



Minutes

THE FOLLOWING DECISIONS WERE TAKEN ON THURSDAY, 11TH MARCH, 2021 BY THE CABINET

THE CALL IN PERIOD FOR THESE DECISIONS EXPIRES AT 5.00 PM ON MONDAY, 22 MARCH 2021

Members of the Cabinet who were present:

Cllrs D Stewart (Chairman), S Hutchinson (Vice-Chairman), B Abraham, P Brading, S Hastings, C Mosdell, G Peace, B Tyndall, I Ward and W Whittle

Members also present(non-voting):

Cllrs D Andre, R Hollis and L Peacey-Wilcox

Officers Present

C Ashman, S Crocker, A Curzon, J Dando, K Large, S MacDonald, K Marriott, J Metcalfe, A Minns, W Perera, C Potter, C Rowland, C Shand, P Thomas, C Tozer

Confirmed as a true record of decisions taken

Leader of the Council

The Chairman announced the sudden and unexpected death of Cllr Adrian Axford, who had been recovering from a stroke. It was a sad loss of a local Councillor, who had given much to the community. The Chairman extended his condolences and offered support to Cllr Axford's family.

Agenda item	Minutes
Decision reference	70 –(2020/21)
Decision Taken	<u>RESOLVED:</u> That the minutes of the meeting held on 11 February 2021 be agreed.

Agenda item	Declarations of Interest
Decision reference	71 – (2020/21)

Decision Taken	Councillor Whittle declared an interest in Item No.7 – Disposal of Ryde Harbour and Adjoining Land, as he was the local member for the area and also a member of Ryde Town Council.
----------------	---

Agenda item	Public Question Time - Maximum 15 Minutes
Decision reference	72 – (2020/21)
Decision Taken	<p>A question was received from Mark Voller of Sandown (PQ 28-21) relating to the monitoring and oversight of tree work on the Island. The Cabinet member for Environment and Heritage provided a response.</p> <p>A question was received from Bob Blezzard of Sandown (PQ 29-21) relating to the Local Council Tax Support Grant. The Cabinet Member for Corporate resources provided a response.</p>

Agenda item	Chairman's Announcements
Decision reference	73 – (2020/21)
Summary of Discussion	<p>The Chairman expressed his disappointment that an election candidate had used a photograph of him and another councillor together in his campaign leaflets without the Chairman's permission. It was taken before the COVID restrictions but there was no statement to explain this. The Chairman was seeking an apology and was considering referring the matter to the Electoral Commission for guidance, as all candidates should be treated with dignity and respect.</p> <p>Progress was being made with engagement with the MHCLG on the Island Deal. A positive approach had been taken by all parties. Briefings he had received indicated that it could have a positive outcome for the Island. Members would be updated as soon as more information was received.</p> <p>The Chairman invited the Chairman of the Corporate Scrutiny Committee to comment on the Outcomes and Recommendations from the recent meeting on 9 March. The Chairman of the Corporate Scrutiny Committee expressed frustration that they had not been able to delve deeper into the floating bridge issue, and referred to a</p>

	document called LGA Councillors' Guide to Procurement (2013) which was pertinent at the time of the ordering of the floating bridge. The Cabinet Member for Environment and Heritage also recommended that members involved in procurement should familiarise themselves with the document.
--	---

Agenda item	Isle of Wight Infrastructure Investment Plan
Decision reference	74 – (2020/21)
Summary of Discussion	The Cabinet Member for Regeneration and Business Development gave a summary of the report and the progress of the Regeneration Strategy over the previous three years, highlighting some of the successes to date. The Investment Plan set out the overall investment required to push further projects through to delivery and would form the basis of further funding applications to government for these projects. There was currently a lot of work being done to attract funding.
Decision Taken	To approve the Island Investment Plan (Appendix 1) as the basis for funding applications to government to assist with Island regeneration and recovery and require annual reports on progress with its implementation.
Reason for the decision and corporate objective it aligns with	<p>The “Inspiration Island” strategy sets out the key elements of the regeneration programme. It sets out how they will deliver change individually and how they link together.</p> <p>It sets out how regeneration actions support the outcomes set out in the Isle of Wight Council Corporate Plan:</p> <p>Assessing the impact of the investment placed in the regeneration programme is a key part of the regeneration strategy not just in terms of revenue generated and homes built but also measuring the Island population’s sense of well-being and confidence in their future. In order to achieve a successful recovery from the Covid -19 pandemic, contribute to financial stability and improve the economic prosperity, well-being and quality of life of Islanders the Inspiration Island strategy and supporting Island Investment Plan continues to represent the most effective response given current resources.</p> <p>Working with the Health and Well Being Board, a common set of key measures are being developed to complement the regeneration programmes own qualitative and quantitative data collection</p>

