



Record of decision

THE FOLLOWING DECISIONS WERE TAKEN ON TUESDAY, 13 DECEMBER 2011 BY THE CABINET IN THE COUNCIL CHAMBER

THE CALL IN PERIOD FOR THESE DECISIONS EXPIRES AT 5.00 PM ON THURSDAY, 22 DECEMBER 2011

Members of the Cabinet who were present

Cllrs David Pugh (Chair), Barry Abraham, George Brown, Dawn Cousins, Edward Giles, Roger Mazillius

Members also present (non voting)

Cllrs George Cameron, Vanessa Churchman, Geoff Lumley, Julie Jones-Evans, John Hobart, Stuart Hutchinson, Ian Stephens, Ivor Warlow, Margaret Webster, Chris Welsford

Apologies:

None

Confirmed as a true record of decisions taken

Leader of the Council

Agenda item	<u>Minutes of the Last Meeting</u>
Decision reference	35 (10/11)
Decision Taken	That the minutes of the meeting held on <u>11 October 2011</u> be agreed.
Questions / Amendments	None.

Agenda item	<u>Declarations of Interest</u>
Decision reference	36 (10/11)
	Cllr Pugh declared a personal Interest in Decision Reference 38 (10/11) as his wife was an Isle of Wight Council employee and some of the issues within the paper related to staffing matters.

Agenda item	Public Question Time
Decision reference	37 (10/11)
Questions	<p>There were six written questions (PQ27/11 – PQ 32/11) received from Mr Robert Turner of Newport, Mr Robin Chessell of Newport, Mrs Anne Turner of Chillerton, Mr Sam Fulford of Cowes, Mr Alan Turner of Chillerton and Mr Christopher Dodd of Newport on the subject of the future Newport Harbour Estate.</p> <p>The Leader of the Council advised that since the publication of the Cabinet paper on the Newport Harbour Estate scheduled to be discussed at the meeting, a number of detailed representations had been made to the Council and given the significance of some of the issues it was felt important to consider them fully before any decision was taken. It was therefore decided to defer consideration of the report until the matters had been looked at in detail.</p> <p>The Leader advised that the item was not about a future sale of the harbour for alternative uses, but issues did need to be addressed in an updated version of the deferred Cabinet report. The matter would return to Cabinet as soon as it was reasonably possible as it was essential that clarity was brought to the matters once and for all.</p> <p>As all issues would be considered in full over the coming weeks, detailed responses to the written questions would not be given at the meeting although full responses would be provided in due course.</p> <p>Mr Bob Blezzard of Sandown submitted a written question (PQ 33/11) on the Economic Improvement Fund allocation, between town and parish councils.</p> <p>Mr Blezzard asked a supplemental on why officers were responsible for the allocation and not the local town and parish councils. The Leader responded by stating that the Isle of Wight Council was held to account on how such monies was utilised and it was felt that senior council officers were best qualified to ensure that the criteria was best met.</p> <p>Mr Mark Chiverton of Ryde and acting in his role of the UNISON Branch Secretary asked an oral question on the apparent lack of consultation of staff and service users around the proposals for Beaulieu House.</p> <p>The Cabinet Member stated that a list of proposals would be made available in writing to Mr Chiverton after the meeting.</p>

	<p>Mr Lockett of Whippingham asked an oral question on whether elected members of the council would take up his written offer to them to spend a day or night working as a care assistant.</p> <p>The Leader of the Council responded by stating that it was not the role of members to try and emulate the job of professionals, however, members would continue to visit various care establishments. It was also noted that the council was spending more on Adult Social Care than before.</p>
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Agenda item	<u>Medium-Term Budget Strategy 2012/13 - 2014/15</u>
Decision reference	38 (10/11)
Summary of Discussion	<p>The Leader of the Council and Cabinet Member for Resources provided a report which followed the Budget Review that went to Council on 21 September 2011 and provided an update on the overall financial position of the council including the budget monitoring position at the end of October 2011 (including progress being made on delivering savings) and Government announcements on a Council Tax freeze for 2012/13.</p> <p>Members were advised that reductions in council expenditure had been achieved and that the future focus would be around the key priorities of the Council.</p> <p>It was noted that the Budget Monitoring position for quarter two to 30 September 2011 indicated the overall net saving of £1.8m was likely to be achieved by the end of the financial year</p> <p>Given this situation the Leader was therefore suggesting the establishment of an Economic Improvement fund for Parish and Town Councils to bid for matching funding for projects that improved the economies within their areas.</p> <p>Members were however reminded that the Council Tax Freeze Grant for 2012/13 was a one-off payment and therefore a further £1.8m of savings may need to be met from 1 April 2013</p> <p>With regard to the local services being delivered via alternative means, five of the 11 Libraries were being run under the new community schemes, the Waterside Pool in Ryde was running well under the new management team and the new community bus schemes were also running well.</p>

