

# Record of decision

**THE FOLLOWING DECISIONS WERE TAKEN ON TUESDAY, 8 FEBRUARY 2011  
BY THE CABINET IN COMMITTEE ROOM ONE**

**THE CALL IN PERIOD FOR THESE DECISIONS EXPIRES AT 5.00 PM ON  
THURSDAY, 17 FEBRUARY 2011**

Members of the Cabinet who were present

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

Other Members also present (non-voting)

Cllrs Jonathan Bacon, Reg Barry, George Cameron, Vanessa Churchman, Rodney Downer, John Hobart, Richard Hollis, John Howe, Heather Humby, Julie Jones-Evans, David Knowles, Geoff Lumley, Andy Sutton, Ian Ward, Chris Welsford, David Whittaker, Wayne Whittle and David Williams

Confirmed as a true record of decisions taken .....

**Leader of the Council**

<b>Agenda item</b>	<a href="#"><u>Minutes of the Last Meeting</u></a>
<b>Decision reference</b>	<b>55 (10/11)</b>
<b>Decision Taken</b>	THAT the minutes of the meeting held on Tuesday, 7 December 2010 be agreed.
<b>Questions / Amendments</b>	None.

<b>Agenda item</b>	<a href="#"><u>Declarations of Interest</u></a>
<b>Decision reference</b>	<b>56 (10/11)</b>
	Cllr Pugh declared a personal interest in decision reference 53 (10/11) as his partner worked in the Isle of Wight Council's pension department.

<b>Agenda item</b>	<a href="#"><u>Public Question Time</u></a>
<b>Decision reference</b>	<b>57 (10/11)</b>
<b>Questions</b>	Written Questions from Mr Bob Blezzard ( <a href="#"><u>PQ 02/11</u></a> ) of Sandown was put to Cabinet over the reports in the local press around the employment arrangements of the Strategic Director for Resources

and Section 151 Officer. Cabinet was asked why such a senior figure was employed through a consultancy company in addition to having a contract of employment with the council.

The Leader of the Council responded by stating that whilst it was not in accordance with the councils constitution to discuss employment details and working arrangements of a council employee / officer, it was agreed to suspend such regulations for this individual in light of the need to offer transparency over council expenditure.

The Leader proceeded to remind members that the Strategic Director of Resources was originally employed by the Council in 2007 at a time when the budget position was challenging, and there was an unexpected need to fill the position due to the irregularities uncovered in relation to the Undercliff investigation. He quickly brought an understanding and grasp of the situation and set about developing a sustainable and robust medium term financial strategy which had since underpinned the funding for the delivery of the Corporate Plan priorities. The Leader added that he was not employed as a consultant but was contracted to undertake the duties of the Strategic Director of Resources and the Section 151 officer and was interviewed and contracted using the council's procurement rules, all of which was to the satisfaction to the external auditor.

Mr Blezzard put a further question to Cabinet around the total cost to the Council per year of the Strategic Director for Resources and Section 151 Officer's services.

The Leader of the Council responded by advising that the annual statement of accounts published on the councils website provided the relevant information required and were presented to and approved by the council's Audit Committee on 29 June 2010 (as were the figures for the previous year's annual statement of accounts).

Mr Blezzard put a further question to Cabinet over the pension arrangements of the Strategic Director for Resources and Section 151 Officer.

The Leader of the Council advised that the Strategic Directors pension arrangements did not disadvantage any other pension fund and there was no circumstance in which the Strategic Director would work that would result in an abatement impacting on another pension fund.

A final written question from Mr Bob Blezzard around two senior managers reported to be working for the Council under arrangements similar to that of the Strategic Director for Resources and Section 151 Officer was not responded to owing to the query

