



Minutes

Name of meeting	FULL COUNCIL
Date and time	WEDNESDAY, 21 APRIL 2010 COMMENCING 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, Ivan Bulwer, George Cameron, Vanessa Churchman, Dawn Cousins, Rodney Downer, Stuart Dyer, Paul Fuller, Edward Giles, John Hobart, 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 Ian Ward, Margaret Webster, Chris Welsford, Jerry White, Wayne Whittle, David Whittaker, David Williams, William Wyatt-Millington
Apologies	Cllrs Roger Dixcey, Richard Hollis

65. Minutes

RESOLVED :

THAT the Minutes of the meeting held on [17 March 2010](#) be confirmed.

66. Declarations of Interest

Councillor David Whittaker declared a personal and prejudicial interest in Minute 69, as his son had previously held the seat. He was not present during the discussion or voting thereon.

Councillor Chris Welsford declared a personal interest in Minute 71 (b)(i) - as a member of Standards Not Tiers.

Councillor Jonathan Bacon declared a personal interest in Minute 70 (b) – as he was a trustee of the Law Centre.

67. **Public Question Time**

Questions were put to the Chairman as follows :

Name	Subject	Comment
Mr David Miller, Cowes	What financial model had been used when calculating the capital rebuilding cost of Northwood Primary School A supplementary question relating to information provision to parents with regard to when schools were changing sites.	The Cabinet Member would provide a written response. The Cabinet Member indicated that whilst it had previously been proposed to publish a comprehensive guide for the whole island, it had now been agreed that regular bulletin updates would be published.

68. **Chairman's Report**

A written report had been circulated for information.

The Chairman advised that on 20 April 2010 he had attended the Ryde Sea Cadets and Marines parade and a Citizens Ceremony on 21 April 2010.

69. **Declaration of Vacancy – Ryde South Electoral Division**

(Councillor David Whittaker declared a personal and prejudicial interest in this item and left the room during the consideration of this item).

The Leader advised members that the former member of Ryde South electoral division was recently convicted and sentenced to a period of imprisonment of three months, suspended for two years and without the option of a fine.

An appeal against the sentence was lodged on 25 March 2010, but was dismissed. As a result of that the former member was disqualified from holding office for a period of five years and therefore the seat was declared vacant.

RESOLVED :

THAT the Isle of Wight Council declare the Electoral Division of Ryde South to be vacant.

70. **Constitutional Matters**

(a) **Recorded Voting and Ethical Standards Committee**

Consideration was given to the requirement for members to stand when demanding a recorded vote or secret ballot as it could be seen as a barrier for people with a physical disability. It was therefore suggested that the Constitution be amended to remove that requirement.

The Terms of Reference for the Ethical Standards Committee provided for Full Council to appoint a Chairman to that Committee on an annual basis. It was suggested that the Committee appoint its own Chairman and Vice Chairman from amongst its Independent Members.

Complaints relating to Isle of Wight Councillors and Town/Parish Councillors had been considered locally since May 2008. There was a requirement for a Town/Parish Councillor to sit on the sub committee when considering complaints about Town/Parish Councillors. Council were therefore asked to amend the number of Town/Parish Councillors that sit on the Ethical Standards Committee from three to four.

RESOLVED :

- (i) THAT Procedure Rule 17(4) be amended to read :

The voting on all appointments by the Council will be by a show of hands unless at least half of those present demand a secret ballot before the vote is taken.”

- (ii) THAT Procedure Rule 17(5) be amended to read:

If four members present at the meeting demand it before the vote is taken, the names for and against the motion or amendment or abstaining from voting will be recorded in the minutes. The chairman will individually ask every member present to announce in a clear voice whether they are for or against the motion or amendment or wish to abstain. A demand for a recorded vote will override a demand for a ballot.

- (iii) THAT the Procedure Rule 13(4) be amended to read :

The voting on all appointments by the Council will be by a show of hands unless at least half of those present demand a secret ballot before the vote is taken.