	<p>With regard to future risks the existing waste contract was due for renewal shortly.</p> <p>The Deputy Leader and Cabinet Member for the Economy and Environment advised that the council would be providing £3 million, topped up by Government match funding, for Super Fast Broadband Technology for all rural areas which would enhance the recent plan by British Telecom to install Super Fast Broadband in the commercially viable areas of Newport, Ryde and Cowes. This would then ensure that the whole Island would receive the service.</p>
<p>Issues raised by other members</p>	<p>Members of the Cabinet received concerns from some other members about the lack of recommendations from the Overview and Scrutiny Committee with regard to the future budget.</p> <p>With regard to the projected underspend, Cabinet was asked to consider if some of it could be utilised in other areas in the current financial year. The Leader and Cabinet Member for Resources responded by stating that such savings should be used for future budgetary control measures and cant be the basis of long term spending strategy. However any alternative proposals with regard to the budget strategy would always be welcomed.</p> <p>On the issue of Adult Social Care expenditure, members were advised that every available penny was in place to deliver services.</p>
<p>Decision taken</p>	<ul style="list-style-type: none"> (i.) THAT the overall financial and budget position set out in the report be considered. (ii.) THAT the overall Equalities Impact Assessment set out in Appendix 9 of the report be considered. (iii.) THAT the recommendations of the Overview and Scrutiny Committee meeting of 8 December 2011 be considered. (iv.) THAT the proposed overall budget strategy as set out in paragraph 80 (a) to (f) of the Cabinet report be agreed. (v.) THAT the establishment of an Economic Improvement Fund on the basis set out in Appendix 7 to the Cabinet report, with the £250k being met by virement from carrying forward £250k from the net overall revenue budget savings achieved in 2011/12, be agreed.

Reason for the decision and corporate objective it aligns with	<p>To provide a detailed update on the areas that were agreed to be developed for savings at the Budget Review on 21 September 2011.</p> <p>To direct appropriate resourcing to the eight key priorities:</p> <ul style="list-style-type: none"> (i.) Raising educational standards; (ii.) Highways PFI; (iii.) Keeping children safe; (iv.) Supporting older and vulnerable residents; (v.) Housing and homelessness; (vi.) Regeneration and the economy; (vii.) Waste strategy; (viii.) Delivery of budget savings through changed service provision.
Options considered and rejected	<p>To do nothing.</p>
Declarations of Interests	<p>None declared</p>

Agenda item	<p><u>Quarterly Performance & Finance Report</u></p>
Decision reference	<p>39 (10/11)</p>
Summary of Discussion	<p>The Cabinet Member presented a report which set out the council's performance, risk and financial position in relation to the eight priorities of the revised Corporate Plan 2011-2013. The report also provided an overview of activity within the period 1 July 2011 to 30 September 2011.</p> <p>Members were also given a summary of the overall budget position of the council for both capital and revenue accounts as well as evaluating the forecast outturn for the 2011/12 financial year, based on the position at the end of quarter 2.</p> <p>With regard to School Exclusions, members were advised that a further report, providing more detail would be presented to Cabinet at a later date.</p> <p>It was also noted that a report on the outcomes of the recent Judicial Review on the provision of Adult Social Care would be presented to Cabinet in February 2012.</p> <p>The Cabinet Member for Fire, Culture and Resident's Services advised that additional resources utilised in the contact centre had seen an improvement in response times to customer enquiries.</p>