	<p>being around individual employees / officer's employment details.</p> <p>A written question was put to the Cabinet by Mr Lawrie Mason (<a href="#">PQ 03/11</a>) of the Isle of Wight Youth Council over the cuts to funding to the Connexions service.</p> <p>The Cabinet Member for Childrens Services responded by advising that the council would, in light of the challenging financial times, and reduction in Government Grants, seek to maintain a service for young people and that a continued commitment would be made to assist them in identifying full time employment. This would be in accordance with the Governments intention to bring forward new all age careers services</p> <p>A written question was put to the Cabinet by Mrs Julia Hill (<a href="#">PQ 04/11</a>) of East Cowes over the proposed application to the University of Southampton, for a free, professional-calibre consultancy enabling students to look at options and better designs for the floating bridge being rejected.</p> <p>The Cabinet Member for the Environment, Transport and Corporate Services responded by stating that whilst the offers from Southampton University were much appreciated, they were not a professional body and the work was not considered to be required by the Isle of Wight Council at the present time.</p> <p>Mr Steven Goodman, an Island resident, put an oral question to Cabinet over salaries paid to senior officers of the council.</p> <p>The Leader of the Council responded by stating that arrangements had been put in place to reduce management costs and a Delegated Decision had been published on 7 February 2011 to outline such proposals.</p>
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<b>Agenda item</b>	<a href="#"><u>Ofsted Inspection Action Plan – November 2010</u></a>
<b>Decision reference</b>	<b>58 (10/11)</b>
<b>Summary of discussion</b>	<p>The Cabinet Member provided a report, deferred from the meeting of Cabinet on 7 December 2010, addressing recommendations contained within the recent OFSTED inspection report, which followed their “Announced Inspection” of the Safeguarding and Looked After Children’s Services on the Island in September 2010.</p> <p>Cabinet was asked to approve the proposed action plan, which also incorporated the recommendations from the Fostering Inspection that ran concurrently with the OFSTED Inspection.</p> <p>It was noted that the uplift in social work salary was necessary in order to compete with South Eastern Local Authorities and enable the council to provide the best support to the Islands at risk children.</p>

<b>Issues Raised by Other Members</b>	<p>The Chairman of the Children and Young People Scrutiny Panel reported that the panel was very happy with the robust action plan.</p> <p>It was noted that the Children and Young People Scrutiny Panel would be regularly monitored by Democratic Services in order to identify ways of continuous improvement. Training had already been put in place and the scrutiny panel had already been involved in the development of the OFSTED Action Plan. It was further noted that the revised Children and Young People Scrutiny Panel had seen an increase in membership.</p>
<b>Decision taken</b>	Option 2: THAT the action plan be implemented in its current form.
<b>Reason for decision and corporate themes it aligns with</b>	<p>To contribute to the Council's ambition to deliver better services to children and young people as detailed in the Council's Corporate Plan.</p> <p>To ensure that the recommendations by OFSTED are integrated into the working practices of the Council and it's partners.</p> <p>To align with the following corporate themes:</p> <ul style="list-style-type: none"> <li>• A healthy and supportive Island</li> <li>• A safe and well-kept Island</li> <li>• An inspiring Island</li> </ul>
<b>Options considered and rejected</b>	<p>Option 1: To decide that this action plan is not necessary</p> <p>Option 3: To recommend changes to the action plan and to agree that the amended plan is implemented</p>
<b>Declarations of Interests</b>	None declared

<b>Agenda item</b>	<a href="#"><u>Adult Social Care Performance Assessment 2009/10</u></a>
<b>Decision reference</b>	<b>59 (10/11)</b>
<b>Summary of Discussion</b>	<p>The Cabinet Member presented a report, deferred from the meeting of Cabinet on 7 December 2010, which advised of the 2010 performance rating and judgments for the IOW Council's Adult Social Care Services. Cabinet was therefore recommended to adopt the action plan and address areas for improvement within the assessment.</p> <p>It was noted that against the four possible grades which authorities were judged on, performing excellently, well, adequately and poorly, the Isle of Wight Council was judged as performing well in six of the seven categories with the category "Making a Positive Contribution" rated as performing excellently and concluded that whilst the service provided had improved, there was still more work to be done.</p>

<b>Issues Raised by Other Members</b>	The Cabinet Member advised that the council's performance rating would not be affected by the raising of the eligibility criteria to "Critical" because the process would be managed better.
<b>Decision taken</b>	THAT the report from the Care Quality Commission be accepted  THAT the action plan to address areas for improvement be adopted
<b>Reason for the decision and corporate objective it aligns with</b>	To assist the council in achieving the following seven outcomes: <ul style="list-style-type: none"> <li>• Improving Health and Well Being</li> <li>• Improved Quality of Life</li> <li>• Making a Positive Contribution</li> <li>• Increased Choice and Control</li> <li>• Freedom from Discrimination or Harassment</li> <li>• Economic Well Being</li> <li>• Maintaining Personal Dignity and Respect</li> </ul> To align with the following corporate themes: <ul style="list-style-type: none"> <li>• A healthy and supportive Island</li> <li>• A safe and well-kept Island</li> <li>• An inspiring Island</li> </ul>
<b>Options considered and rejected</b>	(i) To not accept the report from the Care Quality Commission.  (ii) To not adopt the action plan to address areas for improvement
<b>Declarations of Interests</b>	None declared

