



Record of decision

THE FOLLOWING DECISIONS WERE TAKEN ON THURSDAY, 13TH JANUARY, 2022 BY THE CABINET

THE CALL IN PERIOD FOR THESE DECISIONS EXPIRES AT 5.00 PM ON MONDAY, 24 JANUARY 2022

Members of the Cabinet who were present:

Cllrs D Andre, J Bacon, P Fuller, C Jarman, J Jones-Evans, P Jordan, K Love and I Stephens (vice-chairman)

Members also present(non-voting):

Cllrs G Brodie, C Critchison, R Downer, S Ellis, S Hastings, K Lucioni, C Quirk and P Spink

Officers Present:

John Metcalfe, C Ashman, J Brenchley, S Crocker, N Dix, A Minns, W Perera, C Potter, C Rowland, C Shand

Apologies for Absence:

Cllr L Peacey-Wilcox

Confirmed as a true record of decisions taken

Leader of the Council

Agenda item	Minutes
Decision reference	87 – 2021/22
Decision Taken	<u>RESOLVED:</u> That the Minutes of the meeting held on 16 December 2022 be approved.

Agenda item	Declarations of Interest
Decision reference	88 – 2021/22
Decision Taken	Cllr Jones-Evans declared an Interest in the item relating to Newport Harbour as she was the local member for the western side of the Harbour.

Agenda item	Public Question Time - Maximum 15 Minutes for Written Questions and 15 Minutes for Oral Questions
Decision reference	89 – 2021/22
Decision Taken	There were no Public Questions received.

Agenda item	Chairman's Announcements
Decision reference	90 – 2021/22
Summary of Discussion	The Chairman announced that he had been busy with his portfolio and deputising for the Leader at various meetings. He reported that it had just been announced by the office of the Police and Crime Commissioner that the name of the Hampshire Constabulary was to be changed to “Hampshire and Isle of Wight Constabulary”.

Agenda item	Name Change - Fairway Athletics Track
Decision reference	91 – 2021/22
Summary of Discussion	The proposed name change was in honour of the work done by Ray Scovell to develop sport on the island, and was well-deserved. Following the Corporate Scrutiny meeting on 11 January, the comments of Lake Parish Council had also been sought and they had been happy to support the recommendation.
Decision Taken	To agree to the request from the Isle of Wight Athletics Club and to change the name to the Ray Scovell Athletics Centre in 2022.
Reason for the decision and corporate objective it aligns with	This request meets many of the values and aspirations of the Corporate Plan 2021-2025 most specifically. <i>Being customer and community focused:</i> <ul style="list-style-type: none"> <i>This means putting the needs of our customers and community first, being sensitive to local needs and concerns and protecting and enhancing the environment in which we all live and work.</i>
Options considered and rejected	<u>Option 1</u> Not to change the name of the track and for it to continue

	to be called the Fairway Athletics Centre.
--	--

Agenda item	Newport Harbour – Supplementary Planning Document
Decision reference	92 – 2021/22
Summary of Discussion	<p>The document was an important step in moving to the next stage of the regeneration of Newport Harbour. It would give confidence to potential investors over several years that the council was in full support of the plan. Since the Cabinet meeting in 2020 a few changes had been made to take into account the current housing crisis. Following Cllr Price's petition, housing at Seaclose gate had previously been removed from the plan, however it was believed that the council needed to focus on its own assets to help address the housing crisis, therefore views would again be sought on housing in Fairlee Road. The community would be involved in meaningful consultation. It was recognised that Seaclose park was important for recreation, and another Newport councillor believed that most people would be opposed to housing at Seaclose as there were other brownfield sites which could be used. Consultation would take place on the document as a whole rather than piecemeal to avoid further work at a later date.</p> <p>The Corporate Scrutiny Committee had made no comment due to the upcoming consultation.</p>
Decision Taken	Cabinet agrees to the publication of the draft Newport Harbour Masterplan Supplementary Planning Document for public consultation.
Reason for the decision and corporate objective it aligns with	<p>Adopting the masterplan for Newport Harbour as an SPD will contribute to achieving Corporate Plan 2021-2025 outcomes, particularly the three cross cutting activities of provision of affordable homes for Island residents, responding to climate change and enhancing the Biosphere and economic recovery. It also contributes to a green and thriving economy by helping achieve the completion of a key regeneration project to drive employment, skills and inward investment.</p> <p>The intention to create a masterplan for Newport Harbour is also set out in the Council's Regeneration Strategy. Redevelopment of Newport Harbour is also included in the emerging Island Planning Strategy.</p>
Options considered and rejected	Option B To not publish the draft Newport Harbour Supplementary Planning Document for public consultation.