- (iv) THAT Procedure Rule 13(5) be amended to read:

If three members present at the meeting demand it before the vote is taken, the names for and against the motion or amendment or abstaining from voting will be recorded in the minutes. The chairman will individually ask every member present to announce in a clear voice whether they are for or against the motion or amendment or wish to abstain. A demand for a recorded vote will override a demand for a ballot.

- (v) THAT Article 11 – Ethical Standards Committee be amended to read

The final bullet point under the heading 'Membership' be amended to increase “3” to “4”.

The final paragraph under the heading 'Quorum' be amended to read:

The Committee shall appoint a Chairman and Vice Chairman on an annual basis from amongst its independent members.

(b) Review of Appointments to Outside Bodies

(During the debate the follow declarations were made:

Councillor David Pugh declared a personal interest as he was a trustee of the Real World Trust.

Councillor George Brown declared a personal interest as he was a trustee of the Island Youth Centre.

Councillor Vanessa Churchman declared a personal interest as she was a member of the Island Games Association.

Councillor Paul Fuller declared a personal interest as he was a member of the Footprint Trust.

Councillor John Howe declared a personal interest as he was a member of the West Wight Sports Centre Management Committee

Councillor Geoff Lumley declared a personal interest as he was a non councillor appointed trustee of the Riverside Centre Board of Directors.

Councillor Arthur Taylor declared a personal interest as he was a member of the Ryde Development Trust and the Augusta Wilder Almshouse Charity.

Councillor Chris Welsford declared a personal interest as in the Solent Sea Rescue Organisation, as he was an auxiliary coastguard.)

At the 28 October 2009 Full Council meeting, officers were asked to undertake a review of whether the Council should continue to make appointments to a number of outside bodies.

A review was subsequently undertaken and the views of the appropriate outside bodies were sought, with a recommendation that member representation be streamlined.

RESOLVED :

- (i) THAT in future only one member be appointed to outside bodies unless it was of key strategic national, regional or local significance that assisted the council in fulfilling its strategic priorities.

- (ii) THAT where no response had been received from the following outside bodies no appointment be made :-

Footprint Trust
Island Games Association
Isle of Wight Law Centre
Island Woman's Refuge
Isle of Wight Sports and Recreation Council
Real World Trust
Ryde Development Trust

- (iii) THAT no appointment be made to the following organisations that were currently reviewing their own arrangements :-

Combined Council for Isle of Wight Youth Services
Island Youth Water Activities Centre
Isle of Wight Economic Partnership
Ryde Sports Centre Management Committee
Solent and South Downs AEG

- (iv) THAT no appointment be made to the Hampshire and Isle of Wight Local Government Association as that would result in a cost saving to the council.

- (v) THAT no appointments be made to the following bodies on the basis that they did not fulfil a service that had a clear link to the council's strategic priorities :-

Solent Sea Rescue Organisation
Hampshire & Isle of Wight Trust for Maritime Archaeology

- (vi) THAT no appointments be made to the following bodies on the basis that they provided services on behalf of the council on a contractual basis :-

Age Concern
Isle of Wight Citizens Advice Bureau
Riverside Centre Board of Directors
West Wight Sports Centre Management Committee

- (vii) THAT appointments be made to the South East Employers on the basis that it fulfilled a service that had a clear link to the council's strategic priority of delivering better services.

- (viii) THAT the need to no longer appoint to the following bodies due to changed circumstances be noted :-

Early Years Development and Childcare Partnership
Green Island Partnership
Island Trust 2000
Isle of Wight Tourist Board
Safer Communities Board
Southern Group Valuation Tribunals

- (ix) THAT in respect of the Augusta Wilder Almshouse Charity be advised to approach the Charity Commission, prior to the expiration of the term of office of the existing council representatives, to amend its constitution so there was no longer a need for this council to make any further appointments.
- (x) THAT an appointments framework, as shown in appendix 2 attached to the report, be agreed and this be used to assist in deciding whether an outside body should be added or removed from those to which the council appoint.
- (xi) THAT a process be introduced whereby members representing the council on outside bodies submit a report on an annual basis to full council.

