



# Minutes

Name of meeting	<b>FULL COUNCIL</b>
Date and time	<b>WEDNESDAY, 21 NOVEMBER 2012 COMMENCING AT 5.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Susan Scoccia (Chairman), Barry Abraham, Jonathan Bacon, Reg Barry, Peter Bingham, George Brown, George Cameron, Vanessa Churchman, Dawn Cousins, Roger Dixcey, Rodney Downer, Paul Fuller, Edward Giles, John Hobart, Richard Hollis, Heather Humby, Tim Hunter-Henderson, Stuart Hutchinson, Julie Jones-Evans, Patrick Joyce, David Knowles, Geoff Lumley, Roger Mazillius, David Pugh, Colin Richards, Ian Stephens, David Stewart, Andy Sutton, Arthur Taylor, Ian Ward, Ivor Warlow, Margaret Webster, Chris Welsford, Jerry White, Wayne Whittle, David Whittaker, David Williams
Apologies	Cllrs John Howe, Lora Peacey-Wilcox, Gary Taylor

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41. [Minutes](#)

**RESOLVED :**

THAT the Minutes of the meeting held on [17 October 2012](#) be confirmed.

42. [Declarations of Interest](#)

Councillor Geoff Lumley declared a personal interest in Minute 47 (i) questions in relation to the Riverside Centre, as he was a trustee of the Riverside Centre.

43. [Public Question Time](#)

Questions were put to the Chairman as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Ms Jude Ferris of Northwood Parish Council	The Municipal Waste Strategy of IOW Council was described (on their website) as requiring "planning and	The Cabinet Member provided a written response which was available on the following link ( <a href="#"><u>PQ 21/12</u></a> )

Name	Subject	Comment
	<p>environmental permissions which could take up to a year to prepare and another year to be determined by the relevant authorities. The facility would then require engineering before waste was accepted. It was therefore important that preparations were managed in a timely manner.” If this was the case then why had the publication of the draft strategy of IOW Waste Management been postponed from July to October, October to December and now December to February?</p>	
	<p>Supplementary - Could you advise when the draft strategy would be delivered?</p>	<p>The Cabinet Member indicated, not as yet.</p>
<p>Mr Dave Miller of Cowes</p>	<p>Mr Miller was not in attendance to ask his question.</p>	<p>The Cabinet Member provided a written response which was available on the following link (<a href="#">PQ 22/12</a>)</p>
<p>Ms Julia Hill of East Cowes</p>	<p>Asked for reassurance for residents with regard to health interests relating to the proposed asphalt plant.</p>	<p>The Cabinet Member indicated emissions were controlled by legislation and gave an assurance they would be dealt with with care and attention.</p>
	<p>Supplementary - would one person be appointed to deal with that?</p>	<p>The Cabinet Member advised the planning process was strict, precise and was followed exactly.</p>
<p>Mr Stephen Goodman of Newport</p>	<p>Asked a question relating to the Riverside Centre, Newport and if the Council’s legal department had heard of Deeds of Variation.</p> <p>Supplementary- To say the Council cannot authorise a variation is not true.</p>	<p>The Leader indicated the Council was not minded to make variations on a whim. He advised that a statement from the Board of Trustees had been issued earlier in the day. The leader reiterated that variations were not made on a whim.</p>

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Ms Tanja Rebel of Cowes	What evidence provided that the Riverside Centre was not being used to full capacity?	The leader indicated it was not for him to provide evidence, not being used to its full capacity.
	Supplementary – Do you realise multi-purpose centre for disabled solely	The Leader advised he did not say solely. Any use should be an ancillary use.
Mr Matthew Martin of Cowes	In April 2012 the local authority set aside £3m funding to improve broadband services across the island.	The leader advised the £3m related to the proposed expenditure and investment for places not viable, 90% of the island community.
	Supplementary – when was the draft strategy to be published and made available to the public and media?	The Leader indicated he was not in a position to take further until he knew what the government funding was to be for the island.

44. **Chairman's Report**

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

45. **To approve the appointment of a Designated Independent Person**

Members were advised that the Council were required to appoint Designated Independent Persons (DIPs) to assist in the handling of complaints against councillors.

