



Minutes

Name of meeting	CORPORATE SCRUTINY COMMITTEE
Date and Time	TUESDAY 9 MARCH 2021 COMMENCING AT 5.00 PM
Venue	VIRTUAL (MS TEAMS)
Present	CLLRS R HOLLIS (Chairman), M LILLEY (Vice-Chairman), D ANDRE, M BESTON, V CHURCHMAN, S HENDRY, J JONES-EVANS AND C QUIRK
Co-opted	S WEEDALL (HALC), H HEWSTON (IWALC) (Non-Voting)
Cabinet Members	CLLRS B ABRAHAM, P BRADING, S HASTINGS, S HUTCHINSON, C MOSDELL, G PEACE, B TYNDALL, D STEWART, I WARD, W WHITTLE
Also Present	CLLRS A GARRATT, L PEACEY-WILCOX, I STEPHENS CHRIS ASHMAN, STEVE CROCKER, ALEX MINNS, JOHN METCALFE, SEAN NEWTON, CHRIS POTTER, COLIN ROWLAND, CLAIRE SHAND, PAUL THISTLEWOOD, MEGAN TUCKWELL

58. **Minutes**

RESOLVED:

THAT the Minutes of the meeting held on 9 February 2021 be confirmed subject to a minor grammatical amendment.

59. **Declarations of Interest**

Cllr Julie Jones-Evans declared an interest in item 62.1, Covid-19 Response and Recovery, as Director of the Chamber of Commerce.

Cllr Chris Quirk declared an interest in various items on the agenda, as a member of the Members Regeneration Board, Members Housing Board, Parking Projects Board and the Policy and Scrutiny Committee for Neighbourhoods and Regeneration.

Cllr Michael Lilley declared an interest in item 63.5, Disposal of Ryde Harbour and Adjoining Land, as a member of Ryde Town Council and as it's Mayor.

60. **Public Question Time - 15 Minutes Maximum**

Ten written public questions were been received in relation to the Floating Bridge; from Neil Blues (PQ18/21), Cameron Palin (PQ19/21), Michael Douse (PQ20/21), Janice Douse (PQ21/21), Neil Oliver (PQ22/21), Patricia McCourt (PQ23/21), Tracy Mikich (PQ24/21), Colin McCourt (PQ25/21), Lin Kemp (PQ26/21), and Sharon Lake (PQ27/21). The Chairman read the questions and responses were provided.

61. **Cowes Floating Bridge**

The Chairman introduced the item and invited the Leader and the Director of Neighbourhoods to present the report which outlined the background to the procurement of Floating Bridge 6; the main issues experienced, the current legal position, options, and the corresponding recommendations.

Discussion took place regarding the original funding from the Solent Local Enterprise Partnership, and the recent Government announcement of the Levelling Up Fund to invest and address regional infrastructure inequalities. Further questions were raised in relation to the fulfilment of vessel objectives, vessel reliability, communication with residents, and future planning.

Following discussion an amendment to the recommendations contained in the report was made but this was lost on a vote. A vote was taken on the proposed recommendations and it was;

RESOLVED:

- i. THAT the committee noted that there had been no issues with the approach taken to procurement, tendering, and contracting of Floating Bridge 6.
- ii. THAT the recommendations from both the PWC and Internal Review Board be noted.
- iii. THAT the committee acknowledged that it cannot delve deeper into all of the efforts made to resolve the boat's challenges until the action under the contract has been concluded.
- iv. THAT a future meeting of the Committee reviews the outcomes of the mediation as a basis for making recommendations on lessons learned for the whole council from this project.
- v. THAT the questions from the Chairman be noted, and it be agreed that where these have not been addressed through the report or cannot be addressed due to the legal situation, they will form the basis of the review of the outcomes of the mediation process.

Following discussion, members adjourned for a ten-minute comfort break.

62. **Updates on current issues:**

62.1 **Covid-19 Response and Recovery**

The Deputy Leader and Cabinet Member for Strategic Finance & Covid-19 Recovery provided a verbal update on the recent key areas of activity. Members were advised that infection and death rates continued to decrease, lateral flow testing was available at several hubs on the Island, and vaccination slots were readily available for the elderly and at-risk cohorts.

