



## Cabinet

Minutes of a meeting held at County Hall, Colliton Park, Dorchester,  
Dorset, DT1 1XJ on Wednesday, 8 March 2017.

### Present:

Robert Gould	Leader of the Council (Chairman)
Peter Finney	Deputy Leader and Cabinet Member for Environment, Infrastructure and Highways
Robin Cook	Cabinet Member for Organisational Development and Transformation
Deborah Croney	Cabinet Member for Learning, Skills and Children's Safeguarding
Jill Haynes	Cabinet Member for Adult Health, Care and Independence
Colin Jamieson	Cabinet Member for Economy and Growth

### Members Attending:

Andrew Cattaway, as Chairman of the Council under Standing Order 54  
Ronald Coatsworth, County Councillor for Bride Valley  
Mervyn Jeffery, County Councillor for Shaftesbury  
Paul Kimber, County Councillor for Portland Tophill  
Andrew Parry, County Councillor for Ferndown  
Daryl Turner, County Councillor for Marshwood Vale  
David Walsh, County Councillor for Gillingham  
Kate Wheller, County Councillor for Portland Harbour

### Officers Attending:

Debbie Ward (Chief Executive), Richard Bates (Chief Financial Officer), Helen Coombes (Interim Director for Adult and Community Services), Jonathan Mair (Head of Organisational Development - Monitoring Officer), Patrick Myers (Assistant Director - Design and Development), Matthew Piles (Service Director - Economy) and Lee Gallagher (Democratic Services Manager).

### For certain items, as appropriate:

Peter Scarlett (Estate and Assets Manager), Michael Ford (Service Manager - Policy, Welfare Reform and Income Generation) and Andrew Martin (Service Director - Highways).

(Notes:(1) In accordance with Rule 16(b) of the Overview and Scrutiny Procedure Rules the decisions set out in these minutes will come into force and may then be implemented on the expiry of five working days after the publication date.  
Publication Date: **Tuesday, 14 March 2017.**

(2) These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Cabinet to be held on **Wednesday, 5 April 2017.**)

### **Apologies for Absence**

35 Apologies for absence were received from Mike Harries (Director for Environment and the Economy), Cllr Rebecca Knox, David Phillips (Director of Public Health) and Sara Tough (Director for Children's Services). Patrick Myers (Head of Design and Development) attend for Sara Tough and Matt Piles (Service Director – Economy) attended for Mike Harries.

### **Code of Conduct**

36 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

## Minutes

37 The minutes of the meeting held on 1 February 2017 were confirmed and signed.

## Public Participation

### 38 Public Speaking

There were no public questions received at the meeting in accordance with Standing Order 21(1).

Two public statements were received at the meeting in accordance with Standing Order 21(2) from Lester Dibben, Shaftesbury and District Task Force Ltd, and Lester Taylor, resident of Shaftesbury. Both statements related to minute 39 regarding the response from Dorset County Council to the NHS Dorset Clinical Commissioning Group public consultation on the Clinical Services Review (CSR). The statements are attached to these minutes as an annexure.

### Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

## Response from Dorset County Council to the NHS Dorset Clinical Commissioning Group public consultation on the Clinical Services Review (CSR)

39 The Cabinet considered a report by the Cabinet Member for Adult Health, Care and Independence regarding the Dorset Clinical Commissioning Group's (CCG) consultation on wide-ranging changes to community and acute health services across Dorset as the Clinical Services Review (CSR) in December 2016, and the response on behalf of the Directorates (led by Adult and Community Services). The consultation had also been the subject of a Joint Health Scrutiny Committee (with Bournemouth, Dorset, Poole, Hampshire and Somerset councils), which was submitted as a formal response to the consultation which ended on 28 February 2017.

Two public statements were received at the meeting from Lester Dibben, Shaftesbury and District Task Force Ltd, and Lester Taylor, as a resident of Shaftesbury. Concerns were raised in both statements regarding NHS provision in North Dorset, with particular reference to Shaftesbury. The statements are included as an annexure to these minutes.