<b>Agenda item</b>	<a href="#"><u>2011/12 - 2013/14 Budget Strategy and Council Tax Setting</u></a>
<b>Decision reference</b>	<b>53 (10/11)</b>
<b>Summary of Discussion</b>	<p>The Leader of the Council presented a report to members that outlined the council's revenue and capital budget position covering the next four financial years. The report also updated and rolled forward the Medium-Term Financial Strategy (MTFS) and Medium-Term Financial Plan (MTFP) in the light of the provisional Local Government Finance Settlement (LFFS) that was announced on 13 December 2010 as well as taking into account the decisions made at Cabinet on 7 December 2010 on the overall budget position and the future shape and direction of the organisation.</p> <p>The Leader reminded members that it was the purpose of Cabinet to recommend the proposals within the report to the meeting of the Full Council on Wednesday, 23 February 2011 and that it was likely further changes to recommendations could be made.</p> <p>It was noted that a revision to recommendation 2 of the report was tabled and took into account the outcomes of the consultation process on the future of the Libraries, Public Conveniences, Water</p>

Side Pool in Ryde and charges for the Chain Ferry between Cowes and East Cowes.

The Cabinet Member for Adult Social Care and Housing provided members with a summary of the consultation process around the Review of Eligibility Criteria, the Review of the Charging Policy and the future of Westminster House.

It was noted that with regard to Westminster House, the third option of exploring a transfer to either a social enterprise or an independent sector was the preferred choice.

It was further noted that the Strategic Director for Community Wellbeing and Social Care would explore all options in order to reduce costs and generate more income at the Gouldings and Adelaide to achieve the necessary savings in 2011/12. A report on the progress being made would therefore be presented to Cabinet on Tuesday, 26 July 2011.

On the future of the Islands Libraries, the Deputy Leader and Cabinet Member for the Economy, Tourism, Leisure, Planning and Property advised members that there had been a large amount of responses wishing the council to make no change to the present Library service.

In response to the consultation process, but still addressing the needs to make savings, a forthcoming report on the final decision on the Islands Libraries would be presented to Cabinet on Tuesday, 1 March 2011 and would outline proposals following the process.

These would include extending from the consultation model the hours of operation provided by the Isle of Wight Council for the libraries, reducing Ryde Library from the proposed 50 to 42 hours per week to accommodate the extension of proposed hours elsewhere, implementing people resource on a flexible basis and the introduction of self service terminals in East Cowes, Bembridge and Shanklin from the outset in order to assist those Libraries in a successful transition to trained volunteer activity.

On the issue of the Chain Ferry, the Cabinet Member for the Environment, Transport and Corporate Services advised that providing savings could be identified elsewhere, foot passengers would be able to continue to use the service free of charge

The Leader advised that a Council Tax Setting Committee with the delegated authority to consider and approve the level of Council Tax for the areas of the Island where the precepts from parish and town councils had not been received before the 23 February 2011 would be established. The committee would not however have the powers to change any of the levels.

	<p>It was noted that on page D19 of the report, paragraph 102 should read “These proposals have been worked up and subject to the outcomes of the Consultation exercises are now projected to deliver £17.907m savings in 2011/12 and £22.189m in a full year as detailed in Appendix 5.”</p> <p>It was further noted that recommendations relating to the 2011/12 - 2013/14 Budget Strategy and Council Tax Setting from The Overview And Scrutiny Committee Held On 3 February 2011 were as follows:</p> <ol style="list-style-type: none"> <li>1. That the following recommendations arising from the scrutiny panels be supported and passed onto the cabinet : <ol style="list-style-type: none"> <li>(i) Health and Community Wellbeing Scrutiny Panel :- <ol style="list-style-type: none"> <li>(b.) The adult social care expenditure and income should be monitored robustly throughout the year, and in particular the outcome of the changes in charges.</li> <li>(c.) Parish or town councils should be consulted before the disposal of any archive or museum item.</li> </ol> </li> <li>(ii) Economy and Environment Scrutiny Panel :- <ol style="list-style-type: none"> <li>(a.) That consideration should be given to the re-introduction of an all island residents parking permit.</li> <li>(b.) That the panel reinforces the local concerns being raised about the introduction of a charge for pedestrians using the Cowes floating bridge.</li> </ol> </li> </ol> </li> <li>2. That the Committee and Panels will have a standing agenda item to challenge the Cabinet members and strategic directors on the budget to ensure that this is on target and front line services are being effectively delivered.</li> </ol>
<p><b>Issues Raised by Other Members</b></p>	<p>Some Members expressed appreciation over the proposals for the Libraries following the consultation process.</p> <p>The Cabinet Member advised that the hours worked by council employees in the Libraries would be enhanced by the voluntary sector.</p> <p>Concerns were raised over the expense and need to establish a Council Tax Setting Committee. The Leader responded by advising that the clear advice received was to set up such a committee to conclude the process.</p> <p>Cabinet acknowledged that whilst clients of Westminster House were grateful for the opportunity to continue their respite care in the Newport facility, there would be continued communication from the</p>

