



Minutes

Name of meeting

FULL COUNCIL

Date and time

WEDNESDAY, 19 SEPTEMBER 2007

Venue

COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT

Present

Cllrs Roger Mazillius (Chairman), Barry Abraham, Wendy Arnold, John Bowker, George Brown, Ivan Bulwer, William Burt, George Cameron, Charles Chapman, Dawn Cousins, Mike Cunningham, John Effemey, Jonathan Fitzgerald-Bond, Deborah Gardiner, Charles Hancock, John Hobart, Heather Humby, Peter Humber, Tim Hunter-Henderson, Patrick Joyce, Gill Kennett, David Knowles, Geoff Lumley, Win McRobert, Brian Mosdell, Erica Oulton, Lora Peacey-Wilcox, Lady Pigot, Garry Price, David Pugh, Susan Scoccia, Andy Sutton, Melanie Swan, Arthur Taylor, Diana Tuson, Ian Ward, Margaret Webster, Alan Wells, Colin West, David Whittaker, David Williams, Jilly Wood

Apologies

Cllrs Henry Adams, Anne Bishop, Vanessa Churchman, Barbara Foster, Muriel Miller, Ian Stephens

Prior to the start of business, the Chairman announced that the Council's Software Development Team had won the Hantsweb Award for the Best Public Service Website. Members congratulated Gavin Muncaster and Sarah Moss who displayed the trophy and certificate received. In addition Members were informed that Matthew Chatfield and Cat James achieved 'runner up' in the Rural Website category.

41. **Minutes**

RESOLVED :

THAT the Minutes of the meeting held on [18 July 2007](#) be confirmed.

42. **Declarations of Interest**

There were no declarations received at this stage.

43. **Motion Without Notice**

The Chairman advised that following receipt of Cllr Sutton's resignation earlier in the day, a motion without notice was accepted from Cllr Wells:

"THAT a new Leader be elected."

A motion to vote by a show of hands was proposed, seconded and following the vote, was carried.

RESOLVED:

THAT Procedure Rule 18(4) be suspended to allow the vote for the election of Leader to be taken by a show of hands.

Cllr Pugh was proposed and seconded as Leader of the Council. There being no further nominations and following the vote it was

RESOLVED:

THAT Cllr Pugh be elected Leader of the Council.

The newly elected Leader addressed the Council, thanking Cllr Sutton for his contribution and Cllr Sutton responded accordingly. Two new Cabinet appointments were announced following the resignation of Cllr Joyce and Cllr Swan from the Cabinet. Cllr Brown would take up the Deputy Leadership whilst retaining his portfolio and Cllr Wells would become the Cabinet Member for Children's Services, to include Education.

Members heard a brief statement from Cllr Joyce, and thanked him for his hard work with the education service and schools governance.

44. **Public Question Time**

Nineteen written questions had been received regarding the decision on the Tennyson Trail and the Chairman advised that one question would put by the representative for Mr and Mrs Tisdale of Totland Bay. The Cabinet Member would then be invited to provide a collective response to all questions.

Cllr Knowles asked the Cabinet Member about granting exemption permits for the League Against Cruel Sports Monitors (23/07) and presented a petition signed by approximately 610 people.

The Cabinet Member advised that the Tennyson Trail would be closed to all motorised vehicles between 1 October and 31 March each year to prevent damage to the Trail. Exemption Permits for disabled blue badge holders, community vehicles and taxis could be considered for the period between April and September inclusive. To date no applications for permits had been received. The Cabinet Member would provide a full written response to all questioners.

A list of all other written questions about the Tennyson Trail are attached at Appendix 1.

A written question had been received from Mr David Miller about evidence received during the recent consultations about the options for

schools reorganisation (PQ 42/07). The Cabinet Member advised that he would provide a written response.

A written question had been received from Mr and Mrs Bird of Carisbrooke regarding the reorganisation of key stage 3 before the publication of the detailed proposals for individual wards or the implementation programme (43/07). The Cabinet Member advised that a written response would be provided.

A written question had been received from Mr David Shoulder, about the potential increase in traffic congestion resulting from the proposed education options(44/07). As Mr Shoulder was not able to attend the meeting the Cabinet Member a written response would be provided.

45. **Chairman's Report**

The Chairman advised that the portrait of HM the Queen, presented to Council during the visit to Virginia USA, had now been hung in the corridor on the fourth floor of County Hall.

In addition, the Council's best wishes were conveyed to Steve Hammond, the Council's Mace Bearer, who was currently recuperating from a recent accident. Mr Joynes, the Council's Elections and Land Charges Officer, was thanked for deputising in Mr Hammond's absence.

46. **Report from the Council's Returning Officer**

The Chief Executive confirmed that Mr Peter Humber had been elected as the Member for Newport North electoral division. The Chairman welcomed Cllr Peter Humber to his first Council meeting.