Jill Haynes, Cabinet Member for Adult Health, Care and Independence, summarised the report and outlined the formation of the Council's response to the consultation, explaining the process followed by the Joint Health Scrutiny Committee, and detailing the concerns that had been considered. The principle of the evolution of the NHS was recognised and that the consultation was the start of a change programme for the CCG for the next five years and beyond. Strong reference was made to the need for specific consultation on identified areas of change, and it was hoped that the Council would be considered to be an important partner in making future decisions.

Cllr Haynes moved an amendment at this point to enhance the wording in resolution 2 with an additional sentence to read *'In particular, the Cabinet has received specific representation about community beds and care market capacity in Dorset about which there is considerable concern.'* She also proposed an additional resolution *'The Cabinet agree that this paper and the above recommendations are included in the response to the CCG, and that the full response be delegated to the Interim Director for Adult and Community Services after consultation with the Cabinet Members for Learning, Skills and Children's Safeguarding; Health, Wellbeing and Communities; and Health, Care and Independence.'* The amendment was seconded by Cllr Peter Finney.

Cllr Ronald Coatsworth, as the Chairman of the Joint Health Scrutiny Committee, addressed the meeting to explain the consideration of the consultation by the

Committee and clarified that the proposals related to potential changes which would require further consultation if the proposals were taken forward in due course. It was reported that the general concerns expressed so far related to a perceived increased focus of resources in eastern Dorset. He advocated the need for the County Council to be a consultee, although recognised that the Council was not a statutory consultee, and for services to be retained where possible. Concern was also expressed about the interpretation of travel times which were not felt to be realistic. He also stated that Mental Health Services would be scrutinised shortly as part of a separate consultation.

Cllr David Walsh, County Councillor for Gillingham, drew attention to local concerns regarding the potential to close beds and highlighted that 6k of the 18k responses to the consultation were from North Dorset. He expressed the need for more evidence and assessment of local needs and of future planned housing development, which had not been considered following confirmation at a recent community meeting with the CCG, which had also been exacerbated by inconsistent messages and information. The inclusion of an additional 1800 homes in Gillingham and the resultant population growth was cited as an example of the need for detailed analysis of future service provision in North Dorset. Cllr Walsh also felt that the proposals were heavily biased to the east of Dorset, and he disputed travel times as being underestimated together with the absence of rural public transport to access alternative hospital provision.

Members acknowledged the comments made in relation to the need to assess and analyse future projected population increases through housing development, and journey times. Following comments from members regarding the need to recognise the pressures across the whole of Dorset, including a specific reference to concern for community beds South East Dorset, it was requested that the proposed amendment to recommendation two should relate to 'Dorset' instead of only 'North Dorset'. It was also felt that the Council should be better engaged in the consultation process by the CCG on specific proposals and to bring attention to the data and information available through the Council to aid the CCG in its consideration of proposals.

On being put to the vote, the updated amendment was agreed.

### **Resolved**

1. That the Cabinet support the Dorset CCG focus on addressing quality, finance and workforce challenges and in principle agrees with the case for change.
2. That the Cabinet notes that the CSR specific proposals have raised a number of concerns, and before implementation would expect the CCG to fully assess these and undertake further consultation. In particular, the Cabinet has received specific representation about community beds and care market capacity in Dorset about which there is considerable concern.
3. That the Cabinet supports continuing discussion with the CCG to ensure plans reflect sufficient financial commitment to early help and prevention. Future discussions will need to cover how shifting the activity of care closer to home impacts on the County Council's own budget prior to implementation.
4. That the Cabinet agree that this paper and the above recommendations are included in the response to the CCG, and that the full response be delegated to the Interim Director for Adult and Community Services after consultation with the Cabinet Members for Learning, Skills and Children's Safeguarding; Health, Wellbeing and Communities; and Health, Care and Independence.

