



Minutes

Name of meeting

FULL COUNCIL

Date and time

WEDNESDAY, 21 NOVEMBER 2007

Venue

COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT

Present

Cllrs Roger Mazillius (Chairman), Barry Abraham, Henry Adams, John Bowker, George Brown, Ivan Bulwer, William Burt, George Cameron, Charles Chapman, Mike Cunningham, John Effemey, Jonathan Fitzgerald-Bond, Barbara Foster, Deborah Gardiner, Charles Hancock, Peter Humber, Tim Hunter-Henderson, Patrick Joyce, Gill Kennett, David Knowles, Geoff Lumley, Win McRobert, Muriel Miller, Brian Mosdell, Erica Oulton, Lady Pigot, Garry Price, David Pugh, Susan Scoccia, Ian Stephens, Melanie Swan, Arthur Taylor, Diana Tuson, Ian Ward, Margaret Webster, Alan Wells, Colin West, David Whittaker, David Williams, Jilly Wood

Officers Present

Joe Duckworth, Alison Lowton, Chris Mathews, Amanda Thomas

Apologies

Cllrs Wendy Arnold, Anne Bishop, Vanessa Churchman, Dawn Cousins, John Hobart, Heather Humby, Lora Peacey-Wilcox, Andy Sutton

57. Minutes

RESOLVED :

THAT the Minutes of the meeting held on [17 October 2007](#) be confirmed.

58. Declarations of Interest

There were no declarations received at this stage.

59. Public Question Time

A written question had been received from Mr David Miller of Cowes (PQ 50/07) regarding admissions arrangements as part of the overall reorganisation of schools. The Cabinet Member advised that admission arrangements would be agreed by the Admissions Forum following the adoption of the model for school reorganisation. Mr Miller asked a supplementary question about constraints for middle schools and the Cabinet Member advised that this would be included in Option 1.

A written question had been received from Mr and Mrs N Bird of Carisbrooke (PQ51/07) about the retention of the three-tier system in Island schools. The Cabinet Member informed Council that legal advice had suggested that a potential legal problem existed. Mrs Bird's supplementary question referred to problems with transition and the Leader advised that the focus for reorganisation must remain on the weakest performance.

60. Chairman's Report

A written report had been circulated for Members' information and the Chairman added that an Antiques and Collectors Fair would take place in December at Northwood House and encouraged Members to support this charitable event.

The Chairman asked Members to consider moving item 8(a) forward on the agenda to be discussed before Item 5. The proposal was seconded and following the vote it was

RESOLVED:

THAT Item 8(a) on the agenda, the recommendation from the Cabinet to Full Council regarding the education reorganisation options, be moved forward for discussion at item 5.

61. Cabinet Recommendation – School Organisation – Options for Change

The Cabinet Member introduced the recommendation from the Cabinet meeting held on 20 November 2007. Members were asked to note that the recommendation included an agreement that changes were necessary and a request that officers' prepare for a consultation process on Options 1, 2 and 3 as set out in the report considered by Cabinet on 20 November 2007.

A member raised concern about the commitment to adhere to a three tier system on the Island. An amended motion reverting to the proposal as agreed by Council in April 2007 was proposed and seconded as follows:

- (a) THAT the need for change within the schools system be agreed.
- (b) THAT officers prepare a consultation on Option 1, the single leadership and governance post 14 and 9 – 14 Middle Schools.
- (c) THAT officers report back to give the answers on the issues raised at the April 2007 Council meeting, to retain, or not, Year 9 in Middle Schools.

Members debated the amendment and recognised that the Department for Education and Schools had provided funds to support leadership of the Island's high schools under the original proposals for reorganisation.

However, Council was advised that following the previous proposal in April 2007, which remained encompassed within Option 1 of the original motion, consultations had indicated that additional options required further investigation. It was envisaged that this would provide a wider debate on the reorganisation of education on the Island.

Following the vote the amended motion was lost.

A further debate followed on the original motion, and Council was advised that the details of the proposed consultation process would be available for consideration, together with the associated risks, at the Cabinet meeting on 8 January 2008.

RESOLVED:

- (i) THAT the need for change within the schools system be confirmed.
- (ii) THAT a consultation on Options 1, the single leadership and governance post 14 and 9 – 14 Middle Schools, and Options 2 and 3, the Primary/Secondary Models A and B [as set out in the report] be prepared by officers.
- (iii) THAT a report detailing the consultation with timetable and content be submitted to Cabinet on 8 January 2008.

62. Constitutional Matters

The Leader of the Council introduced the report explaining to Council that in view of the newly formed Non-aligned Group, the rules of political proportionality required revision. In addition, confirmation of the delegation of non-executive enforcement powers was also required.

The changes included the Independent Group and the Liberal Democrat Group relinquishing up to two seats each in order to provide the three seats necessary for political proportionality. Group Leaders had been consulted and had indicated which seats could be made available.

Council was informed that a wider revision of the Council's constitution would include the scheme of delegation. However, in the interim and for the avoidance of doubt, Council was invited to formally delegate the non-executive enforcement powers to all Directors.

RESOLVED:

- (i) THAT a revised proportionality in accordance with the figures set out in the report, allocating to the Non Aligned Group one seat each on the Licensing Committee, the Audit and Performance Committee

and the Policy Commission for Care, Health and Housing be approved.

