



Record of decision

THE FOLLOWING DECISIONS WERE TAKEN ON TUESDAY, 14 FEBRUARY 2012 BY THE CABINET IN THE COUNCIL CHAMBER

THE CALL IN PERIOD FOR THESE DECISIONS EXPIRES AT 5.00 PM ON THURSDAY, 23 FEBRUARY 2012

Members of the Cabinet who were present

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

Members also present (non-voting)

Cllrs Reg Barry, Vanessa Churchman, Rodney Downer, John Hobart, Stuart Hutchinson, Julie Jones-Evans, Geoff Lumley, Ian Stephens, Dave Stewart, Ivor Warlow, David Williams

Apologies:

None

Confirmed as a true record of decisions taken

Leader of the Council

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| Agenda item | <u>Minutes of the Last Meeting</u> |
| Decision reference | 47 (10/11) |
| Decision Taken | That the minutes of the meeting held on <u>13 December 2011</u> be agreed. |
| Questions / Amendments | None. |

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| Agenda item | <u>Declarations of Interest</u> |
| Decision reference | 48 (10/11) |
| | Cllr Pugh declared a personal interest in Decision Reference 50 (10/11) as his wife worked for the Isle of Wight Council and some of the proposals related to staffing matters. |

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| Agenda item | <u>Public Question Time</u> |
| Decision reference | 49 (10/11) |
| Questions | <p>A written question was received from Mr Bob Blezzard of Sandown on the inclusion of at least one Island based co-opted member on the forthcoming Hampshire and Isle of Wight Police and Crime Panel. The leader provided a response (<u>PQ 02/12</u>).</p> <p>Mr Steve Goodman of Newport asked an oral question on the funding for PFI and the Leader responded by reaffirming that the monies received from central government would be in the form of a grant and not that of a loan, and explained the contribution to be made by the Council.</p> <p>Ms Tanja Rebel from Cowes asked an oral question on the support for the Islands vulnerable residents. The Leader responded by stating that the councils limited resources would be used to help those most in need.</p> |

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| Agenda item | <u>2012/13- 2014/15 Budget Strategy, Council Tax Setting and Corporate Plan</u> |
| Decision reference | 50 (10/11) |
| Summary of Discussion | <p>The Leader of the Council and Cabinet Member responsible for Resources presented a report to members which followed on from the Budget Review that went to Council on 21 September 2011 and the budget report to Cabinet on 13 December 2011.</p> <p>The paper reported on the overall financial position of the local authority, including the budget monitoring position at the end of Quarter three (to 31 December 2011), the final Local Government Finance Settlement for 2012/13 and the increased costs that the Council was projected to face in relation to the delivery of current levels of service provision.</p> <p>It was noted that Appendix 4 of the report had been updated to include comments received from the three Scrutiny Panels, the Overview and Scrutiny Committee and the Youth Council as well as the responses given to those comments by the Leader of the Council.</p> <p>Appendix 7a (Capital Programme) of the report had also been slightly amended as the original had contained a small typographical error in the Prudential Borrowing - Existing Programme section. It was noted that the monies for Toilet Upgrades had been placed in the 2011/12 column when</p> |