### **Reason for Decisions**

The proposed changes to Dorset's health services would have a direct impact on the County Council's corporate plan aims that people in Dorset can be safe, healthy, independent and prosperous.

### **Cabinet Forward Plan**

- 40 The Cabinet considered the draft Forward Plan, which identified key decisions to be taken by the Cabinet on or after the next meeting.

#### **Noted**

### **Panels and Boards**

- 41 The Cabinet received the minutes and recommendations below from panels and boards.

#### **Dorset Police and Crime Panel - 3 February 2017**

- 41a **Noted**

#### **Joint Public Health Board - 6 February 2017**

- 41b Cllr Jill Haynes, as the Cabinet Member for Adult Health, Care and Independence, summarised the development of the Joint Public Health Board and its relationship with the Health and Wellbeing Board to focus on prevention at scale.

#### **Resolved**

That the minutes of the meeting of the Joint Public Health Board be received, and the recommendations below be approved:

##### *Recommendation 8 – Future Direction of Public Health in Dorset*

*That the format of Joint Public Health Board meetings be revised so that future meetings are held in two parts – a formal part one, followed by a part two meeting to advise on the delivery of the Prevention at Scale Programme for Dorset, linking with the respective Health and Wellbeing Boards, taking into account the views of the Board on the part it was to play.*

##### *Reason for Recommendation*

*To provide more public health to support transformation and ensure the people and place-based view of how best to meet differing population challenges within the STP footprint was achieved.*

##### *Recommendation 9 – 2016/17 Budget Monitoring and Draft Estimates 2017/18*

*That the draft estimates for 2017/18 be endorsed by the three partner constituent authorities.*

##### *Reason for Recommendation*

*Close monitoring of the budget position was an essential requirement to ensure that money and resources are used efficiently and effectively.*

### **Quarterly Asset Management Report**

- 42 The Cabinet considered a report by the Cabinet Member for Organisational Development and Transformation which outlined the key issues relating to the various asset classes of Property, Highways, ICT, Fleet and Waste.

In relation to the development of the former Lyme Regis Library site Cllr Daryl Turner, as the local member, requested that every effort should be made to maximise the level of affordable housing to be provided on the redevelopment of the site. The Cabinet agreed with the views of the local member.

Cllr Andrew Parry addressed the Cabinet as a local member for Ferndown, to welcome the efforts and resources of Ferndown Town Council to provide a youth centre for the thriving community of young people in the area. He also offered to assist in any way he could to progress the project.

A brief update was provided regarding the A35/A350 Interchange works, to which it was noted that although any project of this scale would cause disruption it was currently on budget and due to be completed on time, ahead of the Easter holidays.

Cllr Jill Haynes, as the local member for Buckland Newton, indicated that she would have appreciated earlier notice of the disposal of land adjacent to the Fowleys Cottage.

### **Resolved**

1. That the use of the County Council's general powers of competence to enable the gift of the Lyme Regis Library site to the Lyme Regis Development Trust, on terms in line with its submitted proposal, which includes the provision of library space and the maximum affordable housing possible for the site, and otherwise on terms to be agreed by the Director for Environment and the Economy (para 3.1.4 of the Cabinet Member's report) be approved.
2. That up to 0.2 ha (0.5 acres) of land adjacent to the Fowleys Cottage, Buckland Newton to be disposed of on terms to be agreed by the Director for Environment and the Economy (para 3.2.1 of the report) be approved.
3. That the continued replacement and investment in the Council's fleet assets in support of the Corporate Fleet Management Strategy (para 6.1.2 of the report) be approved.
4. That the overall revised estimates and cash flows for projects as summarised and detailed in appendix 1 (para 8.2 of the report) be approved.
5. That the issues and updates detailed in the report be noted.