	Cabinet Member and Senior Officers over the facility.
<b>Decision taken</b>	<p>THAT the following be agreed by Cabinet:</p> <ol style="list-style-type: none"> <li>1. Consider the results of the consultation exercise for adult social care services set out in Appendix 12 and the related Equality Impact Assessment and agree the Council's policy on: <ol style="list-style-type: none"> <li>a) The eligibility criteria for access to adult care services be changed from 1 April 2011 so that the council will continue to meet fully the needs of all people who have been assessed as critical while for those people who are assessed as having needs defined as substantial it will only meet those areas of need that place them at greatest risk of not being able to remain at home and be safe.</li> <li>b) Charging for adult social care services be based on: <ul style="list-style-type: none"> <li>• Ceasing to provide free homecare for people over the age 80 and require them to be financially assessed for a contribution in the same way as people aged under 80;</li> <li>• Removing the upper limit for charges;</li> <li>• Charging all people on the same basis regardless of their specific disability;</li> <li>• Charging all people against the value of their "personal budget" or the true cost of the services that they are receiving if they are not yet on a personal budget and that these changes should be introduced with effect from 1 April 2011.</li> </ul> </li> <li>c) The direct provision of care services at Westminster House be reviewed and the Director for Community Wellbeing and Social Care explores the suggestions of the Westminster House staff team to reduce unit costs and increase income while at the same time putting in place a market testing programme that will explore both the feasibility of transferring the facility to a social enterprise model and of transferring it to a private or voluntary sector provider.</li> <li>d) In addition the Director for Community Wellbeing and Social Care will explore opportunities to reduce costs and generate more income at the Gouldings and the Adelaide to achieve the anticipated savings of £200,000 in 2011/12 and provide a report to Cabinet in July 2011 on progress being made. This will include consideration being given to ceasing being a direct provider of services.</li> </ol> </li> <li>2. Consider the results of the overall budget consultation exercise set out in Appendix 13 and the Equality Impact Assessment in</li> </ol>



	<p>Appendix 6 and make recommendations to Council on the overall budget and Council Tax strategy and in particular:-</p> <p>(a) The Medium-Term Financial Plan as set out in Appendix 1;</p> <p>(b.) The schedule of savings set out in Appendix 5; subject to:</p> <ul style="list-style-type: none"> <li>• Consideration of the outcomes of the consultations on the future of the library service and public conveniences, and any recommendations, with budget implications, emanating from that;</li> <li>• Consideration of any viable proposal, under active consideration at the time of the budget setting process, for the future management of Waterside Pool;</li> <li>• Further work to be undertaken to find alternative savings that would not require the introduction of passenger charges on the Chain Ferry;</li> <li>• Further work to be undertaken to ensure that budget savings of £17.833m are still agreed, taking into account any revised recommendations and budget implications relating to the above</li> </ul> <p>c) An increase in the Isle of Wight Council budget requirement by 2.5% and consequent actual council tax level as for 2010/11 after applying the council tax freeze grant;</p> <p>d) The overall capital programme set out in Appendix 8.</p> <p>3. To recommend to Council that they agree to set up a Council Tax Setting Committee with the delegated authority to consider and approve the level of Council Tax for the areas of the Island where the precepts from parish and town councils have not been received before the 23 February 2011 and included in the resolution at the Council meeting.</p>
<p><b>Reason for the decision and corporate objective it aligns with</b></p>	<p>To support the Council's priorities, provide resources for key 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"> <li>• A thriving Island</li> <li>• A healthy and supportive Island</li> <li>• A safe and well-kept Island</li> <li>• An inspiring Island</li> </ul>
<p><b>Options considered and rejected</b></p>	<p>The report highlighted a number of options open to the authority and proposed an overall strategy to balance them.</p>
<p><b>Declarations of Interests</b></p>	<p>None declared</p>

<b>Agenda items</b>	<a href="#"><u>Consideration of the Forward Plan</u></a>
<b>Decision reference</b>	<b>54 (10/11)</b>
<b>Amendments / Additions / Removals</b>	The council's Forward Plan of key decision covering the February to May 2011 period was reviewed and no items were highlighted for discussion.
<b>Declarations of Interests</b>	None declared

