly elected Vice Chairman formally declared his acceptance of office, thanked Members for their support and appointed Sandra Hirst as his Consort.

5. **Minutes of the previous meeting**

RESOLVED:

THAT, subject to an amendment to add the letters 'ir' to the word 'the' on page A-4, paragraph b(i), the minutes for the meeting held on [15 April 2009](#) were agreed.

6. **Chairman's Announcements and Report**

Members were advised of the recent death of Mrs Maureen Stolworthy, who had served for two years as the first Chairman of the Isle of Wight Council. A minute's silence was observed in recognition of Mrs Stolworthy's past contribution to the Isle of Wight Council.

Council was also advised that the Queen's Birthday Honours List had included three MBEs for Island residents: George Hibberd, for services to the Earl Mountbatten Hospice; James Roberts for his services as a Coastguard Rescue Officer and Iain Young for his services as a Chief Test Pilot.

7. **Results of the Council elections held on 4 June 2009**

The Chairman invited Council to note the results of the elections held on 4 June 2009, as circulated with the agenda.

RESOLVED:

THAT the results of the Council elections held on 4 June 2009 be noted.

8. **Election of the Leader of the Council for the next four years**

Cllr Pugh was proposed and seconded as Leader of the Council. There were no further nominations. Following the vote it was

RESOLVED:

THAT Cllr Pugh be elected Leader of the Council and Chairman of the Cabinet for the ensuing four year term of the Council.

Cllr Pugh thanked Members for their support and announced his intention to appoint the following to the Cabinet:

Cllr Barry Abraham - Cabinet Member for Fire and Community Safety

Cllr Bingham - Cabinet Member for Resources

Cllr Brown - Deputy Leader and Cabinet Member for the Economy, Tourism, Leisure & Planning

Cllr Cousins - Cabinet Member for Children, Social Care, Health and Housing

Cllr Giles - Cabinet Member for the Environment and Transport

Cllr Hunter-Henderson - Cabinet Member for Major Projects, Customer Service and Communications

9. **Appointments and Constitutional Issues**

A revised recommendation had been circulated prior to the start of the meeting and the Leader thanked the outgoing Scrutiny Committee for their work with developing the proposed new committee structure.

The changes to the original proposals included a reduction in membership for a number of the committees and a change of name for the committee and panels to be established under Council's revised scrutiny arrangements. The Leader also proposed that provisional Special Responsibility Allowances be paid until such time as the Independent Remuneration Panel had completed their review and submitted a recommendation. In addition, in view of Cllr Stephen's appointment to Vice Chairman, it was proposed that Cllr D Whittaker be appointed to Chair of the Adult Social Care, Health and Housing Scrutiny Panel. The motion, as amended was seconded.

During the debate an amendment from Cllr Lumley was moved and seconded, to remove the words "unless the Council decides that allowances should be paid at a rate lower than those recommended by the Panel" from paragraph (d) of the revised recommendation.

The amendment was accepted by the proposer and seconder and accepted as part of the original motion.

A separate vote was taken on each recommendation, following which it was

RESOLVED:

THAT Council approve:

- (a) the committee structure and size as shown in the revised Appendix B (attached) and the terms of reference as set out in the Constitution or as set out in the revised Appendix A (attached) for the overview and scrutiny function;
- (b) the appointment to the positions as listed in Appendix C (attached), with provisional Special Responsibility Allowances as indicated;
- (c) that the Independent Remuneration Panel be asked to undertake a review of all aspects of the Members' Allowances Scheme and to make recommendations as to the appropriate level of remuneration for all the positions as listed in Appendix C, and also for the Council Chairman, Council Vice-Chairman, Leader and Cabinet Members;
- (d) that when receiving the recommendations of this or any future review, Council will adopt a Members' Allowance scheme in line with these recommendations;
- (e) the scheme of delegation as detailed in pages 58 to 74 of the Constitution;
- (f) the appointment of Cllr David Williams to the Hampshire Police Authority Appointment Committee;
- (g) that all other nominations to outside bodies are deferred to the next meeting of the Council;
- (h) the creation of Member Liaison roles, appointed by the Leader, as detailed in Appendix D;
- (i) the abolition of the Member Champion roles;
- (j) the need for the revision to the grievance and disciplinary processes are deferred to the next meeting of the Council;

- (k) that the Council's Director of Corporate Services and Monitoring Officer, in accordance with an existing delegation, be asked to amend the Council's Constitution as necessary in accordance with the above.

10. Programme of Council meetings for the forthcoming Council year

The proposed dates for future Council meetings, as listed on the agenda, were considered and following the vote it was

RESOLVED:

THAT the following dates be approved:

Wednesday, 29 July 2009
Wednesday, 16 September 2009
Wednesday, 28 October 2009
Wednesday, 25 November 2009
Wednesday, 13 January 2010
Wednesday, 24 February 2010 (Budget Council)
Wednesday, 17 March 2010
Wednesday, 21 April 2010
Wednesday, 19 May 2010 (Annual Council)

11. Motions submitted under Procedure Rule 10

(a) **By Cllr Geoff Lumley**

“Council resolves to adopt a Members’ Allowance scheme for the duration of this Council that has been recommended by the Independent Remuneration Panel rather than by elected members.”