### **Reason for Decisions**

A well-managed Council should ensure that the best use was made of its assets in terms of optimising service benefit, minimising environmental impact and maximising financial return.

## **Better Care Fund - Planning for 2017/18 - 2018/19**

- 43 The Cabinet considered a report by the Cabinet Member for Adult Health, Care and Independence regarding the Better Care Fund (BCF), which provided an opportunity to improve health and wellbeing outcomes for local residents by enabling better integration of health and social care support.

Jill Haynes, Cabinet Member for Adult Health, Care and Independence, introduced the report in detail and highlighted the importance of integration, to provide access to information, listen to the public, and coordinate services. It was reported that it was necessary to progress the BCF Plan for 2017/18 and 2018/19 although the national planning guidance had not yet been published, particularly due to the role of the Plan to help to deliver the 'Our Dorset' Sustainability and Transformation Plan (STP). The Plan would build on previous arrangements and also see the addition of new areas regarding care market development; enhanced healthcare in care homes; and developments in locality teams and locality working.

It was noted that the Dorset Health and Wellbeing Board were accountable for the BCF and received regular reports on progress. However, it was necessary for the Cabinet to be aware of the risks facing the Council, including the potential for a reduction in baseline funding. It was hoped that more clarity would be provided following the Chancellors budget announcement later in the day.

### **Resolved**

1. That the contents of this report and the work undertaken to develop a new BCF plan for 2017/18-2018/19 be noted.
2. That the anticipated overall BCF budget position and the challenges and risks to the sustainability of funding be noted.
3. That in principle, the new elements of work for the 2017/18-2018/19 plan, noting

that the detailed agreement will still be subject to the Health and Wellbeing Boards governance for the BCF, be agreed.

4. That delegated authority be granted to the Director for Adult and Community Services, after consultation with the Cabinet Member for Adult Health, Care and Independence, the Monitoring Officer and Chief Financial Officer, to enter into pooled budget arrangements under Section 75 of the National Health Service Act 2006 on the best terms achievable with NHS Dorset Clinical Commissioning Group, Bournemouth Borough Council (BBC) and Borough of Poole (BoP).

#### Reasons for Decisions

To ensure that:

1. The Council was best placed to meet national BCF guidance and planning requirements;
2. Risks associated with the challenges to the sustainability of funding were appropriately noted;
3. National requirements for the Council to implement the BCF were met; and,
4. There were appropriate governance arrangements in place for the Council to enter into pooled budget arrangements with DCCG, BBC, and BoP under Section 75 of the National Health Service Act 2006.

#### **'Making Charges Fairer' for Adult Social Care**

- 44 The Cabinet considered a report by the Cabinet Member for Adult Health, Care and Independence on the review of charges for adult social care designed to promote equity and other principles set out in the Care Act. The report was considered by the Executive Advisory Panel on Pathways to Independence on 24 February 2017. Cabinet Members also noted the Equalities Impact Assessment which had been circulated.

Cllr Jill Haynes, Cabinet Member for Adult Health, Care and Independence, introduced the report and provided a detailed summary of the steps and consultation leading to the proposals within the report. It was noted that the responses were of excellent quality, and that the majority agreed with the proposed changes. In relation to the automatic disregard, it was reported that it was necessary to treat all in receipt of benefits in the same way in order to become Care Act compliant, but with an emphasis on people not having to pay more than they could afford. A further significant change would be the move to payment by direct debit as the Council's default position to avoid debt collection issues.

Members discussed the importance of financial advice and supporting information for service users, and echoed the view of the Executive Advisory Panel to ensure that information was signposted effectively.

Thanks were expressed to staff for the work undertaken, with special thanks passed to the Service Manager.

