

Agenda

Name of meeting	FULL COUNCIL
Date	WEDNESDAY 28 FEBRUARY 2024
Time	5.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the committee	All Members of the council

Democratic Services Officer: Marie Bartlett
democratic.services@iow.gov.uk

1. **Minutes** (Pages 11 - 18)

To confirm as a true record the Minutes of the meeting held on 17 January 2024.

2. **Declarations of Interest**

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

Please note that the Monitoring Officer on 21 January 2022 granted all councillors a four year full dispensation under section 33 (2) of the Localism Act 2011 to remain in the meeting room and to speak and to vote on the budget including setting the council tax or a precept under the Local Government and Finance Act 1992 (or any subsequent legislation), notwithstanding the existence of any disclosable pecuniary interest(s). For clarity this dispensation relates to disclosable pecuniary interests only and does not affect a councillor's obligation under section 106 of the Local Government Finance Act 1992 to declare and not vote if they are two months or more in arrears with their council tax at the time of the meeting on setting the council' budget.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's [website](#). This information may be available in alternative formats on request. 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). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

3. **Public Question Time - Maximum 15 Minutes for Written Questions and 15 Minutes for Oral Questions**

Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at democratic.services@iow.gov.uk, no later than two clear working days before the start of the meeting. Normally, Full Council is held on a Wednesday, therefore the deadline for written questions will be Friday, 23 February 2024.

4. **Chairman's Official Announcements**

To receive the Chairman's official announcements.

5. **Leaders Update Report (20 minutes) (Pages 19 - 20)**

- a) To receive the Leader's update report (5 minutes maximum).
- b) Members questions on the Leader's update report (15 minutes maximum).

6. **Report of the Deputy Leader and Cabinet Member for Housing and Finance**

- (a) Council Tax Premiums on Second Homes and Empty Properties (Pages 21 - 48)

7. **Budget and Council Tax Setting 2024-2025 and Future Years' Forecasts**
(Pages 49 - 160)

- 1. It is recommended that the Council approve the following:
 - (a) The revised Revenue Budget for the financial year 2023/24 and the Revenue Budget for the financial year 2024/25 as set out in the General Fund Summary (Appendix 1) which includes:
 - (i) Additional spending in Adult Social Care of £6.3m and Children's Services of £5.0m
 - (ii) A Covid Contingency of £5m
 - (iii) No Revenue Contribution to Capital in 2023/24 or 2024/25
 - (b) Any variation arising from the Local Government Finance Settlement 2024/25 or any further savings made in 2023/24 arising at the year-end (after allowing for specific carry forward requests) be transferred to the Revenue Reserve for Capital, Transformation Reserve, and General Reserves with the level of each transfer to be determined by the S.151 Officer.
 - (c) That the level of Council Tax be increased by 2.99% for general purposes in accordance with the referendum threshold^[1] for 2024/25 announced by Government (as calculated in Appendix 2)
 - (d) That the level of Council Tax be increased by a further 2.0% beyond the referendum threshold (as calculated in Appendix 2) to take

advantage of the flexibility offered by Government to implement a "Social Care Precept"; and that in accordance with the conditions of that flexibility, the full amount of the associated sum generated of £1,977,705 is passported direct to Adult Social Care

- (e) That the amounts set out in Appendix 2 be now calculated by the Council for the financial year 2024/25 in accordance with Section 31 and Sections 34 to 36 of the Local Government Finance Act 1992
- (f) The S.151 Officer be given delegated authority to implement any variation to the overall level of Council Tax arising from the final notification of the Hampshire Police & Crime Commissioner, Hampshire & Isle of Wight Fire & Rescue Authority and Parish and Town Council precepts, and amend the calculations set out in Appendix 2 accordingly
- (g) The savings proposals for each Portfolio amounting, in total, to £2.75m for 2024/25 and continuing into future years as set out on the next page:

Portfolio	Controllable Budget	Savings Proposal	
	£	£	%
Adult Social Care & Public Health*	57,782,000	919,900	1.6%
Children's Services, Education & Corporate Functions*	41,238,000	207,000	0.5%
Climate Change, Biosphere & Waste	6,777,000	68,000	1.0%
Deputy Leader - Housing & Finance	8,292,000	107,100	1.3%
Economy, Regeneration, Culture & Leisure	3,052,000	24,000	0.8%
Leader - Transport Infrastructure, Highways PFI and Transport Strategy, Strategic Oversight and External Partnerships**	13,658,000	1,167,000	8.5%
Planning, Coastal Protection & Flooding	2,361,000	0	0.0%
Regulatory Services, Community Protection & ICT	11,340,000	257,000	2.3%
Grand Total	144,500,000	2,750,000	1.9%

* Excludes the additional funding passported through to Adult Social Care of £6.3m (which if included would result in an overall increase of 9.4%) and the additional funding for Children's Services, Education & Lifelong Skills of £5.0m (which if included would result in an overall increase of 15.3%)

