



Minutes

Name of meeting	FULL COUNCIL
Date and time	WEDNESDAY, 29 JULY 2009 COMMENCING AT 6.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Ian Stephens (Vice Chairman in the Chair), Barry Abraham, Jonathan Bacon, Reg Barry, Peter Bingham, George Brown, Ivan Bulwer, George Cameron, Vanessa Churchman, Dawn Cousins, Roger Dixcey, Rodney Downer, Stuart Dyer, Paul Fuller, Edward Giles, John Hobart, Richard Hollis, John Howe, Tim Hunter-Henderson, Julie Jones-Evans, Patrick Joyce, David Knowles, Geoff Lumley, Roger Mazillius, Lora Peacey-Wilcox, David Pugh, Colin Richards, Susan Scoccia, Andy Sutton, Margaret Webster, Jerry White, Wayne Whittle, Adrian Whittaker, David Whittaker, David Williams, William Wyatt-Millington
Apologies	Heather Humby, Arthur Taylor, Ian Ward, Chris Welsford

12. **Minutes**

RESOLVED :

THAT the Minutes of the meeting held on [17 June 2009](#) be confirmed.

13. **Declarations of Interest**

Councillor Adrian Whittaker declared a personal interest in Minute 17 (b) as he had been assisting workers at the Vestas factory.

14. **Public Question Time**

Questions were put to the Chairman as follows :

A written question had been received from Mr David Miller of Cowes in relation to school reorganisation (PQ 17/09). The Leader and Cabinet Member provided a response.

Oral questions were put to the Cabinet Members as follows :

Name	Subject	Comment
Mrs Jill Wareham of Brighstone	Government and SEEDA grants for Vestas.	The Cabinet Member provided a response.
Mr John Wortham of Brighstone	Cost of PFI for this council and relating it to costs of other councils.	The Cabinet Member provided a response.
	Amount of money being paid for interim directors	The Cabinet Member provided a response.

15. **Chairman's Report**

A written report had been circulated.

The Vice Chairman gave an oral report on his activities during the past month, which included attendance at the civic service, receiving the Prince of Wales and the Duchess of Cornwall on their recent visit, a citizenship ceremony held in Cowes and Wightlink in Bloom.

16. **Motion Under Procedure Rule 16(1)**

In accordance with Procedure Rule 16(1), of the Council's Constitution the following motion signed by Councillors Peter Bingham, Dawn Cousins, Edward Giles, John Hobart, Tim Hunter-Henderson, Julie Jones-Evans, Roger Mazillius, David Pugh, Susan Scoccia, Jerry White, David Whittaker, David Williams, was moved by Councillor Pugh:

That the decision of the full Council taken on 17 June 2009, Minute 9 (b) be rescinded insofar as it relates to the following appointments :

- (i) Councillor David Whittaker as Chairman of the Scrutiny Panel for Adult Social Care, Health and Housing.
- (ii) Councillor Margaret Webster as Chairman of the Scrutiny Panel for Fire and Community Safety.

and the following appointments be made :

- (iii) Councillor David Whittaker as Chairman of the Scrutiny Panel for Fire and Community Safety.
- (iv) Councillor Margaret Webster as Chairman of the Scrutiny Panel for Adult Social Care, Health and Housing.

The motion was formally seconded and following a vote taken:

RESOLVED :

- (a) THAT Councillor David Whittaker be appointed as Chairman of the Scrutiny Panel for Fire and Community Safety.

- (b) THAT Councillor Margaret Webster be appointed as Chairman of the Scrutiny Panel for Adult Social Care, Health and Housing.

17. Motion Under Procedure Rule 10

- (a) In accordance with Procedure Rule 10 of the Council's Constitution the following motion was moved by Councillor Giles:
 - (i) The Council reaffirms that it expects service frequency and reliability from the cross Solent ferry companies at fair prices for all users.
 - (ii) The Council notes that the Office of Fair Trading ("OFT") has recently indicated that it is minded not to make a market investigation reference to the Competition Commission in respect of the cross Solent ferries notwithstanding its findings of features which prevent, restrict or distort competition. The Council believes that there are other factors to which the OFT should have regard including those relating to transparency in pricing.
 - (iii) Accordingly the Council resolves to urge the OFT to review its initial assessment and to exercise its discretion to make a reference so that the Competition Commission may undertake a detailed investigation to establish if the ferry companies are providing proper service frequency and reliability for a lifeline service at a fair price for all users.
 - (iv) The Council records its concern at recent developments which could affect the vital Yarmouth to Lymington route the efficient operation of which is essential not only to the economic well-being of the Island but also that of Lymington and its environs. The Council therefore resolves to request the Leader and the appropriate Officers to enter into discussions with their counterparts in the relevant mainland authorities to ensure that early action is taken to remove the threats to the efficient operation of this service.
 - (v) The Council records its concern at the failure of Wightlink to organise the marshalling of traffic at its Fishbourne terminal so as to prevent unacceptable congestion on the public highway and calls upon Wightlink to take all necessary steps to ensure that this situation is remedied without delay.