In view of the previous discussion on the revised recommendation at minute 9, Cllr Lumley withdrew his motion.

(b) **By Cllr Geoff Lumley**

“This Council, in recognition of the diversity of religious beliefs and no beliefs in the community we represent, resolves to end the practice of offering Christian prayers at the commencement of Full Council meetings.”

Cllr Lumley put his motion and asked Council to consider whether it was appropriate to begin Council meetings with Christian prayers, advising Council of his concerns regarding inclusivity as well as a need to reflect society.

The motion was seconded and during the debate concerns were raised about the Council supporting diversity, whilst accepting its democratic process. Following the vote the motion was lost.

CHAIRMAN

OVERVIEW AND SCRUTINY – SUGGESTED TERMS OF REFERENCE

OVERVIEW AND SCRUTINY COMMITTEE

Managing and co-ordinating all overview and scrutiny work.

Power of call in.

Consider Councillor call for actions on general local government matters apart from crime and disorder which will be dealt with by the Fire and Community Safety Overview and Scrutiny Panel.

Overall view on budget and performance management with specific responsibility for looking at the Corporate centre.

To review at an appropriate stage Council policies related to relevant service delivery areas coming within the Committee's Terms of Reference.

To assist in the development of Council policies related to relevant service delivery areas coming within the Committee's Terms of Reference.

To monitor progress with relevant Action Plans.

To enable the relevant Cabinet member to report on key issues and items on the Forward Plan

CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL

To link with the Island Strategic Partnership, the Childrens Trust and Local Area Agreement on the Inspiring Island theme.

To consider the quarterly performance management information relevant to the panel's work.

To review at an appropriate stage Council policies related to relevant service delivery areas coming within the Panel's Terms of Reference.

To assist in the development of Council policies related to relevant service delivery areas coming within the Panel's Terms of Reference.

To monitor progress with relevant Action Plans.

To enable the relevant Cabinet member to report on key issues and items on the Forward Plan

ADULT SOCIAL CARE, HEALTH AND HOUSING SCRUTINY PANEL

To link with the Island Strategic Partnership, Health and Wellbeing Partnership Board and Local Area Agreement on the Healthy and Supportive Island theme.

To consider the quarterly performance management information relevant to the panel's work.

To review at an appropriate stage Council policies related to relevant service delivery areas coming within the Panel's Terms of Reference.

To assist in the development of Council policies related to relevant service delivery areas coming within the Panel's Terms of Reference.

To monitor progress with relevant Action Plans.

To enable the relevant Cabinet member to report on key issues and items on the Forward Plan.

As Health Scrutiny

To undertake the Council's statutory duties under the legislation.

ECONOMY, ENVIRONMENT & TRANSPORT SCRUTINY PANEL

To link with the Island Strategic Partnership, Economy and Environment Partnership Board and Local Area Agreement on the Thriving Island theme.

To consider the quarterly performance management information relevant to the panel's work.

To review at an appropriate stage Council policies related to relevant service delivery areas coming within the Panel's Terms of Reference.

To assist in the development of Council policies related to relevant service delivery areas coming within the Panel's Terms of Reference.

To monitor progress with relevant Action Plans.

To enable the relevant Cabinet member to report on key issues and items on the Forward Plan.

FIRE AND COMMUNITY SAFETY OVERVIEW & SCRUTINY PANEL

To link with the Island Strategic Partnership, the Safer and Stronger Communities Board and Local Area Agreement on the Safe and Well Kept Island theme.

To consider the quarterly performance management information relevant to the panel's work.

To review at an appropriate stage Council policies related to relevant service delivery areas coming within the Panel's Terms of Reference.

To assist in the development of Council policies related to relevant service delivery areas coming within the Panel's Terms of Reference.

To monitor progress with relevant Action Plans.

To enable the relevant Cabinet member to report on key issues and items on the Forward Plan.

As Crime and Disorder

To undertake the Council's statutory duties in connection with the scrutiny of crime and disorder including the consideration of any related Councillor Call for Action.