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| | <p>it should have been recorded for 2012/13. The Total Prudential Borrowing figures were correct.</p> <p>The Leader advised that the council was on course to achieve the projected net savings of £1.8million for 2011/12.</p> <p>It was noted that as a result of the governments Council Tax Freeze Grant for 2012/13, there would be no increase from the Isle of Wight Council. Whilst Hampshire Police had also announced no increase in their precept, Local Town and Parish Town Councils had yet to announce their stance.</p> <p>It was further noted that the Council Tax Freeze Grant was only applicable for the forthcoming 12 month period.</p> <p>Members were also mindful of the importance of supporting Inward Investment in order to promote local businesses and create job opportunities for residents.</p> <p>With regard to Supporting Older and Vulnerable Adults the Cabinet Member for Adult Social Care, Housing and Community Safety advised that the budget allocation would see a net increase of £7.095m (19.8% on 2011/12 net budget) over the coming three years.</p> <p>The Cabinet Member for Highways, Transport and Waste advised that the PFI Procurement process was on track and that the preferred bidder would be announced in June 2012 with the procurement phase closing in November 2012 and work commencing in April 2013. It was further noted that the process was on time and within budget. The Cabinet Member also advised that paragraph 37 of the report should have stated that negotiations were ongoing with three international bidders as opposed to two.</p> <p>The Leader reminded members that the recommendations were proposals to put to Full Council on 29 February 2012 for final approval and that any alternative suggestions would be welcomed.</p> <p>Cabinet noted the equality impact assessment that had been undertaken for the proposals in general.</p> |
| <p>Issues raised by other members</p> | <p>Disappointment was raised that at the time of the meeting a number of Town / Parish council's had decided not to apply for funding from the Economic Improvement Fund set aside from revenue by the council to assist in improving the economic vitality of our towns and villages.</p> <p>Members were advised that where those councils who did not</p> |

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| | <p>make use of the funds, the unused resources might be utilised by other councils, but only after careful and due consideration was given to each case.</p> <p>There were also concerns raised by a member about the effectiveness of the councils Scrutiny functions and the apparent lack of challenges made at Scrutiny meetings. The Leader responded by stating that good points had been made and addressed at the meetings leading up to the budget and were outlined in the revised Appendix 4.</p> <p>With regard to the Solent Ocean Energy Centre (SOEC) project, members were advised that anticipated jobs created would be for both sides of the Solent, although further details were unavailable at present.</p> <p>Members were informed that the pre-apprenticeship scheme had been successful and there had been positive feedback.</p> <p>The Cabinet Member for Highways Transport and Waste clarified that the thorough and lengthy PFI Procurement Process was necessary in order to protect the local tax payer.</p> |
| <p>Decision taken</p> | <p>THAT Cabinet agreed to the following:</p> <p>(a) Considers the Equality Impact Assessments set out in Appendix 2 to this report and the results of the budget consultation exercises set out in Appendix 3 to the report and whether the budget proposals are consistent with these and that any potential adverse impacts are understood and that appropriate mitigating actions are proposed to be taken.</p> <p>Recommends to Council that it also considers all of the above when making its decisions.</p> <p>(b) Considers the overall financial and budget position facing the Council in 2012/13 and future years and recommends to Council on 29 February 2012 an overall budget and Council Tax strategy and in particular:</p> <ul style="list-style-type: none"> (i) The updated Medium-Term Financial Strategy as set out in Appendix 1 to the report; (ii) The overall Capital Programme as set out in the amended Appendix 7a to the report; (iii) The Treasury Management Strategy, Investment Strategy, Borrowing Strategy, Minimum Revenue Provision and Prudential Indicators as |

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| | <p>set out in Appendix 7B to the report;</p> <p>(iv) An increase in the Isle of Wight Council budget requirement of 2.5%;</p> <p>(v) Acceptance of the Council Tax Freeze Grant and consequent setting of the Isle of Wight Council element of council tax at the same level as for 2010/11 and 2011/12;</p> <p>(vi) The schedule of savings set out in Appendix 11 to the report;</p> <p>(vii) That the overall net saving achieved in the outturn position for 2011/12 be used to meet the one-off costs of: £250k to establish the Economic Improvement Fund (as agreed by Cabinet on 13 December 2011); £300k to fund initiatives relating to creating new employment opportunities for young people (as agreed by Council on 25 January 2011); £250k for funding the costs of developing and implementing the Council's change agenda; with the balance being set aside as a provision to meet the costs of preparation for the re-procurement of the waste strategy.</p> <p>(c) To recommend to Council, in the event that all precepts are not notified by the time of the Council meeting on 29 February 2012 that they agree to set up a Council Tax Setting Committee with the delegated authority to consider and approve the overall budget requirement and level of Council Tax for 2012/13 being that element agreed by Council for the Isle of Wight Council for 2012/13 plus the notified police precept plus the notified Parish and Town Council precepts.</p> |
| <p>Reason for the decision and corporate objective it aligns with</p> | <p>To direct appropriate resourcing to the eight key priorities i.e.</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. <p>To support the Council's priorities, provide resources for key</p> |