--	--

Agenda item	School Funding Formula and Budget Setting 2022/23
Decision reference	93 – 2021/22
Summary of Discussion	<p>There had been some minor amendments to the national funding formula used to allocate funding to the council. The proposed local formula had been agreed by the Schools' Forum and the DfE needed to be notified of it by 21 January 2022, and allocations confirmed to schools by 28 February 2022.</p> <p>The high needs block showed a significant budget shortfall of approximately £1.33 million as the formula did not fully account for the high number of SEN children on the island. The position was similar in a number of other authorities. There was to be a government SEND review in Spring 2022 and the results would be awaited with interest.</p>
Decision Taken	Cabinet approves the 2022/23 school funding formula and wider Dedicated Schools Grant budget allocations detailed in Appendix 1 and 2.
Reason for the decision and corporate objective it aligns with	<p>The 2021 to 2025 corporate plan emphasises the need for the local authority to work with and challenge schools in financial deficit to secure a more sustainable position for the schools and the council. The funding formula within the report results in increases in all funding formula factors, increasing funding for all schools mitigating risks of individual schools in deficit. This impacts on schools delivering on existing budget plans, and financially viable schools in turn contribute to ensuring pupils can develop their skills and fulfil their potential.</p> <p>The DSG budget presented for 2022/23 is financially balanced and contributing towards achieving a sustainable position in the medium term.</p>
Options considered and rejected	Option 2 – To require further formula options and alternative schools grant budgets to be developed, requiring a further period of consultation to be carried out with schools.

Agenda item	Supporting the UNESCO Biosphere
Decision reference	94 – 2021/22
Summary of Discussion	The framework was intended to assist in taking forward and developing the UNESCO biosphere status of the

	<p>island. There were 17 goals set out in the document which were intended to create a sustainable future for the island and its residents and visitors. Since the status had been awarded progress had so far been slowed due to the pandemic, however it was hoped to move forward with integrating the goals into planning and policy, which would cut across all portfolios. A steering group was to be set up to promote the aims of the biosphere, which would be independently chaired. Many people had contributed to the framework and the Cabinet Member asked for his thanks to be recorded to Richard Grogan and Joel Bateman of the AONB.</p> <p>Member training sessions on the biosphere would be announced soon.</p> <p>A suggestion was made that the document should be rewritten in Plain English, to make it easier for the ordinary person to understand.</p> <p>The Corporate Scrutiny Committee had supported the recommendations and would be monitoring the delivery of actions.</p>
Decision Taken	<p>Option 2:</p> <ul style="list-style-type: none"> • Agree that the templates for decisions to full council provides sufficient regard for the Biosphere within the development of Policies, Strategies and Decisions taken by the council. • Agree to adopt and build the document 'Supporting the IW UNESCO Biosphere, into the workstream planning of the work of the council. • Create and support a Biosphere Steering Committee in accordance with the 'Supporting the IW UNESCO Biosphere' document. The Committee is to be administratively supported by the Council and is to work alongside the Mission Zero Hub currently under development.
Reason for the decision and corporate objective it aligns with	<p>The Isle of Wight council has demonstrated its commitment to achieving the overarching purpose of the IW Biosphere status through its Corporate Plan 2021-2025, which sets out that responding to Climate Change and enhancing the Biosphere is one of the three key areas for Action.</p> <p>IW Biosphere accreditation and the council's support of its delivery is primarily focused on in the corporate plan</p>

	through the administration's aspirations 41 to 45.
Options considered and rejected	<p>Option 1:</p> <ul style="list-style-type: none"> • Agree that the templates for decisions to full council provides sufficient regard for the Biosphere within the development of Policies, Strategies and Decisions taken by the council. • Agree that the IWC Corporate Plan provides sufficient support and guidance for the council in regard to supporting and enhancing the Biosphere. • Agree that the further commitment of the council is not necessary.