The motion was seconded and during the debate an amendment was moved by Councillor Giles and duly seconded in relation to part (v) of the motion:

RESOLVED :

- (i) The Council reaffirms that it expects service frequency and reliability from the cross Solent ferry companies at fair prices for all users.
 - (ii) The Council notes that the Office of Fair Trading (“OFT”) has recently indicated that it is minded not to make a market investigation reference to the Competition Commission in respect of the cross Solent ferries notwithstanding its findings of features which prevent, restrict or distort competition. The Council believes that there are other factors to which the OFT should have regard including those relating to transparency in pricing.
 - (iii) Accordingly the Council resolves to urge the OFT to review its initial assessment and to exercise its discretion to make a reference so that the Competition Commission may undertake a detailed investigation to establish if the ferry companies are providing proper service frequency and reliability for a lifeline service at a fair price for all users.
 - (iv) The Council records its concern at recent developments which could affect the vital Yarmouth to Lymington route the efficient operation of which is essential not only to the economic well-being of the Island but also that of Lymington and its environs. The Council therefore resolves to request the Leader and the appropriate Officers to enter into discussions with their counterparts in the relevant mainland authorities to ensure that early action is taken to remove the threats to the efficient operation of this service.
 - (v) The Council records its concern at the failure of Wightlink and Red Funnel to organise the marshalling of traffic at their Fishbourne, Yarmouth and East Cowes terminals so as to prevent unacceptable congestion on the public highway and calls upon Wightlink and red Funnel to take all necessary steps to ensure that this situation is remedied without delay.
- (b) In accordance with Procedure Rule 10, of the Council’s Constitution the following amended motion was moved by Councillor Lumley:

“In the light of the devastating loss of 600+ jobs at the local Vestas plant, the IW Council supports the view of the Island's MP that "it is important that public money is invested in businesses that are firmly rooted in local economies" and will work proactively to make that aspiration a reality in the future.

In the meantime and in the face of the current Vestas situation, the IW Council will exert whatever pressure it can to get the Government to facilitate moving the Vestas plant into alternative ownership as a way of

not only saving the 600+ local jobs, but also of promoting its own policies to expand renewable energy sources, including wind power."

The motion was seconded and during the debate an amendment was moved and seconded. Following the conclusion of the debate on the amended motion it was:

RESOLVED :

THAT In the light of the devastating loss of 600+ jobs at the local Vestas plant, the IW Council supports the view of the Island's MP that "it is important that public money is invested in businesses that are firmly rooted in local economies" and will work proactively to make that aspiration a reality in the future.

The IW Council welcomes the recent announcement by the Energy and Climate Change Secretary that his department intends to make an award for Vestas UK Ltd's research and development centre; and furthermore, it supports the principle of linking grants to the continuity of businesses rooted in the Island's economy.

The IW Council will continue to exert whatever pressure it can to persuade Government to support inward investment on the Island, especially by organisations involved in the renewable energy industry.

The council will make its best efforts to facilitate the transfer of ownership of Vestas UK Ltd's premises on the St Cross Business Park to investors willing to employ Island workers, preferably in productive activity associated with renewable energy. The Council wishes to secure the development of wind energy technology on the Isle of Wight as part of its economic strategy.

18. Constitutional Matters and Outside Bodies

Members were reminded that this item had been deferred from the June 2009 Annual Council meeting.

Under Procedure Rule 1(3) of the constitution no member of the council could serve as Chairman or Vice Chairman for more than one year. It was proposed to change the constitution to enable a member to be appointed as Chairman or Vice Chairman for a second year.

In respect of the nominations to outside bodies it was proposed to circulate the list to all members of the council with a view to seeking nominations. That would be presented to the September 2009 meeting of full council for determination.

The Council was advised that since 2003, Procedure Rule 17(4) of the constitution, secret ballots, had always been suspended whenever

appointments were made under that rule. An amendment was proposed enabling voting on all appointments to be by a show of hands, unless at least half of those present stood and requested a secret ballot.