#### **Resolved**

1. That the report of the public consultation at Appendix 1 of the Cabinet Members' report be noted.
2. That the detailed policy proposals set out in the table at Section 2 of the report be supported.
3. That delegated authority be granted to the Director for Adult and Community Services, after consultation with the Cabinet Member for Adult Health, Care and Independence, to approve and publish a new schedule of non-residential charges for 2017-18, reflecting average increases of up to 5%.
4. That the proposal to backdate non-residential care charges in appropriate cases be supported.
5. That the Director for Adult and Community Services undertakes further work to investigate the sources of the financial information and advice people are currently

using, and to signpost people more effectively, to appropriate alternatives, particularly self-funders.

#### Reason for Decisions

To help secure a sustainable approach to the County Council's corporate plan aims that people in Dorset be safe, healthy, independent and prosperous.

### **Arrangements for the delivery of minor highway maintenance services by Town and Parish Councils**

45 The Cabinet considered a report by the Cabinet Member for Environment, Infrastructure and Highways on the principles of the Working Together - Highways initiative from 1 April 2017.

Cllr Finney, as the Cabinet Member for Environment, Infrastructure and Highways, welcomed the report and summarised the steps taken to develop the initiative in collaboration with Dorset Association of Town and Parish Councils (DAPTC), for an approach to complete minor highway maintenance. Hilary Trevorah, Chief Executive of the DAPTC, thanked members and officers for the opportunity to develop closer working with highways, together with thanks to the group of town and parish clerks involved in driving the initiative forward. She also welcomed the Sharepoint portal for local councils to access supporting information and advice.

Members congratulated the work of Highways Service in in the successful establishment and transformation of the delivery of highways maintenance. Community Highways Officers were also commended for their hard work and dedication across communities in Dorset.

#### Resolved

1. That the Working Together scheme for Highways be approved.
2. That delegation of highway maintenance functions to Town and Parish Councils on request, under section 101 of the Local Government Act 1972, be approved.
3. That delegated authority be granted to the Service Director Highways and Emergency Planning, after consultation with the Cabinet Member for Environment, Infrastructure and Highways, to agree appropriate agency agreements to give effect to the delegation of highway maintenance services functions to individual Town and Parish Councils on request, and in accordance with the Working Together - Highways document.

#### Reasons for Decisions

1. The County Council had a statutory duty to provide highway maintenance services under the Highways Act 1980, and any new arrangements must meet those responsibilities and legislative requirements.
2. The arrangements would enable Town or Parish Councils to commission or facilitate additional minor highway maintenance within their areas in a way most appropriate to the particular authority and/or the nature of the maintenance proposed.
3. The creation of a delegation to Town and/or Parish Councils on request, and of an agency arrangement to give effect to the delegation, would not discharge the County Council from its statutory responsibilities. The County Council would continue to make provision to meet its statutory responsibilities, but the delegation and agency arrangement would allow Town and /or Parish Councils to arrange for additional services to be carried out should they wish to do so when powers do not otherwise exist, or an agency arrangement was the most appropriate or desirable option.

### **Approval of Contracts over 500k**

46 The Cabinet considered a report by the Leader of the Council on the approval of contracts with a financial consequence of £500k or more, as part of a procurement programme for 2017/18.

**Resolved**

1. That the procurements and awards of contracts set out in Appendix 1 of the Leader of the Council's report be approved.
2. That delegated authority be granted for procurements set for implementation during 2017 (or as specifically noted otherwise) on terms to be agreed by the delegated officer, Lead Director or Portfolio Holder for each arrangement.
3. That it be noted that procurements exceeding the key decision threshold which are not yet identified will be subject to separate approval and business justification during the year.

**Reason for Decisions**

Cabinet was required to approve all key decisions with financial consequences of £500k or more. It was also good governance to provide Cabinet with a summary of all proposed procurements prior to them formally commencing. Planning procurements effectively would ensure effective stakeholder engagement, efficient sourcing, compliance with regulations and contract procedure rules and best value for money.

**Questions from County Councillors**

47 No questions were asked by members under Standing Order 20.

Meeting Duration: 10.00 am - 11.30 am