Agenda item	Deployment of Electric Vehicle Charge Points in council car parks.
Decision reference	95 – 2021/22
Summary of Discussion	<p>A lease arrangement was the preferred option as it would be the least costly to the council. A tendering process had been carried out in Hampshire, and the council would be able to take advantage of that arrangement. Machines would be installed in the car parks identified in addition to the on-street ones which were already funded. It was hoped that as demand grows, the number of machines could be increased into more car parks. It was important to catch up with the mainland, as visitors to the island would expect machines to be available. Town and Parish Councils would be consulted prior to any further installation.</p> <p>It was noted that the Corporate Scrutiny Committee had been in support of the recommendation.</p>
Decision Taken	Cabinet approves the installation of electric vehicle charge points in council car parks under the 'Central Southern Region' framework; approve the first 9 locations for charge point installations under a 'Lease' arrangement; and give the Director of Regeneration / Director of Neighbourhoods, in agreement with the portfolio holder, authority to expand the network as demand grows.
Reason for the decision and corporate objective it aligns with	This proposal supports the Corporate Plan in seeking to enhance the Island's infrastructure by accelerating the deployment of EV charge points for residents, businesses and visitors. The specific proposal in this report is a

	<p>planned, initial network which meets the needs of today's EV users and will provide reassurance to those that have not yet purchased an EV due to concerns about range and recharging. It will also support green and thriving businesses by providing facilities for business vehicles to recharge during their normal drive cycles.</p> <p>In helping the switch from fossil fuel vehicles to electric vehicles, the proposal supports the Climate & Environment Strategy by reducing carbon emissions from vehicles and improving air quality. Specifically, it will support the following output:</p> <p><i>Output 040 - Increase the number of publicly available rapid charging and fast charging electric vehicle charge points across the Island to at least 72.</i></p>
Options considered and rejected	<p>Do nothing - there is an option to do nothing and to rely on the private sector to provide a network of public charge points on private land. Whilst this market is expected to develop over time, it is unclear whether it will be extensive enough to meet demand or to encourage the rapid switch to EVs. Whilst the network does not meet need, the council can expect to receive regular complaints from residents and visitors. With this option the council will not replace the existing, unreliable charge points and will not be seen to be taking steps to deliver this part of the Climate & Environment Strategy.</p> <p>Consider other procurement routes - the proposal is to use the CSR framework set up by Hampshire County Council. The framework has now been used by over 80 public organisations and provides a simple route to market for public bodies which do not have the procurement expertise to undertake a procurement exercise from scratch. Alternative procurement routes could be explored but are not expected to provide significant advantages.</p> <p>Consider the most appropriate ownership model - EVCPs have the potential to generate income. However, the cost of the purchase and installation of charge points is still considerable, in the region of £30,000 for rapid chargepoints and £5,000 for fast chargepoints. In addition, every charge point requires a back-office management system, a repair and maintenance contract and regular safety inspections, all incurring ongoing costs. The council could invest its own funds under the Own & Operate, External Operator or Concession models, whilst the Lease</p>

	<p>model does not require any council funding.</p> <p>Consider alternative providers under the Lease model - the council has spoken to many EVCP providers which are keen to utilise council car parks, through a fully funded model. Third party providers require a return on their investment and their offer to the council would be in the form of a profit share, usually in the region of 10%. The council could further investigate whether better offers are available or whether other providers are willing to install a more extensive network of charge points. This would involve a new procurement and, whilst other providers may offer a wider network, the proposal from Joju is considered suitable for current need and can be further developed over time.</p>
--	---