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| | <p>projects and to meet the Council's vision and strategic objectives.</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 | The report highlighted a number of options open to the authority and proposed an overall strategy to balance them. |
| Declarations of Interest | None declared |

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| Agenda item | <u>Quarterly Performance & Finance Report - Q3</u> |
| Decision reference | 51 (10/11) |
| Summary of Discussion | <p>The Leader and Cabinet Member for Resources 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>The Cabinet Member for Children's Services and Education welcomed the forthcoming visit of representatives from secondary schools to help address the issues of School Exclusions.</p> <p>The Cabinet Member for Highways, Transport and Waste advised that the contract for the upcoming Waste Strategy would need to be fit for purpose over its 25 year life.</p> |
| Issues raised by other members | No issues were raised. |
| Decision taken | THAT the secondary school providers when presenting their progress to the scrutiny panel provide information on their approach to reducing exclusions and making suitable alternative provision for those at risk of exclusion |
| 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 |

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| | <ul style="list-style-type: none"> An inspiring Island |
| Options considered and rejected | There were no other options to consider |
| Declarations of Interests | None declared |

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| Agenda item | <u>Disposal of the Former Sunnycrest Nursery, Wacklands Lane, Newchurch</u> |
| Decision reference | 52 (10/11) |
| Summary of Discussion | Owing to the purchaser withdrawing their offer, this item was removed from the evening's agenda. A revised paper would be presented to Cabinet in due course. |

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| Agenda item | <u>The Isle of Wight Council Adoption Strategy 2011 to 2014</u> |
| Decision reference | 53 (10/11) |
| Summary of Discussion | <p>The Cabinet Member presented a report on an updated strategy and action plan, designed to raise adoption standards, meet the latest national minimum criteria and set the aspirations of the Isle of Wight Council for an excellent service to children, birth parents and birth families as well as prospective / adoptive parents, and adults affected by adoption.</p> <p>Whilst the council has been judged to have delivered a good service, the council would always look to improve wherever possible.</p> <p>It was noted that the draft Statement of Purpose listed Cllr Cousins as a member of the Adoption Panel, where as she should have been listed as an observer.</p> |
| Issues raised by other members | <p>Members were advised that the number of children adopted by their foster carers was not available at the time of the meeting although it was made clear that the children's best interests would always be paramount in deciding their adoptive parents.</p> <p>Whilst the report was generally well received and the work of officers had been praised, Cabinet was asked if any future reports which had contributions from Scrutiny could have such input clearly outlined.</p> |
| Decision taken | Option A - THAT the updated adoption strategy and action plan be agreed with responsibility delegated to the Director in consultation with the Cabinet Member to make any further minor changes or adjustments as required. |
| Reason for the | To support the Isle of Wight Council's Corporate Plan 2011 – |

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| decision and corporate objective it aligns with | <p>2013 priorities of raising educational standards and keeping children safe.</p> <p>To contribute to the delivery of the key elements in the medium term financial strategy 2011 – 2014.</p> <p>The adhere to the following corporate themes:</p> <ul style="list-style-type: none"> • A healthy and supportive Island • A safe and well-kept Island • An inspiring Island |
| Options considered and rejected | Option B - To not approve the updated adoption strategy and action plan |
| Declarations of Interests | None declared |

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| Agenda item | <u>Implementation of the Recruitment and Retention Strategy for Children's Social Care and the Impact on Performance</u> |
| Decision reference | 54 (10/11) |
| Summary of Discussion | <p>The Cabinet Member for Childrens Services and Education presented a report which stated the case for maintaining enhanced levels of pay to child social workers which had proved successful in addressing historic recruitment issues as well as help to bring about a number of improvements in child social care provision.</p> <p>Members were advised that the Island, contrary to national trend, was experiencing lower staff turnover, reduced use of agency staff and lower numbers of children in care, including those in mainland placements.</p> <p>The levels of Sickness and Absenteeism, usually an indicator of an organisation's well-being, had a shown a steady decline over the last 12 months, which was particularly encouraging in light of the nature of the work required by the social workers.</p> |
| Issues raised by other members | <p>It was noted that members were of the opinion that the issues were not just around money but also about restructuring the service and ensuring all workers and service users were happy.</p> <p>Members were also advised that it was generally accepted that a lower number of children in care did mean that the service was operating well with issues addressed early, thus preventing the need to place children in care rather than a lower number of those in care perhaps indicating more cases had gone undetected.</p> |