APPENDIX B

SUMMARY OF RECOMMENDATIONS

COMMITTEE STRUCTURE	FREQUENCY OF MEETINGS	POSITIONS
FULL COUNCIL: 40 Members	Monthly meetings (to exclude August and December)	As elected annually at Annual Council.
CABINET: Leader plus up to 9 Members	6 weekly meetings	Leader to be elected at Council on 17 June for a four year period. Leader to appoint remainder of the Cabinet.
PLANNING COMMITTEE: 12 Members (with quorum of 6)	Monthly meetings with change of format for briefing meetings.	Chairman and Vice-Chairman to be appointed by the Annual Council.
LICENSING AND GENERAL PURPOSES COMMITTEE: 12 Members Determinations and Appeals Panels of 3 members drawn from membership of the Committee.	6 weekly meetings (but only meeting as necessary). Frequency of Panel meetings dependent upon the number of applications and appeals received and the relevant time limits for dealing with these.	Chairman to be appointed by the Annual Council.
AUDIT COMMITTEE: 5 Members plus 2 non-voting co-opted members.	Meetings on an alternate (every other) monthly cycle (however including meetings in June and in September to comply with statutory requirements).	Chairman to be appointed by the Annual Council.
OVERVIEW AND SCRUTINY COMMITTEE: 12 Members (with positions for co-opted independent members and a town / parish council representative abolished). 4 SCRUTINY PANELS : 1. Children And Young People 2. Adult Social Care, Health And Housing 3. Economy, Environment And	Meetings on an alternate monthly cycle. Overview & Scrutiny Committee meeting one month; and the Scrutiny Panels meeting the following month.	Chairman of the Overview and Scrutiny Committee (not to be a member of the majority party) to be appointed by the Annual Council. Chairmen for each of the 4 Scrutiny Panels to be appointed by the Annual Council.

<p>Transport 4. Fire And Community Safety</p> <p>5 members on each Panel with Education co-opted reps on Children and Young People, non-voting members on Adult Social care when acting as Health Scrutiny and same for Fire and Community Safety when acting as Crime and Disorder.</p>		
<p>PENSION FUND AND INVESTMENT PANEL 7 Members plus a non-voting representative from Unison and the Admitted Bodies</p>	<p>At least one meeting per year, but other meetings as and when necessary.</p>	<p>Chairman to be appointed by the Annual Council.</p>
<p>ETHICAL STANDARDS COMMITTEE: 4 Members plus 3 representatives from the IW Association of Town and Parish Councils plus 7 independent members. The Chairman to be an independent member.</p>	<p>6 weekly meetings to include formal and informal meetings</p>	<p>Chairman to be appointed by the Annual Council. - Mark Southwell as the current chairman and has indicated a willingness to continue in this role.</p> <p>4 IW Council Members to be appointed on a politically proportionate basis via the usual delegated method.</p>

APPOINTMENT OF POSITIONS AND PROVISIONAL SPECIAL RESPONSIBILITY ALLOWANCES

Due to the creation of a number of new and revised posts, the existing Members' Allowance Scheme is now out-of-date. It is therefore proposed that provisional Special Responsibility Allowances (SRAs) are paid to the members as outlined below, with immediate effect, with any payments made being subject to future adjustment following the implementation of a revised Members' Allowance Scheme.

PLANNING COMMITTEE

Chairman: Cllr Ivan Bulwer

(with a provisional SRA at the level outlined in the existing scheme for the Planning Committee Chairman).

Vice-Chairman: Cllr Richard Hollis

(with a provisional SRA at the level outlined in the existing scheme for the General Purposes Committee Chairman).

LICENSING & GENERAL PURPOSES COMMITTEE

Chairman: Cllr Susan Scoccia

(with a provisional SRA at the level outlined in the existing scheme for the Licensing Committee Chairman).

AUDIT COMMITTEE

Chairman: Cllr Roger Mazillius

(with a provisional SRA at the level outlined in the existing scheme for the Audit & Performance Committee Chairman).

OVERVIEW & SCRUTINY COMMITTEE

Chairman: Cllr Vanessa Churchman

(with a provisional SRA at the level outlined in the existing scheme for the Scrutiny Committee Chairman).

SCRUTINY PANEL: CHILDREN & YOUNG PEOPLE

Chairman: Cllr George Cameron

(with a provisional SRA at the level outlined in the existing scheme for the post of Commissioner).

SCRUTINY PANEL: ADULT SOCIAL CARE, HEALTH & HOUSING

Chairman: Cllr David Whittaker

(with a provisional SRA at the level outlined in the existing scheme for the post of Commissioner).

SCRUTINY PANEL: ECONOMY, ENVIRONMENT & TRANSPORT

Chairman: Cllr Ian Ward

(with a provisional SRA at the level outlined in the existing scheme for the post of Commissioner).

SCRUTINY PANEL: FIRE & COMMUNITY SAFETY

Chairman: Cllr Margaret Webster

(with a provisional SRA at the level outlined in the existing scheme for the post of Commissioner).

INVESTMENT PANEL

Chairman: Cllr Roger Mazillius

(with no provisional SRA).

ETHICAL STANDARDS COMMITTEE

Chairman: Mark Southwell

(with a provisional SRA at the level outlined in the existing scheme for the Ethical Standards Committee Chairman).

MEMBER LIAISONS

These roles will be appointed by the Leader, along with his appointment of Cabinet Members, to take responsibility for liaising with all members, and ensuring that their views are being taken into account when decisions are made. They will work closely with the relevant Cabinet Member(s).

The Leader will appoint them with particular briefs e.g. Member Liaison for Schools Reorganisation.

There will a maximum of five Member Liaison posts.

Entitlements

The holders of the Member Liaison positions will not receive any remuneration other than their basic members' allowance.