Agenda item	Floating Bridge 6 - outcomes from Gateway 5 Review
Decision reference	96 – 2021/22
Summary of Discussion	<p>This independent report which had been requested by the SLEP 15 months ago was welcomed by the Cabinet. Mediation had been agreed to take place on 2 March 2022. A further report would come back to Cabinet following the mediation process and would make recommendations as to the future viability of FB6, along with any further actions. It was hoped for an agreeable settlement.</p> <p>The had been no comment from the Corporate Scrutiny Committee.</p>
Decision Taken	<ol style="list-style-type: none"> 1. To note the Gateway 5 Review report and approve the implementation of the respective recommendations subject to resources 2. To continue with the mediation process 3. Alongside this to provide where resources allow: <ul style="list-style-type: none"> • A financial analysis of the costs of keeping Floating Bridge 6 over the potential 25-year lifetime of the vessel compared with the previous profit-making FB5 and a potential new, well-performing FB7. This would include a detailed assessment of an alternative (new) vessel provision, with a forecast, before any further assessment of whether Floating Bridge 6 can sustainably continue to operate. • An economic impact assessment of Floating Bridge

	<p>6, reviewing impact on local businesses including shops and mobile businesses as well economic depressors such as traffic, reviewing past, current, and potential future damage</p> <ul style="list-style-type: none"> • A clear set of performance requirements for the Floating Bridge service, based upon the previous Floating Bridge 5's performance in its best (peak) years as minimum standards for what is necessary for a good service which successfully helps the economy and is financially viable, in terms of frequency of crossings, availability, accessibility, efficiency, affordability and determine if Floating Bridge 6 can meet those requirements. <p>4. To provide a further report to Cabinet upon the completion of legal mediation process and provide progress on the delivery of the recommendations within the Gateway review. In addition to make recommendations for further considerations and actions in terms of the existing FB6 vessel when considered against the viability of alternatives, such as a replacement vessel.</p>
Reason for the decision and corporate objective it aligns with	<p>The continuation of a cross-Medina service between East Cowes and Cowes contributes to the council's priority as set out in the Corporate Plan of growing the economy and tourism.</p> <p>The floating bridge is a discretionary service that the council has no legal obligation to provide. The council's medium-term budget strategy identifies the financial pressures facing the council in meeting its statutory responsibilities. Therefore, where it chooses to provide significant discretionary services this should be at either no, or limited additional cost, to the council. It should be noted that the previous floating bridge FB5, made an operating profit for the Isle of Wight Council</p> <p>The new floating bridge was commissioned with significant financial support from the Solent LEP as part of a wider regeneration support package for the Island.</p>
Options considered and rejected	<p>Not to accept the recommendation of the Gateway review and to seek an alternative way forward.</p> <p>Not to continue with mediation and seek alternative legal redress</p>

Agenda item	Hackney and Private Hire Licensing Policy including the relevance of convictions policy
Decision reference	97 – 2021/22
Summary of Discussion	<p>The policy was to set out the standards for licensed vehicles and drivers and had been updated to include safeguarding training for drivers. Consultation had been carried out between November and December 2021. Some comments had been received and considered when finalising the policy. There would not be an upper age limit on vehicles provided they were kept in good order. It was agreed that it was important to ensure that taxis, particularly those used for school transport were safe. The taxi trade were encouraged to use or replace vehicles with electric ones.</p> <p>There had been no comment made by the Corporate Scrutiny Committee.</p>
Decision Taken	To approve and adopt the revised Hackney Carriage and Private Hire Licensing Policy, attached as Appendix 1.
Reason for the decision and corporate objective it aligns with	<p>This Safe and sustainable public transport supplied by taxis is an essential part of the economy by providing transport to and from retailers, entertainment and hospitality venues.</p> <p>Taxis are an integral part of providing safe transport at all times of the day and ensures that safe travel is provided at all times.</p> <p>The Hackney Carriage and Private Hire Policy relates to several corporate priorities of the Isle of Wight council Corporate plan 2021-202, but specifically 'Deliver the Statutory Regulatory Functions to Keep the Island Businesses, Residents, and Visitors safe from Harm'.</p>
Options considered and rejected	<p>Option 2: To amend approve and adopt the revised Hackney Carriage and Private Hire Licensing Policy, attached as Appendix 1.</p> <p>Option 3: To not approve the policy and refer back to council staff for further action.</p>