47. **Standards Committee Vacancies**

Cllr Humby proposed the three nominations as listed on the agenda. Council was advised that informal interviews had been with conducted with all nominees to include the Chairman of the Standards Committee, the Monitoring Officer and the Deputy Monitoring Officer.

A question was raised about the availability of nominees' personal details prior to the meeting. These would be forwarded to Cllr Lumley.

RESOLVED :

THAT Mrs Susan Tudor Smith, Capt. Charles Anthony Brindle and Mr Peter Tautz be appointed as Independent Members to the Standards Committee until May 2009.

48. **Annual Report on Risk Management**

The Cabinet Member for Resources introduced the report explaining that the Annual Report detailed how the Council's Risk Register was

operated and managed. It was proposed that Council note the progress achieved and endorse the improvements planned for 2007/08.

Following a brief debate and the vote, it was

RESOLVED:

THAT Council note the progress achieved towards the completion of the implementation of the Isle of Wight Council's Managing Risk Strategy and Policy and endorse the improvements planned for 2007/08.

49.

Cabinet

(a) **Recommendations From The Cabinet Member – Adoption of the Housing Strategy**

The Leader and Cabinet Member for Regeneration, Leisure and Communications recommended that Full Council adopt the Housing Strategy for 2007-2012.

Members asked if a similar approach had been tested in other authorities and were advised that other authorities had been investigated with best practice being taken into account.

Concerns were also raised about a potential mortgage scheme and the Cabinet Member advised that whilst there were risks involved, it was envisaged that a third sector provider would be sought and stakeholders would be consulted.

The Cabinet Member was also asked if faith groups and local churches had been consulted and Council was informed that consultations would be ongoing and an opportunity to speak with local churches would be welcomed.

Questions were also asked about energy efficiency, planning issues, the statistics for rough sleeping and the achievements against targets to date. The Cabinet Member reiterated that housing for young people would continue to be a priority, energy efficiency would be an integral part of the Pan Project, and planning issues would be addressed in the Local Development Framework.

RESOLVED:

THAT the Housing Strategy for 2007-2012 be adopted.

(b) **Reports Of The Cabinet Members**

(i) **The Leader**

A written report had been circulated.

Cllr Knowles asked about a cut in the ICT budget for the Fire and Rescue Service and the Leader advised that this would be taken up with the Cabinet Member and a written response provided.

Cllr Lumley asked for an update on the Undercliff Drive enquiry and was advised that final reports were being prepared and group briefings would be organised by the Chief Executive.

Cllr Peacey-Wilcox asked if the Cabinet Member would join her in congratulating and thanking the Council's Event and Highways teams for their hard work in delivering the Island's summer events. The Leader concurred.

(ii) **The Deputy Leader and Cabinet Member for Economy, Tourism, Assets and Planning**

A written report had been circulated and the Cabinet Member added his congratulations to the Isle of Wight Economic Partnership on winning the Economic Development Organisations of the Year Award.

Cllr Effemey asked if the Cabinet Member would join him in congratulating Cllr Henry Adams and the Island's rowing team for winning a national prize and the Cabinet Member agreed.

(iii) **Vice- Chairman of Scrutiny**

A written report had been circulated in the Member's absence.

Cllr Lumley asked for an update on the appointment of a Chairman to the Scrutiny Committee and was advised by the Leader that Scrutiny Committee's role would be reviewed and consultations with opposition Members would be undertaken soon.

(iv) **Cabinet Member for Children's Services and Education**

A written report had been circulated by Cllr Swan, and the newly appointed Cabinet Member advised Council that he looked forward to taking up this challenging role.

Cllr Whittaker asked the Cabinet Member if he would agree that the recent event for Looked After Children had been very well organised and the venue had been very good. The Cabinet Member agreed.

(v) **Cabinet Member for Health, Wellbeing and Supporting People**

A written report had been circulated and on behalf of the Council the Cabinet Member offered condolences to Mark Chiverton on the recent loss of his wife, who had been a member of staff at the Adelaide Centre in Ryde.

Cllr Lumley asked about future PCT's meetings being held in private. The Cabinet Member advised that the Council had no influence over the way the PCT conducted its business, but a written response would be provided.

(vi) **Cabinet Member for Customers and Parish Empowerment**

A written question had been received from Cllr Knowles requesting that the Cabinet Member provide information on budgets to the Ryde Management Team by 25 September 2007. The Cabinet member agreed.

(vii) **Cabinet Member for Resources**

The Cabinet Member reported on a pensions investment seminar attended, adding that the Council's pension fund was currently performing well. The dates for the Council's budget setting process had been circulated by the Interim Director of Financial Services and it was envisaged that an autumn financial statement would be submitted to Council on 21 November 2007.