Consideration had previously been given to changes to the grievance and disciplinary procedures as set out in the council's constitution. The matter was to be discussed at a meeting of group leaders on 5 August 2009. The outcome from that meeting would be reported to the full council meeting due to be held on 16 September 2009.

There was some discussion with regard to either arranging an additional meeting of the full council or moving the one scheduled for 16 September 2009 to enable a paper in relation to school re-organisation to be considered. Members were advised that if a suitable date could not be agreed with all group leaders it would remain on the 16 September 2009 with a further date being arranged for a special meeting.

RESOLVED :

- (i) THAT the constitution be amended to permit the Council to appoint a member as Chairman or Vice Chairman for a second year.
- (ii) THAT Procedure Rule 17(4) be amended to read as follows :

“Voting on appointments by the Council

The voting on all appointments by the Council will be by a show of hands unless at least half of those present, by standing at the time, request a secret ballot.”

and that procedure rule 13 (7) of the Cabinet and other Committees procedure rules be amended to the same effect.

- (iii) THAT the Director of Corporate Services circulate the list of outside bodies to all members seeking nominations and these be reported to the next meeting of full Council so that appointments can be made.
- (iv) That a report on proposals for changes to the grievance and disciplinary procedures be considered at the next meeting of full Council.
- (v) THAT a date for the 16 September 2009 full council meeting be changed, subject to agreement with all group leaders, to a suitable date to enable discussion to take place on school re-organisation.

19. Cabinet

Reports of the Cabinet Members

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

A written report had been circulated for information.

Oral questions were put to the cabinet member as follows:

Name	Subject	Comment
Councillor Whittle	Independence of Scrutiny Panels and these having a presentation on the work of each service area by the appropriate director.	The Cabinet Member provided a response.
Councillor Howe	Separating the role of Leader from his role as Cabinet Member for Governance and School Improvement to assist in members question time.	The Cabinet Member provided a response.
Councillor Lumley	Provision of Cabinet Members' written reports in advance of the meeting.	The Cabinet Member provided a response.
Councillor Lumley	An inquiry by the Overview and Scrutiny Committee into child protection on the Isle of Wight.	The Cabinet Member provided a response.

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

A written report had been circulated for information.

Oral questions were put to the cabinet member as follows:

Name	Subject	Comment
Councillor Lumley	Selling of tickets from a council facility for an event which the Council had yet to license.	The Cabinet Member provided a response.

(iii) **Cabinet Member for Children, Social Care, Health and Housing**

A written report had been circulated for information.

Oral questions were put to the cabinet member as follows:

Name	Subject	Comment
Councillor Mazillius	Pan Regeneration Project	The Cabinet Member provided a response.

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

A written report had been circulated for information.

Written questions were put to the Cabinet Member as follows:

Name	Subject	Comment
Councillor Barry	The inclusion of disabled car parking bays in the Isle of Wight Council Parking Order and a breakdown of costs.	MQ 08/09
Councillor Barry	Bus services within Councillor Barry's area.	MQ 09/09

Oral questions were put to the Cabinet Member as follows :

Name	Subject	Comment
Councillor Knowles	Submitted a petition relating to bus stops and a pedestrian crossing at Busybee/Tesco	The Cabinet Member provided a response.
Councillor Howe	Enforcement of yellow lines	The Cabinet Member provided a response.
Councillor Whittle	Provision of disabled parking bays.	The Cabinet Member provided a response.
Councillor Mazillius	Devolved powers enabling the Council to remove untaxed vehicles that had been dumped.	The Cabinet Member provided a response.

(v) **Cabinet Member for Fire and Community Safety**

A written report had been circulated for information.

Oral questions were put to the cabinet member as follows:

Name	Subject	Comment
Councillors Dyer and Sutton	Consultation on the Fire and Rescue model for change consultation.	The Cabinet Member provided a response.
Councillor Bacon	Dog control Orders – dog fouling on the beach additional enforcement pending review.	The Cabinet Member provided a response.
Councillor Downer	Ability of dog wardens to enforce when there were only 3 in post.	The Cabinet Member provided a response.

(vi) **Cabinet Member for Major Projects, Customer Service and Communications**

A written report had been circulated for information.

Oral questions were put to the cabinet member as follows:

Name	Subject	Comment
Councillor Joyce	The proposed start and costs for Ryde Gateway.	The Cabinet Member provided a response.
Councillor Churchman	Why Ryde Gateway was not considered a major project	The Cabinet Member provided a response.

(vii) **Cabinet Member for Resources**

A written report had been circulated for information.

(viii) **Chair of Overview and Scrutiny**

A written report had been circulated for information.