Issues raised by other members	On Adult Social Care, the Cabinet Member for Adult Social Care and Housing would contact the Independent Group Co-ordinator after the meeting with regard to preventive services vital to support vulnerable people and clarify what were the preventive services, as well as who the providers were.
Decision taken	<p>THAT the following be agreed:</p> <p>(i.) THAT the Education service should work with schools to assist them in identifying alternatives to exclusion (both fixed term and permanent)</p> <p>(ii.) THAT a report be prepared for the 14 February 2012 Cabinet meeting that:</p> <p>a) assesses what processes led to the council's decision to raise the eligibility threshold being successfully challenged</p> <p>b) sets out the implications for the adult social care budget going forward, and</p> <p>c) recommends any changes that are required to the council's decision making processes to reduce the risk of successful challenges being made in the future</p>
Reason for the decision and corporate objective it aligns with	<p>To support all of the Sustainable Community Strategy themes and eight council priorities as outlined in the Isle of Wight Council's Corporate Plan 2011-2013.</p> <p>To align with the following corporate themes:</p> <ul style="list-style-type: none"> • A thriving Island • A healthy and supportive Island • A safe and well-kept Island • An inspiring Island
Options considered and rejected	There were no other options to consider
Declarations of Interests	None declared

Agenda item	<u>Home to Education Transport Policy</u>
Decision reference	40 (10/11)
Summary of Discussion	The Leader of the Council and Cabinet Member for Resources presented a report which advised of the outcomes of the agreed further period of representation regarding the revised home to education transport policy.

	<p>Members were advised that the final version of the policy would reflect the suggested amendments received from three schools.</p> <p>The new criteria would only apply to new pupils. Pupils who currently received free home to school transport would continue to do so unless their circumstances changed to such an extent that they would not had been entitled under the current policy.</p> <p>The Cabinet Member for Education and Childrens Services and Education advised that she and the Chief Executive had reasoned discussions with Christ the King College.</p> <p>It was noted that the report did refer to Cowes High School. This was not correct as the school was now known as Cowes Enterprise College.</p> <p>It was noted that the recommendation be amended to allow officers to be able to make minor detailed amendments in order to keep the policy updated.</p>
<p>Issues raised by other members</p>	<p>With regard to the cessation of the free bus from Cowes Floating Bridge to Cowes Enterprise College and pupils living in East Cowes whose priority school is Cowes College, members were advised that the route was deemed as a safe walking route to school following a Risk Assessment by the Council's Road Safety officer.</p> <p>The Floating Bridge was not classed as a road, but was identified as a safe part of the walking route. It was noted that the Cabinet Member for Childrens Services and Education would contact Cowes Enterprise College about the issues of East Cowes children getting to and from school safely and would feed the information back to the ward member for East Cowes.</p>
<p>Decision taken</p>	<p>(i.) THAT the outcomes of the recent period of representation be noted.</p> <p>(ii.) THAT the revised Home to Education Transport Policy be adopted and agreed.</p> <p>(iii.) THAT officers be delegated, in consultation with the relevant Cabinet Members, to make minor detailed amendments to keep the policy up to date</p>
<p>Reason for the decision and corporate objective it aligns with</p>	<p>To enable the council to meet its statutory duty in ensuring that suitable travel arrangements were made, where necessary to facilitate a child's attendance at school to those children which meet the defined criteria</p>

	To align with the following corporate theme: <ul style="list-style-type: none"> • A healthy and supportive Island
Options considered and rejected	OPTION 2 - to reject the revised policy and continue to apply the existing policy (2005).
Declarations of Interests	Cllr Pugh and Cllr Welsford declared a personal interests as they had family members who attended Island Schools

Agenda item	<u>Schools Capital Programme</u>
Decision reference	41 (10/11)
Summary of Discussion	<p>The Cabinet Member presented a report which sought approval of the spending of nearly £13million as the latest phase of a major investment programme to improve and create new school buildings.</p> <p>It was noted that the delivery of the overall programme would be contained within the agreed funding envelope of £12.93m with funding allocated to individual projects as required.</p> <p>Members were advised that some 90% of the work carried out was done so by Island companies and subcontractors.</p> <p>It was noted that the recommendation of the report was amended with the following <i>“and the project team reserve the right to make detailed final allocations within the scope of the overall programme budget”</i> added.</p>
Issues raised by other members	<p>Members were assured that the funding was established and that there were no loans involved.</p> <p>Some concerns were raised that secondary schools had too many pupils causing a possible detrimental effect. The Cabinet Member requested if any evidence could be provided to substantiate such fears.</p>
Decision taken	<p>(i.) THAT officers be authorised to implement the Schools Capital Strategy as set out in the report Appendix</p> <p>(ii.) THAT the project team reserve the right to make detailed final allocations within the scope of the overall programme budget.</p>
Reason for the decision and corporate objective it aligns with	<p>To contribute in raising educational standards and to providing greater opportunities for all young people on the Island.</p> <p>To align with the following corporate theme:</p>

	<ul style="list-style-type: none"> • A healthy and supportive Island
Options considered and rejected	Option B. Not to implement the School Capital Programme.
Declarations of Interests	Cllr Pugh declared a personal interest as he had stepchildren who attended Island Schools

Agenda item	Newport Harbour Estate
Decision reference	42 (10/11)
Summary of Discussion	As advised during Public Question Time, this item was withdrawn from the agenda and would be discussed at a future meeting to be decided.