71. Cabinet

(a) Recommendation from the Cabinet

Adult and Community Learning Plan

The Leader gave an outline of the Adult and Community Learning Plan. It was noted that the Isle of Wight Council continued to be the main provider and he thanked the team for their work.

RESOLVED :

THAT the Isle of Wight Adult and Community Learning Plan for 2010/11 be approved.

(b) Reports of the Cabinet Members

(i) [The Leader and Cabinet Member for Governance and School Improvement](#)

A written report had been circulated for information.

Written questions were put as follows :

Name	Subject	Comment
Councillor John Howe (MQ 07/10)	As most decisions within the Council were made by either a Cabinet Member or the Cabinet, did the Leader believe the remaining 32 Councillors were being afforded the opportunity to debate Council matters?	The Cabinet Member believed that every opportunity was offered to members. Every member was entitled to put a motion on the Council agenda, subject to meeting the constitutional requirements for the submission of motions. He was therefore of the view that the opportunity to ultimately

Name	Subject	Comment
		determine Council policy, and debate Council matters, was entirely there for all members of the authority.
Councillor Wyatt-Millington (MQ 08/10)	William Reassurance was sought in relation to the rumours that were circulating that the school at Niton was full and there were no places available for children from Chale School.	The Cabinet Member advised that it was only a rumour; there were sufficient places for the children from Chale school.

Oral questions were asked as follows :

Name	Subject	Comment
Councillor Colin Richards	Could the arrangements within the central car park at County Hall be reviewed and the lines of the disabled bays be repainted.	The Cabinet Member indicated it would be done.
Councillor Ian Ward	Problems arising with houses in multiple occupation fell across three directorates, would it be possible to nominate a lead directorate to deal with the matter.	The Cabinet Member advised that each directorate had different statutory responsibilities and it was therefore difficult to nominate a lead directorate. He would discuss the matter with the Chief Executive.
Councillor Chris Welsford	When would the Council communicate with the Chair of Governors of Chale Primary School advising him of their decision to close the school?	The Cabinet Member stated there was no decision to be as that decision had been made by Cabinet on 1 October 2009. However there had been continual and detailed discussions with officers, the school and the Chair of Governors.

(ii) [The Deputy Leader and Cabinet Member for the Economy, Tourism, Leisure and Planning](#)

A written report had been circulated for information.

A written question was put as follows :

Name	Subject	Comment
Councillor Bacon (MQ 10/10)	What were the number and the proportion of properties on the Isle of Wight which were owned as 'second homes', in each Council Tax bracket? What was the Cabinet member's view of second home ownership, particularly in relation to its effect on the economy of the Isle of Wight and the sustainability of local communities with a large number of such properties? Could any steps be taken to limit, restrict or discourage the number of second homes in order to counter any adverse effects of the incidence of second home ownership?	The Cabinet Member gave a comprehensive response. Which was?
	A supplementary question asking what increase in revenue might occur if properties were in use all year round.	The Cabinet Member indicated that research would be expensive and it was not high on the Councils' scale of priorities.

(iii) **[Cabinet Member for Fire and Community Safety](#)**

A written report had been circulated for information.

The Cabinet Member indicated that on 20 April 2010 he had attended the launch of the illegal money lending team. The team were based in Birmingham and worked across the country.

(iv) **[Cabinet Member for Major Projects, Customer Service and Communications](#)**

A written report had been circulated for information.

(v) **[Cabinet Member for Resources](#)**

A written report had been circulated for information.