	The programme and project management approach being implemented by the programme clearly identifies intended outputs and their contribution to overall programme outcomes linked to the key themes.
Options considered and rejected	Option 1 – Not to approve the proposed Island Investment Plan (Appendix 1) and instruct officers to consider other options for addressing the Island's community, economic and place recovery.

Agenda item	Disposal of Sandown Civic Centre/Barracks to NHS
Decision reference	75 – (2020/21)
Summary of Discussion	<p>The Council had been approached by the NHS to purchase the freehold of the currently unused Barrack Block at Sandown Civic Centre, with funding from NHSE & I to provide a community health hub for the Bay area. Some council services would continue to operate from there with e 'One Public Service' approach. Members very much welcomed the investment into the building and were pleased to see it being brought back into use.</p> <p>The Corporate Scrutiny Committee had noted the report.</p>
Decision Taken	Option 1 - Agree to the disposal of the Civic Centre/Barracks to the Isle of Wight NHS for the provision of a community hub with the final details of the disposal to be agreed by the director of regeneration in consultation with the cabinet member.
Reason for the decision and corporate objective it aligns with	<p>The decision to dispose of the premises will support the following commitments in the Corporate Plan 2019 - 2022; namely:</p> <ul style="list-style-type: none"> • deliver economic growth and prosperity; • plan for our future needs; • provide sound financial management. <p>The council and Isle of Wight NHS have been working in partnership with other public bodies via the OPE programme to bring forward the Civic Centre/Barracks for a community hub facility but have so far been unable to establish a business case for that to be achieved. The availability of the funding from the NHS to purchase the building together with the revenue costs secured via the Isle of Wight NHS to upgrade and refurbish the building will enable the community hub to be delivered as set out in</p>

	<p>Appendix 1.</p> <p>The disposal of the building would also deliver revenue savings to the council in terms of its running costs and create a windfall capital receipt that could be used to fund other priority capital projects which are currently unable to proceed due to lack of funds.</p> <p>The sale would benefit the community in the Bay by providing local health and community services in a single high quality facility and help establish and embed closer working across health and social services between the council and Isle of Wight NHS in a more efficient and cost effective way.</p>
Options considered and rejected	<p>Option 2 - Not to agree the disposal of the Civic Centre/Barracks to the Isle of Wight NHS for the provision of a community hub.</p> <p>Option 3 - To agree a different mechanism other than disposal to the Isle of Wight NHS.</p>

Agenda item	Disposal of Ryde Harbour and Adjoining land
Decision reference	76 – (2020/21)
Summary of Discussion	<p>Cllr Whittle withdrew from the meeting for this item.</p> <p>The Cabinet Member for Corporate Resources confirmed that, although the report made references to Ventnor Harbour, this would be the subject of a separate report and the decision was to consider the disposal of Ryde harbour only. Ryde Town Council had asked to be considered a special purchaser and it had been a lengthy process.</p> <p>The Corporate Scrutiny Committee had noted the report.</p> <p>To comply with statutory requirements, an amendment was made to the wording of the proposed recommendation.</p>
Decision Taken	<p>That Ryde Town Council are treated as a special purchaser for Ryde Harbour and the two parcels of land and the hospitality suite as detailed in their business subject to:</p> <ol style="list-style-type: none"> 1. An independent section 123 valuation of all of the land proposed to be transferred to Ryde Town Council; each party to fund 50 percent of the costs