(viii) **Cabinet Member for Safer Communities and Fire Modernisation**

A written report had been circulated and the Cabinet Member emphasised the importance of the Co-Responder System, which was activated by dialling 999. The service was commended to Council and Members were advised that it would be widened into Ventnor in due course.

Cllr Mosdell raised concerns about a recent chemical fire and an aircraft accident in his ward. The Cabinet Member agreed to a meeting to include officers, in order to discuss suggestions for improvements.

Cllr Knowles asked if the Cabinet Member would support the Flight for Life helicopter services and urge other Members to support this service. The Cabinet Member concurred.

(ix) **Cabinet Member for Environment and Transport**

A written report had been circulated and the Cabinet Member reminded Council about the weekly Cabinet Briefings, where questions on any issues could be raised.

Cllr Hancock asked for an update on the PFI Project and was advised that a response was expected in October 2007.

Cllr Effemey asked about future supplies of water to the Island given the anticipated housing growth. The Cabinet Member asked that the question be submitted in writing. A written response would be provided following discussions with officers.

50. **Point of Order**

Cllr Gardiner raised a point of order with the Chairman asking him to clarify the process of Cabinet Members responding during the debate on a motion.

The Chairman advised that he would ensure that in future the proposer of a motion will only respond to Members' questions at the end of the debate.

CHAIRMAN

APPENDIX 1

WRITTEN PUBLIC QUESTIONS RECEIVED FOR FULL COUNCIL – 19 SEPTEMBER 2007

A number of written questions were received regarding the Tennyson Trail and are listed in the order that they were received.

1. From Mr and Mrs Tisdale of Totland Bay

“Given that the justification for the TRO is to protect the environment and livestock along the Tennyson Trail – how will refusing an exemption to the League Against Cruel Sports Monitors fulfill either of those criteria and achieve anything other than protection and refuge for those wishing to carry out illegal hunting.”

2. From Mr Graham Forsyth of Somerset

“The Environment Agency is in the process of obtaining a complete coastal path round the UK. This is due to the interest generated by the successful BBC Coast programme and the Open University. However the main objectors to this idea are the Country Land and Business Association (CLA), the British Association for Shooting and Conservation (BASC), and the Countryside Alliance. They are currently voicing concerns regarding environmental impacts, arguing that the money being put into the project is not being well spent, and discussing dangers to the public and wildlife.

We know that blood sports is a heavy motivator for these organisations, and that blood sports enthusiasts often regard the countryside and the wildlife in it as their property, to do with as they will. Perhaps they are very keen to avoid any more public access to the coastal land?

- a) Is this the same reason that Tim Hunter-Henderson has used to close the Tennyson Trail?

This action denies members of the public access to these gems and allows Hunters, Shooters and Landowners to have total control over the Tennyson Trail with their numerous route damaging vehicles.

Any reasons for this ban such as to prevent damage to the route must surely take into account the many Heavy Horseboxes, Quad Bikes and the convoy of 4 x 4 Hunt Supporters vehicles in attendance for Fox Hunting days and the transport of beaters and paying guns when shoots are organised.

- b) Has Tim Hunter-Henderson one rule for one group and a different and more favourable rule for another more affluent group?”

3. From Elaine Goodman of Calbourne:

“Why has the League Against Cruel Sports been denied a permit?”

4. From Sue Baumgardt, of Hove, Sussex:

“As an occasional visitor to the IoW I have used the Tennyson Trail and always treated it with respect. I would like to ask Cllr Tim Hunter-Henderson why, if, as the council states the trail has been closed to traffic to protect the land and livestock on and around it, will it still be possible for the hunt, quad bikes and followers to ride and drive across and around it, causing damage to the SSSI?”

5. From Emma Hamilton, Joice Hamilton and Michael Rayner of Newport and Gunville:

“Why is the Tennyson Trail to be closed to co-incide so exactly with the hunting season?”

6. From Mr G P Lee of Freshwater:

“As an Islander I want to know why I should have to pay for a permit to use an ancient Byway that has always been free to me to use. Why have you taken away my birthright to this ancient highway on the request of a minority of landowners, (some of them don't even live here!)”.

7. From Mr John Craddock of Freshwater:

“How does the Council intend to monitor and enforce the Traffic Regulation Order on the Tennyson Trail and what penalties will they impose on offenders?”

8. From Ms B Mary Saunders of East Cowes:

“Further to our telephone conversation regarding the issue of passes to disabled persons, who have a blue-badge, thus allowing us to use our cars on the Tennyson Trail, will you please answer me on the following question:

Why is the trail to be closed during the months end of October to end of March, which was the hunting season. No longer permissible, the law no longer allows such a barbaric so-called sport, so why is the trail to be closed during these months? So that the public will not see the activities of the horse riders and such like that would be still killing our wild life?