** Excludes £19.4m of PFI grant funding, on a gross expenditure basis the saving amounts to 3.5%

- (h) Directors be instructed to start planning how the Council will achieve the savings requirements of £3.0m for the 3 year period 2025/26 to 2027/28 and that this be incorporated into Service Business Plans

- (i) The minimum level of Revenue Balances as at 31 March 2025, predicated on the approval of £2.75m savings in 2024/25 be set at £8.0m to reflect the known and expected budget and financial risks to the Council
 - (j) Members have regard for the "Statement of the Section 151 Officer in accordance with the Local Government Act 2003"
 - (k) The Capital Programme 2023/24 to 2028/29 set out in Appendix 5 which includes all additions, deletions and amendments for slippage and re-phasing
 - (l) The new Capital Investment Proposals ("New Starts") - 2024/25 set out in Appendix 4 be reflected within the recommended Capital Programme 2023/24 to 2028/29 and be funded from the available Capital Resources
 - (m) The allocation of Disabled Facilities Grants be made to the Better Care Fund, and reflected within the recommended Capital Programme 2023/24 to 2028/29
 - (n) The S.151 Officer be given delegated authority to determine how each source of finance is used to fund the overall Capital Programme and to alter the overall mix of financing, as necessary, to maximise the flexibility of capital resources used and minimise the ongoing costs of borrowing to the Council
 - (o) That the S.151 Officer in consultation with the Leader of the Council be given delegated authority to release capital resources held back for any contingent items that might arise, and for any match funding requirements that may be required of the Council in order to secure additional external capital funding (e.g. bids for funding from Government or any other external source).
 - (p) The Capital Strategy 2024/25, including the Minimum Revenue Position Statement contained therein (Appendix 6)
 - (q) The Investment Strategy (Non-Treasury Investments) 2024/25 (Appendix 7)
2. It is recommended that the Council note the following in respect of the Council's Budget:
- (a) The Revenue Budget 2024/25 as set out in Appendix 1 has been prepared on the basis of a 4.99% increase in Council Tax, any reduction from the overall 4.99% Council Tax increase proposed will require additional savings of £988,900 for each 1% reduction in order for the Budget 2024/25 to be approved
 - (b) The Revenue Forecasts for 2025/26 onwards as set out in the section entitled "Revenue Forecasts 2025/26 to 2027/28" and Appendix 1
 - (c) The estimated Savings Requirement of £3.0m for the three year period 2025/26 to 2027/28, for financial and service planning purposes, be

phased as follows:

Financial Year	In Year Savings Requirement £m	Cumulative Saving £m
2025/26	1.0	1.0
2026/27	1.0	2.0
2027/28	1.0	3.0

- (d) The Transformation Reserve held to fund the upfront costs associated with Spend to Save Schemes and Invest to Save Schemes holds a very modest uncommitted balance of £3.2m and will only be replenished from contributions from the Revenue Budget and an approval to the transfer of any further savings at year end
- (e) Should the Council elect to reduce the level of savings below £2.75m in 2024/25 (and £1.0m p.a. thereafter), the Council's financial risk will increase and therefore the minimum level of General Reserves held will also need to increase in order to maintain the Council's financial resilience
- (f) The Council Tax base for the financial year 2024/25 will be 54,407.3 [item T in the formula in Section 31 B(1) of the Local Government Finance Act 1992, as amended (the "Act")].
- (g) The Council Tax element of the Collection Fund for 2023/24 is estimated to be in surplus by £1,483,500 which is shared between the Isle of Wight Council (85.3%) and the Police & Crime Commissioner (11.1%) and the Hampshire & Isle of Wight Fire & Rescue Authority (3.6%)
- (h) The Business Rate element of the Collection Fund for 2023/24 is estimated to be in deficit by £3,354,365 of which is shared between the Isle of Wight Council (49%), the Hampshire & Isle of Wight Fire & Rescue Authority (1%) and the Government (50%)
- (i) The Retained Business Rate income^[2] for 2024/25 based on the estimated Business Rate element of the Collection Fund deficit as at March 2024, the Non Domestic Rates poundage for 2024/25 and estimated rateable values for 2024/25 has been set at £43,763,020.
- (j) The Equality Impact Assessment (attached at Appendix 8)

^[1] Council Tax increases beyond the referendum threshold can only be implemented following a "Yes" vote in a local referendum.

^[2] Includes Retained Business Rates of £17,546,907, "Top Up" of £12,834,713, S.31 Grants of £15,025,039 a Collection Fund deficit of £1,643,639

8. **Report of the Deputy Monitoring Officer**

- (a) Appointment of Independent Remuneration Panel Member (Pages 161 - 164)
- (b) Appointment - Local Pension Board (Pages 165 - 168)

9. **Report of the Deputy Leader and Cabinet Member for Housing and Finance**

- (a) Discretionary Rate Relief Policy (Pages 169 - 226)

10. **Report of the Cabinet Member for Children's Services, Education and Corporate Functions**

- (a) Pay Policy (Pages 227 - 300)

11. **Motions Submitted under Part 4, Procedure Rule 9 of the Council's Constitution**

- (a) By Councillor M Lilley

Stop Sewage Being Released in the Sea around and from the Isle of Wight!