<b>Agenda items</b>	<a href="#"><u>Delegated Decisions</u></a>
<b>Decision reference</b>	<b>55 (10/11)</b>
<b>Summary of Discussion</b>	<p>Members noted the following decisions taken under delegated powers since the last meeting of the Cabinet on 7 December 2010.</p> <ul style="list-style-type: none"> <li>• 49/10 - Shoreline Management Plan</li> <li>• 50/10 - Ventnor to Niton Traffic Route</li> <li>• 51/10 - Objections to the Isle of Wight Council (Various Streets, IW) (Speed Limits) Consolidation Order No 1 2010</li> <li>• 52/10 - Objections to the Isle of Wight Council (Whitepit Lane, Newport, Isle Of Wight) (One-Way Traffic) Order No 1 2010</li> <li>• 53/10 - Objections to the Isle of Wight Council (Various Streets, Ryde) (Traffic Regulation) Order No 1 2010</li> <li>• 54/10 - Objections to the Isle of Wight Council (Designated Loading Bays) Order No 2 2010</li> <li>• 55/10 - Objections to the Isle of Wight Council (Disabled Drivers' Street Parking Places) Order No 1 2010</li> <li>• 56/10 - Consultation on the Future of the Library Service</li> <li>• 57/10 - Consultation on the Future of Public Conveniences=</li> <li>• 58/10 - Expressions of Interest in Waterside Pool, Ryde</li> <li>• 02/11 - Fire and Rescue Service Modernisation Amendment to Fire Cover</li> </ul>
<b>Declarations of Interests</b>	None received

<b>Agenda items</b>	<a href="#"><u>Members' Question Time</u></a>
<b>Decision reference</b>	<b>56 (10/11)</b>
<b>Questions</b>	<p>A written question was put to the Cabinet from Cllr John Howe (<a href="#"><u>MQ 03/11</u></a>) over the cost of the Islands Highway Private Finance Initiative (PFI) programme compared to that of Portsmouth City Councils PFI. The Cabinet Member responded by advising that it was his understanding that Portsmouth City Council only set aside funding for an external adviser and did not identify the internal costs attributable to the project.</p> <p>A second written question was put to the Cabinet from Cllr Howe on</p>

the attempt to obtain additional revenue support grant and the involvement of the County Councils Network (CCN). The Leader responded by advising that the council did not rely on the CNN to lobby on its behalf and that the representation over the issue of frontloading was carried out principally, on the councils behalf, by the Local Government Association (LGA) who put forward a detailed case to government.

A written question was put to the Cabinet from Cllr David Knowles ([MQ 04/11](#)) over a reported advertisement from Derbyshire County Council with a population of 800,000, for a Director of Finance on a salary of £75,000. Cllr Knowles stated that it appeared to make Dave Burbage Ltd look a little on the expensive side for a small unitary council with no money, even after allowing for on costs and asked the Leader to explain why the Isle of Wight Council could not appoint a Director of Finance on a similar salary to Derbyshire County Council.

The Leader responded by stating that the comparisons given were not like for like and that the Isle of Wight Councils Strategic Director of Resources duties were much broader and incorporated Human Resources, Legal Services, Democratic Services, Information and Communications Technology (ICT), Shared Service and Call Centre, Performance and Statistics as well as that of Finance.

A second written question was put to the Cabinet from Cllr Knowles on what the branding exercise reported in the local press which cost an alleged £150,000 was. The Leader responded by stating that it was not a branding exercise but the Council's contribution to the annual place marketing and brand awareness campaign for the whole of the Isle of Wight in support of the Island's tourist industry.

A written question was put to Cabinet by Cllr Reg Barry ([MQ 05/11](#)) with regard to the general and earmarked reserves held by the council and as stated in the audited accounts amounting to a reduction of £21.2m (58%) since March 2007.

The Leader responded by suggesting that the question asked was deliberately selective in which elements of reserves and balances it chose to do a like-for-like comparison with and that the question referred only to general fund and earmarked reserves and excluded what had previously been compared in terms of insurance and risk funds, and debts. It was further noted that sustaining appropriate levels of such funds was crucial to the financial health of the organisation.

A second written question was put by Cllr Barry over the legal requirement around a Section 151 officer and whether such an officer should be a council employee. The Leader responded by clarifying that legislation (section 151 of the Local Government Act 1972) required the council to ensure that one of its "officers" had

	responsibility for financial administration. (The word used being “officer” and not employee).
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