As I have mentioned to you before, I am an Islander, born and bred and have been residential for 82 years. Have you got it implanted in your brain the Islanders motto:

‘All this beauty is of God’ and so I have God’s right to use my eyes and ears. Every time of the year, all seasons – so – think again Mr Hunter-Henderson, you and your like have no right to deny the rights of people seeing all things bright and beautiful, all creatures great and small, when they wish to.”

9. From Mr Simon Wild of Bognor Regis:

“With the Tennyson trail going through woodland largely owned by Michael Poland, head of the Isle of Wight fox-hounds, it is in the hunt's interest not to have traffic around. Several members of the IOW foxhounds are appearing at Portsmouth magistrates court in November charged with Hunting Act offences as a result of some video I obtained last year: and so given that there is, at least, suspicion of illegal activity, the hunt's activities should be transparent and open to public scrutiny.

Could there be some licensed vehicle access to the Tennyson trail in order to monitor the activities of the IOW hunt for compliance with the Hunting Act 2004?"

10. From Mr J Riggs of Newport:

"How will the TRO enforce the ban on vehicles using the Tennyson Trail?"

11. From Miss S Barsdell of Newport:

"As they are banning vehicles from the trail does this include the IOW hunt vehicles and also the shooting parties . If not why not?"

12. From Ms Tina Cutting of Ryde:

"Part of the justification for the closure of the Tennyson trail was to protect the SSSI sites on and around the trail area. As hunting activity will still continue with the use of vehicles, quad bikes, horses and hounds do you not think that this will result in further damage to the flora and fauna adjacent to the trail?"

13. From Mrs Margaret Allen of Freshwater:

"A Traffic Regulation Order Should Not Disadvantage Anyone
But as a member of an Island family why has my disabled mother been robbed of her right to enjoy the views from the Tennyson Trail at some of the most beautiful times of year - spring and autumn - which Councillor Sutton assured me I would be able to obtain a permit to use, and why should she, a pensioner in her 80s, now have to pay for that privilege even during the summer months when it is often too hot and uncomfortable to enjoy a ride along the Trail?"

14. From Mr Lawrence Gresswell of Brook:

"The IW hunt maintains that it operates within the law. Surely it must welcome observation by hunt monitors in order to verify this claim. Could the IW council play its part in upholding the legal process by allowing a Tennyson Trail permit to the hunt monitors?"

If such a permit is denied, one might conclude collusion on the part of the council in fostering dubious hunt activity."

15. From Mr John Talbot of Newport:

"I am disgusted at the decision to close the Tennyson trail to motor vehicles from October to March.

Will you please inform me why you ignored the advice of the police, your own council and objections from local residents?"

I do not believe that it is coincidental that the months of closure match the hunting season.

Finally I ask you to reconsider your decision."

16. From Mr Jason Straker of London:

"If the proposed TRO is approved, please could the Councillor justify why respectable hunt monitoring organisations, such as the League Against Cruel Sports, and the Isle of Wight hunt would be treated inequitably with regards to access rights to the Tennyson Trail? Personal viewpoints on the hunting debate aside, is it not the duty of the IoW County Council to allow unbiased access for all parties to public rights of way? Prohibiting vehicles driven carefully by hunt monitoring organisations whilst allowing the aggressive horse riding of hunt members would suggest an unacceptable double standard."

17. From Ms Carol Whitehead of (no address supplied)

"As an island resident I have always enjoyed being able to take my car onto Tennyson Downs and to spend time relaxing in my car admiring the beautiful views with my elderly relatives. I find it disgraceful that because of a minority of people the majority of us have been penalised and I ask you to please reconsider as I feel that this will be a huge loss to islanders and Holiday-makers alike."

18. From Mr W Bache of Yarmouth:

(On behalf of the League Against Cruel Sports Isle of Wight Hunt Crimewatch Monitor Group)

"In order to protect themselves from the possibility of crimes against the person being visited upon them by hunt followers with the express intention of preventing such people from going about their lawful business of monitoring the activities of the Isle of Wight hunt on its days in the field – will the Council grant permission for hunt monitors to use a motorised vehicle as a safety measure whilst they are engaged in this occupation?

If not, why not?"

19. From Ms Sally Westmore of (no address supplied)

"I believe I am correct in saying that the Tennyson Trail is being closed because of damage to the ground and the death of some sheep apparently caused by 4 wheel drive vehicles. As no-one has been found guilty of these offences, and also considering the fact that I rang the R.S.P.C.A. last February when I saw some dead and very sick sheep in a field near the Tennyson Trail belonging to, I think, Mr. and Mrs. Brownrigg, would it not be a much better idea for the landowners to put up some fencing to ensure the safety of their sheep from vehicles? Then perhaps we could all carry on enjoying this beautiful part of the Island as has always been our right."