(ii) THAT the following general delegation to Directors be approved:

“To enter any premises, make any necessary inspections and do any other thing including the signing and service of notices which may be required for the purposes of any of his or her statutory power together with any order or regulations made under the Statutes or amending legislation falling within the purview of the Council’s enforcement functions.

To authorise officers within the Council, or any such officers and Proper Officers, as may be specified from time to time by the Council be authorised to carry out the Council’s functions under all statutes, subordinate legislation, subsequent amending and/or replacement legislation, regulations, orders and statutory codes of practice made there under falling within the purview of the Council’s enforcement functions.”

The Leader proposed that a new Champion for Civic Pride be appointed, following Cllr Mosdell’s move to the Non Aligned Group. Cllr Ward was nominated and there being no further nominations, it was

RESOLVED:

THAT Cllr Ward be appointed Council Champion for Civic Pride.

63. Procurement and Contracts Standing Orders and the Procurement and Contracts Code

Members were advised that the Council’s current Contract Standing Orders required revision due to changes in procurement regulations. Whilst undertaking this exercise, perceived weaknesses in the procurement and contract processes could be also be addressed.

The report suggested a number of amendments, including consultation with Cabinet Members for contracts in excess of £1,500,000; contract waivers; relevant thresholds for the Official Journal of the European Union procurement exercises as well as an increased level of compliance, which would be monitored by the Procurement Unit within the tendering procedure. Council was also advised that the Procurement Board and Contracts Code would need to be adopted as part of the Council’s governance procedures.

A consultation exercise had been undertaken to include Directors, Procurement Board members, and service users with external advice also being sought.

RESOLVED:

(i) THAT proposed amendments (as set out in the report) be made to the Contract Standing Orders;

- (ii) THAT authority be delegated to the Director of Legal and Democratic Services to make the necessary drafting amendments to Contract Standing Orders, to give effect to recommendation (i) above;
- (iii) THAT the Procurement and Contracts Code be adopted as best practice guidance for mandatory use across the organisation; and
- (iv) THAT the Procurement Board be adopted into the structures within the organisation.

64. Licensing Act 2003 Statement of Licensing Policy

Members heard that the Licensing Act 2003 had created a new system of licensing and regulation of premises, which enabled the sale of alcohol, entertainment events and late night refreshment. The Council's first policy under the Act had been established in 2005 and terminated in 2007. It was therefore necessary to adopt a new Statement of Licensing Policy.

The Cabinet Member advised that the period of the policy would be 2008 to 2011 and not 2007 to 2010 as stated in the report and proposed an amended motion on this basis.

A three-month consultation exercise had been conducted earlier in the year, and the draft policy had been considered and reviewed by the Licensing Committee on 12 November 2007. The Licensing Committee had recommended that Council adopt the new policy.

RESOLVED:

THAT the Draft Statement of Licensing Policy for implementation by 7 January 2008, be adopted.

65. Cabinet – Item 8(b)

Reports of the Cabinet Members

- (i) **[The Leader and Cabinet Member for Housing, Leisure and Governance](#)**

A written report had been circulated for information.

Cllr Gardiner asked a question about the policy of releasing details of individual financial arrangements, highlighting figures published in the County Press recently. The Leader advised that this had been due to the high level of public interest in the Undercliff Drive issues.

Cllr Hancock asked if the third sector would be considered for any funding received under the Local Area Agreement arrangements. The Leader advised that all money

received would be used in support of the joint vision of the Island Strategic Partnership.

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

A written report had been circulated for information.

Cllr Mosdell asked if the Council could consider Northwood House as a possible site for a Heritage Centre. The Cabinet Member advised that as Custodian Trustee, the Council could not dictate to Managing Trustees, but future use would be considered.

(iii) **Cabinet Member for Children and Young People**

A written report had been circulated for information.

Cllr Gardiner asked about staff shortages within the Council's Fostering Service and the decrease in officer care and training programme. The Cabinet Member would provide a written response.

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

A written report had been circulated for information and the Cabinet Member also advised on decisions taken at the Cabinet meeting the previous evening about concessionary fares and the Undercliff Drive scheme.

Cllr Knowles asked about the timescale for the Ryde Interchange project and the Cabinet Member advised that initial work had begun. Construction would begin in the New Year and be completed by the end of 2008.

Cllr Knowles asked for an update on the Private Finance Initiative and the Cabinet Member advised that an announcement was expected in the New Year.

Cllr Gardiner asked if the Cabinet Member could mediate between the Primary Care Trust and Southern Vectis. The Cabinet Member advised that he would provide a written response.

(v) **Chair of Scrutiny**

A written report had been circulated for information.

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

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

(vii) **Cabinet Member for Residents and Resources**

A written report had been circulated for information.

Cllr Miller asked if assistance could be made available to Island residents affected by the missing Government disks. The Cabinet Member advised that he would discuss possibilities with the Director.

(viii) **Cabinet Member for Safer Communities**

A written question had been submitted by Cllr Miller (MQ 05/07) regarding the reduction in 101 funding and whether this would affect the Safer Neighbourhoods plans or the Town Centre Manager posts. The Cabinet Member advised that the 101 service would not continue in its present form beyond March 2008. However, this would not have a direct bearing on the Safer Neighbourhood plans or the Town Centre Managers, who were funded by the Council.

A written report had been circulated for information.

CHAIRMAN