Discussion took place regarding the roadmap out of lockdown. It was confirmed that schools had reopened, and early indications showed that they were coping well. Additionally, both parents and pupils had access to free lateral flow testing on

request. Questions were raised regarding cross-Solent travel and its return to a full service. It was advised that the council continued to support the leisure and hospitality sector and it was confirmed that the Government had extended reliefs, grants, and the furlough scheme to September 2021.

RESOLVED:

THAT the update be noted.

62.2 Leaders Update

The Leader provided a verbal update with regards to the Island Deal and it was confirmed that discussions with Government were progressing. Additionally, it was advised that the Council were well positioned to take advantage of the grants available through the newly announced Levelling Up Fund. Members were reminded that the Solent Local Enterprise Partnership had been successful in its bid to become a free port, which could bring significant benefits to the Islands economy.

RESOLVED:

THAT the update be noted.

63. To review items due to be considered by the Cabinet

63.1 Isle of Wight Infrastructure Investment Plan

The Cabinet Member for Regeneration and Business Development presented the report which sought the Cabinet's approval for the Island Investment Plan, as the basis for future funding applications to Government to assist with regeneration and recovery. Questions were raised and comments were made regarding manufacturing, renewable energy, artisan food production, and innovative programmes for new and rural businesses.

RESOLVED:

THAT the proposed recommendation be noted.

63.2 Dinosaur Isle – update on competitive dialogue and options to progress

The Cabinet Member for Regeneration and Business Development presented the report which sought the Cabinet's agreement to review the current procurement process at Dinosaur Isle which had been underway for some time. Discussion took place regarding the complex procurement process and members felt that the Council could be more ambitious around this area. It was agreed that the Ward Member for Sandown North be involved in future discussions around this.

RESOLVED:

THAT the proposed recommendation be noted.

63.3 Proposal for joint working with the Ministry of Justice to secure investment in improvements in and maintenance of land at Parkhurst Estate Newport

The Leader advised that the Ministry of Justice was seeking support from the council to resolve highways and public realm disrepair on its Parkhurst estate. The Cabinet Member for Regeneration and Business Development presented the report which sought the Cabinet's acceptance of the terms from the Ministry of Justice, and approval to delegate the subsequent approval or refusal of the acquisition of land to the relevant officers and Cabinet Members. It was noted that part of the report was exempt and should not be discussed publicly. The Ward Member for Parkhurst was invited to speak and highlighted some key areas for the committee to explore, should the Cabinet approve the decision. This included communications with residents, when the map of roads would become publicly available, and how the Council could exercise its power to address issues around fly-tipping, speeding, and school parking.

RESOLVED:

THAT the proposed recommendation be noted.

63.4 Disposal of Sandown Civic Centre/Barracks to NHS

The Cabinet Member for Resources advised that the Council had been approached by the Isle of Wight NHS Trust to purchase the Civic Centre/Barracks building with the intention to refurbish for its reuse as a community mental health facility and wider community health hub serving the Bay area. The Cabinet were asked to agree to the disposal of the Civic Centre/Barracks to the Isle of Wight NHS Trust, with the final details to be agreed by the Director of Regeneration in consultation with the Cabinet Member.

RESOLVED:

THAT the proposed recommendation be noted.

63.5 Disposal of Ryde Harbour and adjoining land

The Cabinet Member for Resources presented the report which reviewed the market testing exercise undertaken for the future management and operation of Ryde Harbour; and asked the Cabinet to consider the options and to determine which of those options form the agreed resolution. Clarification was sought regarding the recommendations and options contained within the report. It was noted that clarification would be given at Cabinet of the recommended option and that the future of Ventnor Harbour would be the subject of a separate decision at a later date.

RESOLVED:

THAT the proposed recommendation be noted.

63.6 Consideration of and decision on the report of the Local Government and Social Care Ombudsman dated 21 January 2021

This item would be considered by the Cabinet in private and was not discussed.