It was agreed by full Council on 20<sup>th</sup> June 2012 that in the first instance five such people be appointed by full Council. An advertisement was placed on the council's web site inviting members of the public to apply, four persons were subsequently appointed.

A further advertisement was placed and four further applications were received and interviews held.

Under the Act the appointments could only be made by the full Council and would be appointed for four years.

**RESOLVED :**

THAT Alistair Drain be appointed a Designated Independent Person for a period of four years.

46. **To appoint a Chairman for the Audit Committee**

The names of Councillor Roger Mazillius and Councillor Reg Barry were proposed and seconded. A vote was taken and it was :

**RESOLVED :**

THAT Councillor Roger Mazillius be elected Chairman of the Audit Committee, with effect from 26 November 2012, for the remainder of the ensuing year.

47. **Cabinet**

**Reports of the Cabinet Members**

(i) **The Leader and Cabinet Member for Resources**

A written report had been circulated for information. The Leader advised members that a delegated decision report had been published that day to establish a local assistance scheme for people in severe financial need.

Written questions were put to the Leader as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Cllr Chris Welsford	Could you please explain on what grounds, other than the terms of the lease, you justified stopping the Riverside Centre from making bookings that contributed to their ability to remain financially viable?	The Leader provided a written response which was available on the following link ( <a href="#">MQ 20/12</a> )
Cllr Chris Welsford	Have you abandoned your previously espoused policy of ensuring that facilities for the disabled not only serve their disabled clients but also "trade" commercially to ensure they remained financially viable, placing as little financial burden as possible on the hard pressed council tax payer; the alternative being closure?	The Leader provided a written response which was available on the following link ( <a href="#">MQ 21/12</a> )
Cllr Chris Welsford	By implication, what you appear to be doing suggested that in your view the Riverside was failing to	The Leader provided a written response which was available on the following link ( <a href="#">MQ 22/12</a> )

Name	Subject	Comment
	<p>serve the disabled community by engaging in too much "trading activity" with the able bodied community and that by applying the terms of the lease you felt you were ensuring that the Riverside does what it was originally set up to do: serving the disabled. Was this a fair summation of your position?</p>	
<p>Cllr Chris Welsford</p>	<p>If this is the case could you point to some examples of where the Riverside Centre had failed to support disabled people, in preference for enabling events undertaken by the able-bodied?</p>	<p>The Leader provided a written response which was available on the following link (<a href="#">MQ 23/12</a>)</p>
<p>Cllr Chris Welsford</p>	<p>Please would you explain to members, the extent to which the Riverside Centre was a burden on the Council's finances?</p>	<p>The Leader provided a written response which was available on the following link (<a href="#">MQ 24/12</a>)</p>
<p>Cllr Chris Welsford</p>	<p>What prevented the Isle of Wight Council, agreeing to vary the terms of the lease, to allow commercial activities for the able-bodied which would enable the financially successful operation of the Riverside Centre to continue?</p>	<p>The Leader provided a written response which was available on the following link (<a href="#">MQ 25/12</a>)</p>
<p>Cllr Chris Welsford</p>	<p>Could I request that the lawfully determined Policy that was being used to determine the response and actions that were being taken, in respect of the Riverside Centre, was described and explained by the portfolio holder?</p>	<p>The Leader provided a written response which was available on the following link (<a href="#">MQ 26/12</a>)</p>

Name	Subject	Comment
	Supplementary - Would the Council agree to re-instate the funding cut?	The Leader advised that clients now had personal budgets and that the Riverside Centre had not attracted a sufficient client base.
Cllr Jonathan Bacon	In respect of the Riverside Centre, what was the current booking policy for the centre, who was responsible for the operation of the booking policy and could a copy be provided to members who wish to see it? Why was it the case that the policy was apparently changing and what plans did the current leadership have for the future of the Centre in 2013 and beyond? Further, would the leader give a commitment to supporting the Riverside Centre continuing to be used as an important resource for all members of the community?	The Leader provided a written response which was available on the following link ( <a href="#">MQ 27/12</a> )
	Supplementary – It would be easiest if the widest possible use to enable financial viability, would you agree a variation of lease? If not appropriate what controls were being sought to impose?	The Leader indicated that the greater use had been by commercial trading. Any restriction of the lease removed would be using public building for commercial use which would be unfair to traders. Sounder to see used for greater extent.
Cllr Chris Welsford	How did the Leader explain to the residents of Ventnor, his refusal, for a critical month, to meet with the Mayor, Deputy Mayor and the Town Clerk of Ventnor Town Council, to discuss their proposals to turn the Coastal Centre into a thriving business Enterprise	The Leader provided a written response which was available on the following link ( <a href="#">MQ 28/12</a> )