Agenda item	Street Trading Policy
Decision reference	98 – 2021/22

Summary of Discussion	<p>The policy had been updated to meet current and future requirements. Consultation, including with existing street trading consent-holders, had taken place between November and December 2021. All comments received had been considered. The Licensing Committee had been briefed on the policy. This would tie in with the council's pop-ups initiative and would help to get businesses going for small traders, especially following the COVID pandemic. Town and Parish Councils would be consulted to identify some appropriate sites.</p> <p>The Corporate Scrutiny Committee had made no comment.</p>
Decision Taken	Cabinet approves and adopts the draft Street Trading Policy, attached as Appendix 1.
Reason for the decision and corporate objective it aligns with	<p>Street Trading is a major part of the Island's thriving economy. Providing the ability for business to diversify allows additional opportunities for traders.</p> <p>The Street Trading Policy relates to several corporate priorities of the Isle of Wight council Corporate plan 2021-202, but specifically 'Deliver the Statutory Regulatory Functions to Keep the Island Businesses, Residents, and Visitors safe from Harm'.</p>
Options considered and rejected	<p>Option 2: To amend and adopt the draft Street Trading Policy, attached as Appendix 1.</p> <p>Option 3: To not approve the policy and refer back to council staff for further action.</p>

Agenda item	Development of Relocatable Homes
Decision reference	99 - 2021/22
Summary of Discussion	<p>Members were looking forward to making a positive impact on islanders suffering homelessness. There would be 20 x 2-bedroom homes with affordable rents and running costs. They were of a high standard with around 60 years longevity, and could be moved to other areas. This would be a temporary arrangement and a stepping-stone to finding longer term accommodation. It was important to get families out of B&B accommodation, particularly those with children. The necessary authorisations would be agreed in February before moving the project forward.</p>

	<p>It was hoped that more homes could be provided in the future if resources could be found.</p> <p>The Corporate Scrutiny Committee had recommended that the Policy and Scrutiny Committee for Neighbourhoods and Regeneration should monitor the delivery of the actions set out and should consider establishing a task and finish group to look at other innovative ways of providing social housing.</p>
Decision Taken	<p>Option 3: To commission, develop and build 20 x two bed relocatable modular homes, subject to the related capital bid being approved by Full Council in February 2022 and the required borrowing being approved by the S151 Officer on receipt of a detailed business case, and any other necessary consents.</p> <p>Option 6: If the Capital bid is approved by Full Council, delegate commissioning decisions and day to day project management to the Director of Regeneration, in consultation with the Cabinet member, to ensure minimal time delays to procure and deliver the 20 units of accommodation as soon as possible.</p>
Reason for the decision and corporate objective it aligns with	<p>Investing in the development of relocatable modular homes for this purpose fully fits with the council's key strategic objectives mandated in the Corporate Plan 2021 - 2025.</p> <p>The recommendation to go forward with this proposal helps to deliver the Alliance Administrations' aspirations linked to all three cross-cutting objectives of the Corporate Plan.</p> <ul style="list-style-type: none"> • Provision of affordable homes for Island Residents • Responding to climate change and enhancing the biosphere • Economic recovery <p>The proposal further aligns and contributes to the delivery of outcomes as set out in the following strategies:</p> <ul style="list-style-type: none"> • Adopted Homelessness and Rough Sleeping Strategy 2019 – 2024 • Adopted Housing Strategy 2020 – 2025 • Climate and Environment Strategy and Action Plan 2021 – 2040 • UNESCO Biosphere <p>The potential impact this project will bring is firstly to</p>

	increase the number of “affordable homes” to give increased opportunities for more family households to stay on the Island and reduce the number of Island households being placed in more expensive Bed and Breakfast placements.
Options considered and rejected	<p>Option 1: Do Nothing.</p> <p>Option 2: Buy second-hand properties from the market</p> <p>Option 4: Commission relocatable homes via a third-party “affordable” housing organisation. subject to the related capital bid being approved by Full Council in February 2022 and the required borrowing being approved by the S151 Officer on receipt of a detailed business case, and any other necessary consents</p> <p>Option 5: Compulsory Purchase Empty Homes</p>