64. Committee's Work Plan

64.1 Forward Plan

Members were invited to identify any items contained within the published forward plan that would benefit from early consideration within the workplan for either the Committee or one of the policy and scrutiny committees. No comments were made at this stage.

RESOLVED:

THAT the Forward Plan be noted.

64.2 Workplan

Members considered the workplan for 2020-21 and were invited to make suggestions for further items for possible inclusion. Members suggested that it would be of use to the Committee going forward to have a timeline of statutory items which needed to be considered.

RESOLVED:

THAT the workplan be noted.

65. Members' Question Time

Cllr Jones-Evans submitted a series of written questions in relation to the Floating Bridge (MQ02-08/21) and the Chairman confirmed that written responses would be provided.

CHAIRMAN

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Public Question time

To view any public questions that were put to this committee, they will be listed as an additional PDF document below the public question time section within the online minutes, an example is displayed below:

32. [Public Question Time](#) PDF 87 KB

Questions must be delivered in writing
later than 5pm on Friday, 15 January 20

Additional documents:

- [PQ 11-21](#)  PDF 85 KB
- [PQ 12-21](#)  PDF 90 KB

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Corporate Scrutiny Committee – 9 March 2021

Written question from Mr Neil J Blues of Ryde:

“Why is it that the papers presented to the Scrutiny Committee by the Cabinet Member for Infrastructure and Transport, fail to mention the report entitled “Causal and Impact Analysis - Failures of the Floating Bridge #6 Project” which details specific engineering and procurement problems, written by a professional engineer and presented to the Solent LEP Full Board on Friday 22nd June 2018? I remind you that the Council Leader, Cllr Dave Stewart, is a member of that Board.”

Response

It has not been included in the paper as it was not a report commissioned by the IWC. This does not mean it wouldn't be considered as we move forward.

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Corporate Scrutiny Committee – 9 March 2021**Written question from Cameron Palin of East Cowes:**

“What are the projected whole life costs now, taking into account all of the overspend to date and the projected overspends in the future? The whole life costs include capital, operating, maintenance, and staff costs, including all of the current overspend (due to equipment and mechanical failures and cost of barge, Jenny boat etc), and the projected overspends for the remaining life of the FB6. Once again this should include capital, planned maintenance costs, potential upgrades to attempt to solve known issues, costs of barge and Jenny boat and staff costs.”

Response

Thank you for the questions the council is well aware of the matters raised and as a result is seeking legal recourse which has been well documented. This matter is currently subject of legal process and mediation. Once these aspects have been addressed the administration will be able to provide a full report and announce proposed next steps regarding the future of the floating bridge. Matters relating to council budget will be addressed at a future full council meeting.

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Corporate Scrutiny Committee – 9 March 2021

Written question from Michael Douse of East Cowes:

“What is the total spend and overspend to date on the floating bridge and slipways i.e. an accurate update on the £4.6million floating bridge project which ballooned to £6.4 million in September 2018?”

Response

Thank you for the questions the council is well aware of the matters raised and as a result is seeking legal recourse which has been well documented. This matter is currently subject of legal process and mediation. Once these aspects have been addressed the administration will be able to provide a full report and announce proposed next steps regarding the future of the floating bridge. Matters relating to council budget will be addressed at a future full council meeting

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Corporate Scrutiny Committee – 9 March 2021

Written question from Janice Douse of East Cowes:

“Can you confirm that the Council plans to recuperate, through legal proceedings, all of the millions of pounds of our taxpayer money expended and wasted on the floating bridge to date?”

Response

We are unable to provide an answer to this due to ongoing legal action as it would contain exempt information.

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Corporate Scrutiny Committee – 9 March 2021

Written question from Neil Oliver of Cowes:

“I wondered why the Isle of Wight Council (IWC) refused to undertake an unbiased independent engineering audit in 2017 – a full physical inspection by an engineer - when local professional engineers warned IWC of the current and future problems and told IWC that the floating bridge could never be fit for purpose, to assess whether the bridge could perform to specification or not. Instead IWC appeared to pretend that biased self-assessment and a tiny procurement audit by PwC were proper “assessments” of the floating bridge’s physical engineering problems?”