Agenda item	<u>The Development of Future Options for Social Care Services Currently Provided by the Council</u>
Decision reference	43 (10/11)
Summary of Discussion	<p>The Cabinet Member presented a report which sought direction in determining the future of social care services provided directly by the Community Wellbeing and Social Care Directorate, including for example, Wightcare, Beaulieu House in Newport the Adelaide in Ryde and The Gouldings in Freshwater.</p> <p>It was noted that the business case required would involve a feasibility study and the cost would be minimised as much as possible by support from in house staff resources, although assistance from experienced external advisers with a proven track record would still be necessary.</p> <p>Members were advised that with the ever-changing economic and demographic dynamics of the Island, the proposals as set out in the report represented the best way forward for Social Care services on the Island.</p>
Issues raised by other members	Members were assured that adopting both options 3 and 4 would mean that providers would have to demonstrate that all requirements were strictly followed. Whilst there would be no guarantee that all providers would be Island based, Island people would most probably be used as staff. It was however stressed that the needs of the service users must come first.
Decision taken	<p>THAT the following two options be agreed:</p> <p>Option 3 - Develop and consult on a business case for outsourcing directly provided social care services.</p>

	Option 4 - Develop and consult on a business case for transferring directly provided social care services into new trading enterprises such as independent not-for profit enterprises or a Local Authority Trading Company.
Reason for the decision and corporate objective it aligns with	To enable the authority to deliver its commitment to supporting older and vulnerable residents as well as be able to deliver budget savings through changes to the way the council works. To align with the following corporate themes: <ul style="list-style-type: none"> • A healthy and supportive Island • A safe and well-kept Island
Options considered and rejected	Option 1 -Take no action. Option 2 - Develop and consult on a business case for closing directly provided social care services.
Declarations of Interests	None declared

Agenda item	<u>Consideration of the Forward Plan</u>
Decision reference	44 (10/11)
Questions	Members reviewed the latest edition of the Forward Plan of Key Decisions and no issues were highlighted.
Declarations of Interests	None declared

Agenda item	<u>Delegated Decisions</u>
Decision reference	45 (10/11)
Questions	The following Cabinet Member Delegated Decisions had been taken since the last meeting of the Cabinet on 11 October 2011: <ul style="list-style-type: none"> • <u>41/11</u> - Objections to the Isle of Wight Council (Various Streets, IW) (Speed Limits) Consolidation Order No 1 2011 – Taken 14 October 2011 by Cllr Giles • <u>42/11</u> - IW Council Response To The Consultation Draft National Planning Policy Framework (NPPF) – Taken 17 October 2011 by Cllr Brown • <u>43/11</u> - Property Capital Receipts Disposals Programme 2011 - 2014 – Taken 7 November 2011 by Cllr Brown

	<ul style="list-style-type: none"> • 44/11 - Objections To The Isle of Wight Council (Various Streets, Wootton) (Traffic Regulation) Order No 1 2011 – Taken 1 December 2011 by Cllr Giles • 45/11 - Proposed Sale of the Former Chale School – Taken 6 December 2011 by Cllr Brown • 46/11 - Proposed Sale of 17 Newport Road, Ventnor – Taken 6 December 2011 by Cllr Brown • 47/11 - Approval of The Preliminary Flood Risk Assessment as Required Under The Floods and Water Management Act 2010 – Taken 9 December 2011 by Cllr Brown
Declarations of Interests	None declared.

Agenda item	Members Question Time
Decision reference	46 (10/11)
Questions	A written (MQ 27/11) question was received from Cllr Jonathan Bacon asking whether the Isle of Wight Council would be making written submissions to the Parliamentary Culture, Media and Sport Committee with regard to an inquiry being launched into UK library closures.
Declarations of Interests	None declared