	<p>of the valuation.</p> <p>2. There being no material objections to the disposal of the land parcels following advertisements placed in accordance with section 123(2A) of the Local Government Act 1972.</p> <p>3. Confirmation of how the anticipated loss of budgeted income of up to £11,166 per annum is to be accommodated within the council's overall revenue budget.</p>
<p>Reason for the decision and corporate objective it aligns with</p>	<p>The potential to outsource the harbours may create new opportunities and protect the assets in addition to and improving the council's future financial position. It will support the following commitments in the Corporate plan 2019 - 2022; namely: -</p> <ul style="list-style-type: none"> • Deliver economic growth and prosperity • Plan for our future needs • Provide sound financial management
<p>Options considered and rejected</p>	<p>Option 1 - Agree to the freehold transfer of the Ryde Harbour and the lease transfer of the two parcels of land and hospitality suite to Ryde Town Council, recognising a loss of budgeted income of up to £11,166 per annum, but with the avoidance of the future cost of the capital works that would be required to keep the facility operational. In addition to accept the cost of the section 123 valuation and to make the transfer subject to the receipt of this valuation</p> <p>Option 2 - Agree to a leasehold transfer of Ryde Harbour and the two parcels and building of land, recognising a loss of budgeted income of up to £11,166 per annum, but with the avoidance of the future cost of capital that would be required to keep the facility operational. In addition to accept the cost of the section 123 valuation and to make the transfer subject to the receipt of this valuation</p> <p>Option 3 - Not to agree to transfer of Ryde Harbour to Ryde Town Council and to market both facilities at no cost to the Council as originally intended.</p> <p>Option 4 - To offer the management of Ventnor Harbour to a third party through the open market at no cost to the council if option 1 or 2 are agreed.</p> <p>Option 5 - To cease this exercise and to continue with the direct operation and management of these facilities until a further review of their operation and sustainability can be</p>

	considered.
Declarations of Interests	Cllr Whittle declared an interest as he was the local member for the area, and also a Ryde Town Councillor.

Agenda item	Dinosaur Isle – update on competitive dialogue and options to progress
Decision reference	77 – (2020/21)
Summary of Discussion	<p>The Cabinet Member for Regeneration and Business Development gave a summary of the report, which provided an update on the procurement process. The focus had been on securing the future of Dinosaur Isle and major investment in the site however progress had been slowed down by the COVID pandemic. The council wished to achieve the best possible outcome.</p> <p>Some members expressed disappointment that the process was not further forward and that the media had interpreted this negatively but welcomed investment into the Bay area. Confirmation was given that the PLUTO and other heritage assets in the area would be protected, and that as soon as possible the successful bidder would undertake a public consultation on the proposed plans for the site.</p> <p>The Cabinet Member explained that the investor wished to invest more than the original bidder and that dialogue with them was very positive. Subject to the result of successful conclusion of ongoing dialogue, it was hoped that the facility would be open by April 2023.</p>
Decision Taken	Option 2 - Undertake a review and assessment of the ITT to better understand the viability issues, in order to ensure the procurement process can properly consider the full range of development and investment opportunities to meet the broad objectives of the council. Officers will report back to the Cabinet with a detailed report of their findings and recommendations at the earliest opportunity (anticipated in June 2021).
Reason for the decision and corporate objective it aligns with	The council's corporate plan seeks to deliver economic growth and prosperity with a key activity being to consider opportunities to secure long term sustainable access to the Island's heritage. The potential investment and partnership approach to the future of Dinosaur Isle and this part of the Bay will help deliver this and ensure that available resources are used in the most effective way