Response

The Council has, from the early stages brought in specialist engineering advice from several independent companies and consultancies. In addition to assisting the council in resolving issues with the vessel this also provides information to support the ongoing legal action.

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Corporate Scrutiny Committee – 9 March 2021

Written question from Patricia McCourt of East Cowes:

“Why did the Council staff and leadership refuse to listen to and heed the advice of the professional engineers who since June 2017 told the Council that the floating bridge was not fit for purpose and predicted many problems including the piers and hydraulics and that the Council should not waste money on this one and instead get a new floating bridge?”

Response

The IWC has taken notice of this advice, hence the appointment of independent engineering companies and consultancies and the ongoing legal action.

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Corporate Scrutiny Committee – 9 March 2021

Written question from Tracy Mikich of Ryde:

“Regarding the larger staff and operational costs for floating bridge 6, how much more money was spent on the floating bridge in capital, operating, staff, and maintenance costs in calendar year 2020 compared with what was spent on the floating bridge in calendar year 2016?”

Response

Thank you for the questions the council is well aware of the matters raised and as a result is seeking legal recourse which has been well documented. This matter is currently subject of legal process and mediation. Once these aspects have been addressed the administration will be able to provide a full report and announce proposed next steps regarding the future of the floating bridge. Matters relating to council budget will be addressed at a future full council meeting

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Corporate Scrutiny Committee – 9 March 2021

Written question from Colin McCourt of East Cowes:

“Given that the Whole Life Cost (ie cost over its 20yr life) must have been a critical factor in choosing the final design, what is the projected increase in the Whole Life Cost following the numerous issues with FB6? This cost should include capital, planned (and unplanned maintenance) costs to date in terms of hours and materials to carry out this maintenance and staff costs.”

Response

Thank you for the questions the council is well aware of the matters raised and as a result is seeking legal recourse which has been well documented. This matter is currently subject of legal process and mediation. Once these aspects have been addressed the administration will be able to provide a full report and announce proposed next steps regarding the future of the floating bridge. Matters relating to council budget will be addressed at a future full council meeting

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Corporate Scrutiny Committee – 9 March 2021

Written question from Lin Kemp:

“In light of the fact that Mainstay Marine previously known as Mustang Marine before being brought out of Administration as a new company, did the IOW Council Staff do due diligence and check before they engaged in a legal case, that the companies would have enough money or insurance to pay out millions of pounds?”

Response

We are unable to provide an answer to this due to ongoing legal action as it would contain exempt information.

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Corporate Scrutiny Committee – 9 March 2021

Written question from Sharon Lake of East Cowes:

"Will the Council confirm that the floating bridge must have very frequent crossings and will guarantee that the floating bridge will have very frequent crossings - as frequent as the six return crossings an hour we were promised in the requirements, like floating bridge 5 had in the 1980s - so that customers will wait the short wait times for the floating bridge, helping the economy?"

Response

As previously indicated the speed of the crossing is the same as it was during the later stages of operation of FB5. The change in how the vessel is loaded and unloaded was as a result of the MCA informing the Council that it was required to implement segregated embarkation and disembarkation of foot passengers and vehicles This has continued with FB6. FB6 is currently making 4 x return crossings an hour for 15.5 hours per day, 7 days a week.

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Member Question time of the Leader

To view any Member questions that were put to the Leader, they will be listed as an additional PDF document below the Member question time of the Leader section within the online minutes, an example is displayed below:

29. Member Question Time of the Leader

- [View the background to item 29.](#)

A question must be submitted in writing on 17 November 2020.

Additional documents:

- [MQ - 15/20](#)  PDF 96 KB

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Questions for Corporate Scrutiny Committee from Cllr Julie Jones-Evans

- 1) How much money in total has been spent on the floating bridge project, and how much of an overspend is there? I know that in 2018 the press reported (and I think it was in the new floating bridge business case) that by then it had grown to £6.4 million., so almost a £2 million overspend by autumn 2018.