Agenda item	Amendments to the Covert Surveillance Policy
Decision reference	100 – 2021/22
Summary of Discussion	The council was required to have a up to date policy, and this had been reviewed and updated in 2020. It was noted that the powers available had only been used once in the previous three years in relation to a benefit fraud case.
Decision Taken	Cabinet notes the recent IPCO inspection findings, at Appendix 1, and notes the council’s use of the powers available in the last 3 years and agrees the proposed amendments to the policy as attached at Appendix 2.
Reason for the decision and corporate objective it aligns with	<p>The reporting of the IPCO findings and the use of covert surveillance by the authority supports the delivery of the Corporate Plan by protecting the Council against fraudulent claims for payment. In doing this it is also in line with the 4 key values of the Corporate Plan: -</p> <ul style="list-style-type: none"> • Being community focused • Working together • Being effective and efficient • Being fair and transparent
Options considered and rejected	Option 2: To not agree the proposed amendments to the covert surveillance policy.

--	--

Agenda item	Cabinet Member Announcements
Decision reference	101 – 2021/22
Summary of Discussion	<p>The Cabinet Member for Regeneration, Business Development and Tourism reported that the council would be distributing a grant for the hospitality and leisure sector to business which had been affected by COVID. The businesses would have to apply for the grant by 20 February, to be allocated by 28 February.</p> <p>There would also be an Additional Restrictions grant for people affected outside the hospitality and leisure sector. All applications would be considered en-masse and then allocated.</p> <p>The Cabinet Member had attended a levelling up event in December. The first networking event for culture and the arts would be held on 9 February.</p> <p>The Cabinet Member for Children’s Services, Education and Lifelong Skills reported that there had been a positive return to school after Christmas, with a 90 per cent attendance rate, the national rate being 86 per cent. There had been low staff absence.</p> <p>The deadline for primary school admissions for September 2022 would be on 15 January.</p> <p>The Cabinet Member for Environment, Heritage and Waste Management reported that three of the aims within his portfolio had been progressed, these being climate change, dark skies and the biosphere, with policies having recently been adopted. The fly tipping task and finish group had met earlier in the week and a report would come forward soon. Procedures were to be simplified and there would be more education around dog waste.</p> <p>The Cabinet member for Planning and Community Engagement reported that at the Conservative Party Conference the Prime Minister had said that councils should oppose greenfield developments. It was hoped that this would be contained in the Planning white paper but it was still not known. It was a big issue for island residents.</p> <p>There had been an update to Councillors and Town and Parish Councils the previous month on the Island Plan. This was also available online.</p>

	<p>There was a need to update neighbourhood plans to influence planning decisions.</p> <p>A review was to be carried out of Air B&B properties, with people using private rented accommodation for Air B&B. There was also a plan to bring empty properties back into use.</p> <p>Work was ongoing to resolve the issues with the Planning Portal.</p> <p>The Cabinet Member for Strategic Finance, Transformational Change and Corporate Resources said that he was pleased that the Cabinet Member for Planning and Community Engagement was to visit Freshwater Parish Council. The budget consultation was underway and as many people as possible were encouraged to take part. The document had been simplified and this had brought benefits as over 700 responses had already been received.</p> <p>The Cabinet Member for Highways PFI, Transport and Infrastructure reported that he had been trying to resolve residents' ongoing concerns regarding the ferry companies and had been working with a transport expert to have questions asked directly. Lord Barclay had also been assisting and had written to the ferry companies, enquiring as to whether they had complied with commitments they had given to the OFT.</p>
--	---

Agenda item	Consideration of the Forward Plan
Decision reference	102 – 2021/22
Summary of Discussion	<p>The item relating to the disposal of land at Nettlestone was to be put back to March Cabinet to allow time for discussion with the local councillor.</p> <p>The next meeting of Cabinet would consider the outcome of the consultation on the future of Chillerton and Rookley Primary School. There had been 212 responses to the survey and a report was currently being prepared.</p>

Agenda item	Members' Question Time
Decision reference	103 – 2021/22

Summary of Discussion	Written questions were received from Cllr Oliver (MQ 02-22) and Cllr Price (MQ 03-22) both concerning the Newport Harbour Supplementary Planning Document. Written responses had been prepared and would be sent to the Councillors concerned.
-----------------------	--