Oral questions were asked as follows :

Name	Subject	Comment
Councillor Paul Fuller	As the Council were looking to transfer Northwood House to the trustee's, what would happen to the revenue from the car park?	The Cabinet Member advised that the car park was owned by Northwood House Trustees and managed by the Isle of Wight Council. It would be up to the trustee's to decide how to use the income from the car park.
Councillor David Knowles	Would the trustee's of Northwood House be entitled to sell the car park for building land.	The Cabinet Member indicated it would be up to the trustee's and Charity Commission to decide. There was also a covenant to consider.

(vi) [Chair of Overview and Scrutiny Committee](#)

A written report had been circulated for information.

(vii) [Cabinet Member for Children, Social Care, Health and Housing](#)

A written report had been circulated for information.

Oral questions were asked as follows :

Name	Subject	Comment
Councillor Geoff Lumley	The Cabinet Member had been supportive of problems related to domestic violence, was she aware that the women's refuge was in trouble?	The Cabinet Member advised she had recently had a meeting with the Chief Executive of the women's refuge and was due to have another meeting soon. She would subsequently provide a full written report.
Councillor Rodney Downer	Was concerned about the cuts in funding that may affect 22 Argyle Street, Ryde.	The Cabinet Member advised that all the residents of that property were being re-assessed and she would be able to provide an update in the near future.
	Asked for a meeting with the Cabinet member to discuss the matter.	The Cabinet Member agreed.

(viii) **Cabinet Member for the Environment and Transport**

A written report had been circulated for information.

Written questions were put as follows :

Name	Subject	Comment
Councillor Wyatt-Millington (MQ 09/10)	Could any definite dates be given as to when work on the Whitwell to Godshill road would be done?	The Cabinet Member advised that work was due to commence on 10 May 2010 and should be completed within 4 – 6 weeks.
Councillor Heather Humby	Concerned in relation to liability for any accident caused to pedestrians through waste being placed on the highway for collection A supplementary question could the cabinet member advise which bags were recommended as being vermin, dog, fox and vandal proof?	The Cabinet Member advised that the Council was unable to provide a blanket indemnity for any claims arising as a result of waste being left out on the kerbside. The Cabinet Member indicated that householders were responsible for keeping their waste secure prior to collection. One option for doing so was through the use of robust refuse bags. Other options included placing refuse out for collection on the day of collection or placing a bin / 240L or smaller wheelie bin on the kerbside.

Oral questions were asked as follows :

Name	Subject	Comment
Councillor John Howe	Could the Cabinet Member advise why the cats eyes had been removed between Chessell and Freshwater	The Cabinet Member would ask officers as the question was not one of policy.
Councillor Vanessa Churchman	Waste put out once a week classed the same as street furniture. Would the amount of additional waste be monitored?	The Cabinet Member indicated they were monitoring the situation.

Name	Subject	Comment
Councillor Colin Richards	Asked when the toilets at Fairlee would be repaired.	The Cabinet member advised that a review on public toilets was being carried o and an answer would be provided.
Councillor Jonathan Bacon	Concerns with regard to the operation of refuse collection in Brading as the streets had narrow pavements and the refuse blocked the pavement.	The Cabinet member indicated that officers would investigate and advise. There was to be an advert in the County Press this week.
Councillor Chris Welsford	The streets in Ventnor were strewn with rubbish and a street cleansing vehicle ignored that rubbish, was it possible for the street cleansing vehicle to clear the rubbish?	The Cabinet Member would discuss with officers.
Councillor Roger Mazillius	A supplementary question related to speeding motorcyclists. Thanked Mr Jay Jayasundara for the excellent presentation to Northwood Parish Council on PFI.	The Cabinet Member advised that would be a matter for the Police. The Cabinet Member advised that the qualification period had now passed and shortlisting was to take place in May.
Councillor Geoff Lumley	Advised members that the building at Fairlee was the sports pavilion which had been set on fire.	Councillor Cousins indicated that the Council were working with the Parish Council and sports users on its rebuilding.

CHAIRMAN