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
	Hub, thereby jeopardising £100,000 of Funding for which Ventnor Town Council had successfully made stage 1 applications?	
Cllr Chris Welsford	Did the Leader not recognise that the Coastal Centre building had served the town for over 140 years; it could offer new hope to at least some of the town's 300 16-24 year olds Job Centre Plus estimate to be unemployed and inject new life into the town where half the population lived in the 22% most deprived areas in England and among the five most deprived on the Island?	The Leader provided a written response which was available on the following link ( <a href="#">MQ 29/12</a> )
Cllr Chris Welsford	Did the Leader not realise that the project had the explicit support of all the relevant Island partners: Job Centre Plus, Chamber of Commerce, Southern Housing Group, Isle of Wight College, the Adult & Community Learning Service and the Chair of the Island's Employment & Skills Committee and it was also a close fit with this Council's declared priorities?	The Leader provided a written response which was available on the following link ( <a href="#">MQ 30/12</a> )
Cllr Chris Welsford	Why did the Leader dismiss their business plan and tell Ventnor Town Council that the building would be sold on the open market as soon as possible?	The Leader provided a written response which was available on the following link ( <a href="#">MQ 31/12</a> )

Oral questions were put to the Leader as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Cllr Geoff Lumley	With regard to the reduction in services to be provided by Wightlink, what level of	The Leader believed it was beneficial that a Chief Executive of a major

Name	Subject	Comment
	service did this Council Administration believe was needed on commuter sailings?	business associated with the Isle of Wight was on the board and was able to contribute. He did not believe there was a conflict of interest and advised that no such conflicts had arisen.
	Could this Council Administration pass a judgement on the effect of the recent changes to the level of service and insist in mitigation from Wightlink?	The Leader indicated he would like to see lower fares and more regular services for commuters, but there was a need to fully understand the needs of the Island community.
	Was there a conflict of interest with Russell Kew, Chief Executive Officer of Wightlink being on the on Local Economic Partnership (LEP) with the Council Leader, could he be held to account given the closeness of the relationship working on the LEP?	
	Supplementary - What did the Leader think was a reasonable expectation of the service?	The Leader advised there was a high expectation, but he had to be realistic, an hourly service at a minimum for the car ferry with passenger routes every 30 minutes.
Cllr Ian Stephens	With regard to the Riverside Centre who was making decisions on what was acceptable.	The Leader advised that the decisions on use sat with the current trustees, but the Council was advising them at their request.
	Supplementary - Would the MP be continuing his use of office space at the Riverside Centre or would he be asked to leave?	The Leader indicated that any sub leases or tenancy agreements were up to the current tenants and those sub tenants.

(ii) [The Deputy Leader and Cabinet Member for the Economy and Regulatory Services](#)

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

Oral questions were put to the Cabinet Member as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Cllr Jonathan Bacon	Community Right to Bid - what steps were proposed to provide wider publicity to Community Groups and Town and Parish Councils?	The Cabinet Member advised the primary line of communication was elected members; there was no plan to include information within the One Island magazine.
	Supplementary - The cheaper option could be to write to all Town and parish Councils.	The Cabinet Member advised he would try to ensure that was done.
Cllr Reg Barry	Why were members' attendance records to be removed from the web site in the middle of April?	The Cabinet Member advised that was a matter for the Leader to respond to.
Cllr Rodney Downer	What policies were in place should ash die back occur on the Island?	The Cabinet Member advised there was as yet no policy in place but it was a matter of concern. He indicated he would try and get advice on the subject.
Cllr Vanessa Churchman	David Thornton of DMO was taking up residence at Osborne House, what rent was to be charged?	The Cabinet Member advised that DMO was a private sector led company which made its own decisions, one of which was to take an office at Osborne House.
Cllr Paul Fuller	Community Right to Bid, would the Cabinet Member support there should be a seminar for councillors?	The Cabinet Member was not a believer in seminars, but would discuss.
Cllr David Knowles	Was the sale of Ryde Theatre still going ahead or had the purchaser withdrawn?	The Cabinet Member advised that the sale had fallen through.
	Supplementary - Was there any connection with the purchaser pulling out and the reduction in passenger services?	The Cabinet Member asked that if the councillor had any evidence of that he would be happy to hear it.