Thank you for the questions the council is well aware of the matters raised and as a result is seeking legal recourse which has been well documented. This matter is currently subject of legal process and mediation. Once these aspects have been addressed the administration will be able to provide a full report and announce proposed next steps regarding the future of the floating bridge. Matters relating to council budget will be addressed at a future full council meeting

- 2) There have been professional engineers – local and well-known international engineers – who all have said the floating bridge wouldn't work and have continuously warned the Council not to spend any more money trying to fix the unfixable. I remember back in 2017 at several public meetings and even at Scrutiny, they warned about things which hadn't gone wrong yet but their predictions about the hydraulics and prow amongst others came true. So why did the Council make decisions without engaging completely independent professional engineers and do a real engineering audit to see if the floating bridge was salvageable?

The IWC has taken notice of this advice, hence the appointment of independent engineering companies and consultancies and the ongoing legal action.

- 3) Several times the Leader said he would not do an independent engineering audit. In his report of 2017, Dave Stewart drew attentions to the failings of the staff in the design and build process, mostly from lack of engineering and engineering project management knowledge, and the Owner's Representative, Tim Light, was also not an engineer. So why in 2017, after his report, would the Leader decide to reject independent engineering expertise and instead guess what needs fixing, which just wasted money on things that engineers know are expensive to fix or can't be fixed?

The IWC has since the implementation of FB6 appointed independent engineering companies and consultancies to review the issues being experienced and propose solutions.

- 4) Did the sidethrusters come out of a completely unbiased independent engineering audit assessing the entire floating bridge, in order for the bridge to meet all of its requirements like being frequent and available, or did just decide on your own that you want to experiment with sidethrusters and therefore asked an engineer to design sidethrusters? If there was such an audit, may I please have a copy of it? Have you done an environmental impact report on the floating bridge and also one on the sidethrusters, and may I have a copy of those two? Have you done a financial impact assessment on additional fuel for potential side

thrusters, and may I have a copy of that? How long would sidethrusters take the floating bridge out of action?

The feasibility of side thrusters is a potential engineering solution that has been proposed and costed by an independent engineering specialist. All of the work has been completed but currently these options are being considered by our legal advisers and will be made available at the appropriate stage of the legal process.

- 5) As a SME business person, I'm really worried about the frequency of crossings as customers refuse to wait long times for the floating bridge, just like parking is an issue in Newport. Can the Council guarantee that the floating bridge consistently be frequent like the old floating bridge or even better?

As previously indicated the speed of the crossing is the same as it was during the later stages of operation of FB5. The change in how the vessel is loaded and unloaded was as a result of the MCA informing the Council that it was required to implement segregated embarkation and disembarkation of foot passengers and vehicles This has continued with FB6. FB6 is currently making 4 x return crossings an hour for 15.5 hours per day, 7 days a week.

- 6) As seen in the floating bridge project minutes 1 December 2015 and elsewhere, why were the warnings given by Nick Symes, the former floating bridge manager, AND the Cowes Harbour Commission ignored, when they predicted the exact problems with water over the chains that we are having now and heavily questioned the plan to make the floating bridge bigger?

The project update meeting held on 1 December 2015 was with the Isle of Wight Council and the naval architects however Nick Symes was not present. Whilst a number of concerns were raised they were only identified as potential issues and were subject to additional work being undertaken by the naval architects to establish the validity and any necessary mitigations.

- 7) How much more money is this floating bridge costing to operate, compared with floating bridge 5? Of course, this includes staff, parts needing to be replaced more often, extra Jenny boat hiring, etc. And how much are these extra costs going to amount to over 25 years?

Thank you for the questions the council is well aware of the matters raised and as a result is seeking legal recourse which has been well documented. This matter is currently subject of legal process and mediation. Once these aspects have been addressed the administration will be able to provide a full report and announce proposed next steps regarding the future of the floating bridge. Matters relating to council budget will be addressed at a future full council meeting