IW council resolves to acknowledge that the volume of sewage ending up in our waters is unexceptionable. From March 2022 to March 2023 there were 16787 hours when sewage was discharged into our waters. In October to November 2023 there was a single duration event of raw sewage release lasting 681 hours at Sandown.

IW council resolves to ensure that any solutions or programs put forward to help solve sewage pollution are adopted and installed without unnecessary barriers.

IW council resolves to work with all interested parties and organisations to implement sustainable urban drainage at every opportunity. For horizontal integration of sustainable urban drainage to be placed in all ongoing development across the Isle of Wight.

IW Council resolves to work with all stakeholders ensuring that sewage releases into the sea surrounding the Isle of Wight are zero by 2030.

- (b) By Councillor J Lever

Under Part 4B(8) – Notice to rescind decision

That the decision made by Full Council on 17 January 2024 to discontinue the current exceptional hardship policy be rescinded.

The Exceptional Hardship Fund (EHF) is an integral part of the Local Council Tax Support (LCTS) scheme that provides additional financial relief for LCTS claimants facing 'exceptional hardship'. A decision which included discontinuing this aspect of the Local Council Tax Support scheme was made by full council on 17th January 2023.

This council notes that:

- The cost of living crisis has had a devastating impact on individuals and households, many of which are facing unprecedented financial pressures.
- From April 2023 and as of December 2023, 150 Islanders were successful in their application for the EHF.
- This equates to £44,292 of a total £50,000 fund; the Council is expected to exceed that fund total by the end of this financial year, as it did the last financial year.
- The number of successful EHF applicants and total EHF funds paid out have been increasing every year since the fund started in the 2016/17 financial year, clearly demonstrating there is a growing need for this fund.
- Discontinuing the EHF without a direct and suitable alternative would likely have adverse financial impacts on a growing number of Islanders that would have otherwise needed it. As a result the potential increases for negative health consequences for individuals and thus – unnecessarily – having wider reaching impacts on services, like our NHS.
- The decision to discontinue the EHF will result in an increased financial burden to the Isle of Wight Council should the Council use a suggestable alternative to the EHF, such as the Council Tax Discretionary Reductions (CDTR) scheme, as the costs of alternate schemes are not spread across preceptors but wholly that of the Isle of Wight Council.
- This motion does not seek to rescind the part of the previously made decision by full council that would see an uplift in the LCTS from 70% to 75%.

Council therefore resolves to:

That the decision made by Full Council on 17 January 2024 to discontinue the current exceptional hardship policy be rescinded.

12. Member Questions to the Leader and to any other Cabinet Member (30 minutes)

To receive a reply to a question asked during Members' Question Time to the Leader or Cabinet Member, a question must be submitted in writing or by electronic mail to Democratic Services no later than 5pm on Thursday, 22 February 2024. A question may be asked at the meeting without prior notice but in these circumstances there is no guarantee that a full reply will be given at the meeting.

CHRISTOPHER POTTER
Monitoring Officer
Tuesday, 20 February 2024

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

Notice of recording

Please note that all meetings that are open to the public and press may be filmed or recorded and/or commented on online by the council or any member of the public or press. However, this activity must not disrupt the meeting, and if it does you will be asked to stop and possibly to leave the meeting. This meeting may also be filmed for live and subsequent broadcast (except any part of the meeting from which the press and public are excluded).

If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

If you require further information please see the council guide to reporting on council meetings which can be found at <http://www.iwight.com/documentlibrary/view/recording-of-proceedings-guidance-note>

All information that is recorded by the council is held in accordance with the Data Protection Act 2018. For further information please contact Democratic Services at democratic.services@iow.gov.uk

Arrangements for Submitting Oral Questions at Meetings of Council and Cabinet:

The front desk “opens” for public wishing to attend the meeting half an hour before the meeting.

In the circumstances that a member of the public wishes to ask an oral question, they should approach the front desk and notify them of their intention. They will be given a form to complete which details their name, town/village of residence, email address and the topic of the question (not the question in full, unless they wish to provide this).

These forms will be numbered in the order they are handed back.

The time for registering questions will be for a 20 minute period (up to 10 minutes prior to the start of the meeting). After that time expires the forms will be collected and given to the Chairman of the meeting.

If time allows after dealing with any written questions, the Chairman will then ask those who have submitted a form to put their question. These will be in the order they were received. As the subject matter is known, the Chairman should be able to indicate which member will reply. If time permits the Chairman may accept further questions.

The option to ask a supplementary question will be at the Chairman’s discretion.

Once the defined period of time allowed for questions has passed (and assuming the Chairman has not extended this) then all remaining oral questions are left unanswered.

No oral question will receive a guaranteed written response, unless the member responding indicates as such.