(iii) **Cabinet Member for Procurement, Fire, Highways and Transport**

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

Written questions were put to the Cabinet Member as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
CLlr Jonathan Bacon	In light of the proposals by Wightlink to reduce its service from the beginning of 2013 would the current council leadership be taking any steps to take on board the widely expressed public concerns about the proposed cuts, to speak with Wightlink to communicate those very valid concerns and to seek, as far as possible, to ensure that an adequate, appropriate and affordable level of service was maintained for Islanders on the routes currently operated by the company.	The Cabinet Member provided a written response which was available on the following link ( <a href="#">MQ 32/12</a> )
	Supplementary - could the Council take more positive steps and build on better services for Isle of Wight residents?	The Cabinet Member advised that the Council could not force Wightlink to put on more services; they were committed to the Isle of Wight.

Oral questions were put to the Cabinet Member as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
CLlr Chris Welsford	Did the Cabinet Member feel that the principle of the decision making policy should be fully complied with in respect of his responsibilities?	The Cabinet Member asked if CLlr Welsford could be more specific.
	Could he reconcile that response with the revelations made by WRAP, were they not relevant matters that should have been taken into consideration?	The Cabinet Member indicated he had given a response; the asphalt plant was nothing to do with the PFI contract.

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Cllr Reg Barry	Appear to be focussing on terms for holiday makers, how do you suggest commuters cross?	The Cabinet Member advised that the first ferry was at 05:47 hours with ferries from Fishbourne starting at 04:00 hours.
Cllr Vanessa Churchman	The waste contract was due to expire in 2015, how would the new contract be delivered and if it couldn't what was the alternative.	The Cabinet Member advised the waste contract was on target to deliver in 2015.
	Supplementary - delegated decision	The Cabinet Member advised some of the infrastructure may not be in place by October 2015.

(iv) **[Cabinet Member for Public Health, Community Safety and Local Services](#)**

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

Written questions were put to the Cabinet Member as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Cllr Heather Humby	Now that Simon Hayes had been elected the Police and Crime Commissioner would you discuss with him the possibility of changing the name of Hampshire Constabulary to Hampshire and Isle of Wight Constabulary so to reflect the area covered. Cornwall and Devon were in the title of their local constabulary as was Avon and Somerset and this could create a greater community involvement and ownership.	The Cabinet Member provided a written response which was available on the following link ( <a href="#">MQ 19/12</a> )

Oral questions were put to the Cabinet Member as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Cllr Reg Barry	Asked about the selection of the new Chief Constable, as he thought it was a job for the new Police and Crime Commissioner.	The Cabinet Member advised it was a two stage process, the Police and Crime Panel oversaw the process.

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Cllr Colin Richards	Was there anything in policy to provide the Isle of Wight with a new records office?	The Cabinet Member advised the Record Office was a priority.

(v) **Chair of Overview and Scrutiny Committee**

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

(vi) **Cabinet Member for Adult Social Care and Housing**

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

(vii) **Cabinet Member for Children’s Services and Education**

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

Oral questions were put to the Cabinet Member as follows :

<b>Name</b>	<b>Subject</b>	<b>Comment</b>
Cllr Chris Welsford	How did the Cabinet Member feel that Cllr Pugh had incorrectly stated that Ventnor Town Council had failed to respond to the request to list the Coastal Visitor Centre to the Community Right to Bid?	The Cabinet Member indicated she welcomed any initiative in any part of the Island.

CHAIRMAN