	<p>which is also a key objective of the council's strategic approach set out in the plan.</p> <p>The current process to secure an investment partner has proved challenging due to the significant nature of the investment required, uncertainty on the viability of a commercial investment and the challenges of the site and location. This uncertainty has been compounded by COVID and the scope of the ITT which appears to limit the investment options.</p> <p>However, the procurement process undertaken demonstrates the opportunity to secure the investment envisaged is achievable. A review of the ITT scope will ensure that issues around commercial viability can be fully explored and understood to ensure that the procurement process is capable of achieving the objectives of the council in a way which sustains the museum, its accreditation and the future of the staff in the long term.</p> <p>A detailed report on the scope of the ITT, the findings of the review, current requirements and how any commercial challenges might be overcome either under the existing procurement or through a revised procurement strategy, including a timescale for its delivery, will be brought forward for consideration and decision by Cabinet at the earliest opportunity.</p>
Options considered and rejected	<p>Option 1 - Carry on with the current ITT process .</p> <p>Option 3 - Terminate the current process and continue to run and manage Dinosaur Isle.</p>

Agenda item	Cabinet Member Announcements
Decision reference	78 – (2020/21)
Summary of Discussion	<p>Several members gave an update on activities within their portfolios.</p> <p>In Children's Services, it had been business as usual throughout the pandemic. Within schools, tests, coursework and mock exams indicated that results would be good this year. The Connect4Communities scheme had been successful and had provided free school meals and play schemes in the school holidays, and further funding had been received which would provide similar facilities in the Easter holidays, as well as helping young carers, care leavers and early years settings. More government money</p>

was expected to be used after easter and bidders to operate a scheme were being sought.

The delegated decision on SEN banding had now been taken. Physical Ofsted inspections had been suspended during the lockdown but virtual visits had taken place. The three secondary schools previously not rated 'good' had shown improvements and it was hoped they would all receive a 'good' rating when physical inspections resumed. The Cabinet member thanked the Children's Services team for the help given to him over the previous four years.

Environment and Waste – there were now 9962 green waste subscriptions, with the deadline being 19 March. Fly tipping and littering had increased on the island with 525 fly tips being reported in the past year. and a co-ordinated approach was needed to tackle the problem. It was proposed that a task and finish group be set up with senior officers and cross-party members., with a strategy and action plan being developed. It was suggested that this be put on the workplan for the Policy and Scrutiny Committee for Neighbourhoods and Regeneration and possibly included within the Climate Strategy currently being produced.

It was a year since the first lockdown had started and the effect on homelessness and mental health was highlighted. The Cabinet member thanked all front line workers for all they had done over the past year.

The Community Safety Team were planning for recovery and enabling businesses to reopen when permitted. COVID officers had attended outside schools following their reopening to ensure COVID safety, and this was working well. There had been some parking issues caused by the increase in home delivery services and officers were looking into what could be done to address the issues. Officers were also working on the 'dogs on beaches' issue and gathering opinions to review the current measures prior to the summer season. The Le Blanc event was to take place from 17-19 September 2021 and would be based in Ventnor. The Michelin starred chef Claude Bossey would be attending. There would be benefits to the island and Island produce would be promoted, with lots of media attention. The Cabinet member expressed his thanks to the team.

Phase 2 of the Newport Traffic Plan had commenced, with works starting at St George's Way. It was hoped that the works would be completed by the end of July 2021.

	The Chairman reported that keeping the community safe, economic recovery and financial stability were going in the right direction and he thanked the Cabinet team, especially the Vice Chairman for his support.
--	---

Agenda item	Consideration of the Forward Plan
Decision reference	79 – (2020/21)
Summary of Discussion	Members considered the Forward Plan and noted that there was one more Delegated Decision to be made prior to the forthcoming elections.

Agenda item	Members' Question Time
Decision reference	80 – (2020/21)
Summary of Discussion	Cllr Peacey-Wilcox indicated that she wished to ask a question, however as it had not been submitted in writing in advance, the Chairman advised that she should send her question direct to the relevant Cabinet member and would receive a written response.

