



Deputy Director of Resources (Corporate Governance) &  
Monitoring Officer  
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# Agenda

Name of meeting	<b>FULL COUNCIL</b>
Date	<b>WEDNESDAY, 16 JANUARY 2013</b>
Time	<b>6.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Members of the Committee	All Members of the Council

Senior Democratic Services Officer: Julie Martin, telephone 821000, email [julie.martin@iow.gov.uk](mailto:julie.martin@iow.gov.uk)

**Members of the public are advised that photography or recording of any part of the meeting is only permissible with the prior consent of the Chairman.**

PRAYERS led by Revd Canon Graham Morris

1. **Minutes**

To approve as a correct record and to sign the Minutes of the meeting of the Council held on 21 November 2012 ([Paper A](#))

2. **[Declarations of Interest](#)**

To invite Members to declare any interest they might have in the matters on the agenda.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's website at <http://www.iwight.com/council/meetings/meetings.asp>. This information may be available in alternative formats on request. Please contact Julie Martin, telephone 821000 for details. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded).

3. **To deal with any questions from members of the public – maximum of 15 minutes.**

Questions may be asked without notice but to guarantee a full reply at the meeting, the question must be delivered in writing or by electronic mail to Democratic Services no later than 6.00 pm on Monday, 14 January 2013. The [Procedure for asking oral questions](#) is set out below.

4. **Chairman's report, official announcements, communications and correspondence for the Council.**

5. **Motions submitted under Procedure Rule 10 of the Council's Constitution**

(i) By Councillor David Pugh

That Council

- 1) Notes the continuing public concern regarding the reduction in frequency of ferry sailings to and from the Island, particularly the early morning and late night crossings which are recognised as supporting the Island's economy and the flexibility of employment opportunities for residents.
- 2) Agrees that the Council should work towards achieving improvements in the affordability and frequency of cross-Solent services offered to Island residents and businesses, and that any such steps must be grounded in the reality of what is likely to be achievable in the context of current and any likely future legislative, budgetary and economic factors.
- 3) Notes that Government funded subsidies are unlikely to be secured for these routes (as recently indicated by the Department for Transport), and that any public funds would be more appropriately directed to securing lasting economic investment that would generate increased volumes of ferry users, thus improving the future viability of regular routes.
- 4) However further notes that the Government provides support for other elements of the country's public transport infrastructure, such as a fuel duty rebate for bus operators and capital investment in the rail network.
- 5) Therefore resolves to:
  - a. Urge the Government to recognise that ferry services operating within England should be treated with a similar strategic status, in terms of being vital infrastructure routes, to England's bus and train networks;
  - b. Ask the Isles of Scilly Council to join this campaign as the other English local authority representing an area facing similar challenges with the frequency and affordability of ferry services;

- c. Explore with the Government how the operational costs associated with running these ferry services could be reduced and stabilised, such as through the introduction of a “fuel price stability” mechanism, possibly involving a bulk and forward buying element for fuel;
- d. Seek a firm commitment from the ferry operators that any financial benefit that would arise from (c) above would result in tangible benefits being passed onto ferry users, particularly in the provision of sufficient early morning and late night crossings that are required for the economic and social wellbeing of Islanders;
- e. Make the case for the Government to allocate capital funding to the future infrastructure needs of the ferry services to the Island, and urge the Government to recognise the economic importance of these routes as being on a par with the future of the highway and railway networks.

(ii) By Councillor Welsford

That Council notes:

- 1) Any assessment of a bid for an important tender with long term financial consequences for this Council and the Isle of Wight, must take into account the probability of that bid being deliverable, with or without recourse to contractual penalties.
- 2) The need for a new dedicated Asphalt Plant is an important strategic requirement that will enable VINCI Concessions, Meridiam Infrastructure and Ringway to successfully comply with the terms of the PFI contract.
- 3) The Isle of Wight Council’s Environmental Health Department expressed serious concerns regarding the proposed Asphalt Plant, recommending that planning permission be refused, which was information available but not disclosed to cabinet members at the time of the Cabinet decision taken in May 2012.
- 4) The Highways PFI decision, taken by Cabinet and ratified by Full Council breached the Council’s constitution in the following ways:

The following constitutional “Principles of Decision Making” highlighted in bold, were not complied with (bracketed letters correspond with those sections from the Constitution):

1. **(a) That relevant matters are taken into account:**
  - Relevant Information relating to a significant component of the winning bid was not evaluated and was in fact deemed irrelevant (under the terms of (b) “Nothing irrelevant is considered”)
  - The decision to ignore this information provided a false impression to Cabinet Members and to Members,

meaning that they voted without full knowledge of pertinent facts relevant to their assessment of the bids

2. **(d) That proper advice is taken and considered before the decision:**

- Proper advice relating to the quality of the Vinci Meridiam bid was not made available to cabinet members and was therefore not taken.

3. **(g) Proportionality (i.e. the action must be proportionate to the desired outcome):**

- Because the requirement for a new Asphalt Plant is an important part of the Vinci Meridiam bid, for which there is no stated “plan B”, Environmental Health’s advice and recommendation for refusal of planning permission, on such fundamental environmental health grounds, was highly relevant to the desired outcome.
- The proportionality requirement would suggest that consideration should have been made as to the comparative virtues of preserving the separateness of the two processes or allowing information to be shared between the two in the interests of a desirable outcome for the bidding process.

4. **(j) Presumption in favour of openness:**

- In this case the presumption appears to have been in favour of non-disclosure of information that was relevant to the Cabinet evaluation and decision-making process.

6. **Report of the Independent Remuneration Panel on the Members’ Allowance Scheme**

To consider the recommendations made by the Independent Remuneration Panel with regard to the Members’ Allowance Scheme ([Paper B](#))

7. **Localisation of Council Tax Support**

To agree a Local Council Tax Scheme, related financial arrangements and council tax discounts on second homes and empty properties to be implemented from 1 April 2013 ([Paper C](#))

8. **Adoption of the Revised Gambling Act Policy Statement of Licensing Principles Under Section 349 of the Gambling Act 2005**

To consider adopting the Gambling Act Policy Statement of Licensing Principles for 31 January 2013 to 31 January 2016 ([Paper D](#))

9. **Cabinet:**

Cabinet Members and the Chairman of Scrutiny to present a written report, and answer written and oral questions on budget or policy:

- (i) [The Leader and Cabinet Member for Resources](#) (Cllr David Pugh)
- (ii) [Deputy Leader and Cabinet Member for the Economy and Regulatory Services](#) (Cllr George Brown)
- (iii) [Cabinet Member for Public Health, Community Safety and Local Services](#) (Cllr Dave Stewart)
- (iv) [Chair of Overview and Scrutiny Committee](#) (Cllr Vanessa Churchman)
- (v) [Cabinet Member for Adult Social Care and Housing](#) (Cllr Stuart Hutchinson)
- (vi) [Cabinet Member for Children's Services and Education](#) (Cllr Dawn Cousins)
- (vii) [Cabinet Member for Procurement, Fire, Highways and Transport](#) (Cllr Edward Giles)

**To guarantee a full reply Members must submit a question in writing or by electronic mail to Democratic Services no later than 6.00 pm on Tuesday, 15 January 2013. A further period of 10 Minutes will be allowed for oral questions to each Cabinet Member.**

DAVINA FIORE  
Deputy Director of Resources (Corporate Governance) & Monitoring Officer  
8 January 2013