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| Decision taken | Option 2 – THAT the funding currently provided for the market supplement (£500k) be consolidated so that, with the current market supplement and base salary that maybe amended as a consequence of the implementation of the new job evaluation scheme, children’s social workers continue to enjoy their current salaries. |
| Reason for the decision and corporate objective it aligns with | To ensure that the council adheres to the corporate priority of “Keeping Children Safe”. To adhere to 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 | Option1 - Remove the funding for the market supplement and cease to pay a market supplement to children’s social work staff |
| Declarations of Interests | None declared |

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| Agenda item | <u>Understanding Impact of Adult Social Care Judicial Review</u> |
| Decision reference | 55 (10/11) |
| Summary of Discussion | <p>The Cabinet Member for Adult Social Care, Housing and Community Safety presented a report which considered policy decision to raise the eligibility threshold of Fair Access to Care for Adult Social Care Services and the subsequent lessons learnt along with the changes that had been made following a successful challenge at Judicial Review. The report was also that of the Monitoring Officer and was a requirement where any unlawful action had taken place</p> <p>It was noted that of the 32 clients who had been directly affected only six had responded to an invitation to be re-assessed of which four had requested re-instatement of previous care.</p> <p>The Cabinet Member advised that the council had learned lessons from the review and that the judgement was a significant one and any future policies would need to follow as thorough a process as possible.</p> <p>Members also accepted that no authority is immune to the threat of challenge and that the council must do as much as possible to reduce such risks in the future.</p> |
| Issues raised by | No issues were raised by other members. |

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| other members | |
| Decision taken | <p>Option i – THAT adult social care needs assessed as “critical” and “substantial” continue to be met.</p> <p>Option iii - THAT the actions taken in revising the consultation strategy and guidance on equality impact assessments and implementing training for staff be noted and agreed.</p> |
| Reason for the decision and corporate objective it aligns with | <p>To ensure that the needs of adult social care assessed as “critical” and “substantial” are fully met.</p> <p>To adhere to the following corporate themes:</p> <ul style="list-style-type: none"> • A healthy and supportive Island • A safe and well-kept Island |
| Options considered and rejected | Option ii - Develop proposals to change the eligibility threshold and start a new consultation period with a view to taking a fresh decision. |
| Declarations of Interests | None declared |

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| Agenda item | <u>Consideration of the Forward Plan</u> |
| Decision reference | 56 (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 |

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| Agenda item | <u>Delegated Decisions</u> |
| Decision reference | 57 (10/11) |
| Questions | <p>The following Cabinet Member delegated decisions had been taken since the last meeting of the Cabinet on 13 December 2011:</p> <p>48/11 - Consultation on the Principles of a Private Sector Led Destination Management Organisation (Tourist Board) for the Isle of Wight – Taken Thursday, 5 January 2012 by Cllr Brown</p> <p>01/12 - Review of the Council’s Youth and Community Service: Concluding Stage – Taken Monday, 16 January 2012 by Cllr Abraham</p> <p>02/12 - Approval of the Economic Development Delivery Action Plan 2011/12 – 2013/14 – Taken Wednesday, 25</p> |

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| | February 2012 by Cllr Pugh 03/12 - Disposal of Ryde Business Park Extension Land – Taken Monday, 13 February 2012 by Cllr Brown |
| Declarations of Interests | None declared. |

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| Agenda item | Members Question Time |
| Decision reference | 58 (10/11) |
| Questions | No questions had been received and no oral questions were asked. |
| Declarations of Interests | None declared |