Agenda item	Exclusion of Public and Press
Decision reference	81 – (2020/21)
Decision Taken	<p>To pass a resolution that, under regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public and press be excluded from the meeting for the following items of business, namely Agenda item 13 on the grounds that there is likely to be disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act (information relating to the financial or business affairs of any particular person)</p> <p>Agenda item 14 on the grounds that there is likely to be disclosure of exempt information as defined in paragraphs 1 and 3 of Part I of Schedule 12A of the Act (information relating to the identity of any individual and information relating to the financial or business affairs of any particular person)</p> <p>In all the circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>

Agenda item	Proposal for joint working with the Ministry of Justice to secure investment in improvements in and maintenance of land at Parkhurst Estate Newport
Decision reference	82 – (2020/21)
Summary of Discussion	After a lengthy discussion, members believed that further confirmation about how the most significant risks associated with the proposal would be appropriately mitigated in the terms proposed, with the final decision being taken by the Director of Regeneration and Director of Finance, together with the Cabinet members for Regeneration and Business Development, Corporate Resources and Infrastructure and Transport. The wording of the recommendation was amended from that in the report.
Decision Taken	That further negotiations with the Ministry of Justice be undertaken, with a view to the acquisition of the relevant land on acceptable terms.
Reason for the decision and corporate objective it aligns with	<p>This Ministry of Justice proposal fits with the latest Corporate Plan 2019-22 and with the corporate priorities of growth, regeneration, opportunity and wellbeing. The strategic aim for the potential Camp Hill site is regeneration based and reflected in the council's adopted policies.</p> <p>The council's garden village proposals demonstrated how a new settlement at this location, using a brownfield site, contributes to growth, regeneration, opportunity and wellbeing including contributing to sustainable development, economic, social and environmental aspirations of place making within the community.</p> <p>The aspiration for future housing led regeneration on this site assists a wide range of corporate and service priorities, which are critical to the council and its wider partnerships including social care, crime, health and education; accepting that access to a safe and secure home underpins the health and wellbeing of Island residents.</p> <p>This site has also been included in the Island's Investment Plan also submitted to this Cabinet meeting to form a prospectus for an island-wide infrastructure funding application, as part of the government's levelling-up agenda.</p>

Options considered and rejected	<p>Option 1 - To accept the heads of terms from the Ministry of Justice subject to the final heads of terms and legal agreement being reached with the ministry, and to delegate subsequent approval or refusal of the acquisition of the land to the Director of Regeneration in consultation with the Director of Finance together with the Cabinet members for regeneration and business development, corporate resources, and infrastructure and transport.</p> <p>Option 2 - To reject the proposal from the Ministry of Justice.</p>
---------------------------------	--

Agenda item	Consideration of and decision on the report of the Local Government and Social Care Ombudsman dated 21 January 2021
Decision reference	83 – (2020/21)
Summary of Discussion	<p>In private session the Cabinet considered the LGSCO report and the response from Children’s Services, following a complaint made to the local authority in August 2018 relating to personal budgets.</p> <p>The findings of the LGSCO were detailed within the report and appendices, along with actions taken to date.</p> <p>The Council had accepted the findings and agreed to implement the recommendations, all of which had either been completed or were in training.</p> <p>At the request of the Corporate Scrutiny Committee a report had been produced which showed that 90 per cent of complaints were resolved at Stage 1. The Committee had been satisfied with the procedure.</p> <p>The Chairman thanked the Director of Children’s Services and his team for their support to the Cabinet Member.</p>
Decision Taken	<p>(Option A): That the Cabinet adopts the report from the Director of Children’s Services as the Cabinet’s section 5A (8) report, and endorses the response from Children’s Services to address the findings and to implement all the recommendations of the LGSCO,</p> <p>That the Cabinet notes that all members of the local authority and the Monitoring Officer will be provided in confidence with a copy of the Cabinet’s prepared section 5A (8) report as soon as practicable if not already given a copy.</p>

Reason for the decision and corporate objective it aligns with	<p>The LGSCO has produced their report and has made its findings and recommendations known to the local authority.</p> <p>The local authority has accepted these findings and recommendations in full.</p>
Options considered and rejected	<p>Option B: That the Cabinet does not accept the findings or recommendations of the LGSCO and does not adopt and does not endorse the response from Children’s Services.</p>