



Cabinet

Minutes of a meeting held at County Hall, Colliton Park, Dorchester,
Dorset, DT1 1XJ on Wednesday, 6 September 2017.

Present:

Rebecca Knox	Leader of the Council
Jill Haynes	Deputy Leader and Cabinet Member for Health and Care
Steve Butler	Cabinet Member for Safeguarding
Deborah Croney	Cabinet Member for Economy, Education, Learning and Skills
Toni Ferrari	Cabinet Member for Community and Resources
Daryl Turner	Cabinet Member for Natural and Built Environment

Members Attending:

Cherry Brooks, County Councillor for South Purbeck
Hilary Cox, County Councillor for Winterborne
Katharine Garcia, County Councillor for Portland Tophill
David Harris, County Councillor for Westham
Nick Ireland, County Councillor for Linden Lea
Ros Kayes, County Councillor for Bridport
Bill Pipe, County Councillor for Lychett Minster and Upton

Officers Attending:

Debbie Ward (Chief Executive), Richard Bates (Chief Financial Officer), Jonathan Mair (Head of Organisational Development - Monitoring Officer), Peter Moore (Service Director - Environment), Sara Tough (Corporate Director for Children's, Adults and Community Services) and Lee Gallagher (Democratic Services Manager).

For certain items, as appropriate:

Sarah Johnstone (Communications Commissioning Manager), Jay Mercer (Education Transformation Lead), David Walsh (Economy & Enterprise Team Leader Economy) and David Webb (Service Manager - Dorset Combined Youth Offending Service).

- (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, 12 September 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, 27 September 2017.**
- (3) **RECOMMENDED** in this type denotes that a decision of County Council is required.)

Apologies for Absence

98 An apology was received from David Phillips (Director of Public Health) and Mike Harries (Corporate Director for Environment and Economy). Peter Moore (Service Director – Environment) attend the meeting For Mike Harries.

Code of Conduct

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

Minutes

100 The minutes of the meeting held on 19 July 2017 were confirmed and signed.

Public Participation**101 Public Speaking**

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

There were no public statements received at the meeting in accordance with Standing Order 21(2).

Petitions

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

Cabinet Forward Plan

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

Cabinet Members discussed the need for an item on Direction of Travel and Programme for Care and Protection to be brought forward from 15 November 2017 to 27 September 2017. The Monitoring Officer clarified that the Council's general exception rules would apply in this case, which required notification to the appropriate overview and scrutiny committee chairman, as the forward plan for the meeting on 27 September 2017 had already been published.

Resolved

That the change of date for the item on 'Direction of Travel and Programme for Care and Protection' be changed from 15 November 2017 to 27 September 2017, subject to general exception rules.

Panels and Boards

103 The Cabinet received the following minutes and recommendations from Panels and Boards:

Tricuro Executive Shareholder Group - 27 June 2017

104 Cllr Ros Kayes, as a member of the Tricuro Executive Shareholder Group (ESG), addressed the meeting to ask a question regarding the operation and development of Tricuro in relation to the ability to earn income to be reinvested into the company to enable growth and profit. Cllr Jill Haynes responded by explaining that the company could operate to reinvest income, or could be used to future proof services by removing the challenges faced by the Council by the company reducing prices in the market. She acknowledged that not all partner councils have the same view of how to use the company but her personal view was that it should be used to assist in controlling costs. However, the development of the company was needed and there were many opportunities to grow in collaboration with the Clinical Commissioning Group and Health Trusts.

It was clarified that the consideration of how Tricuro operated and financial decision making was the responsibility of the ESG, and was not the for the Cabinet to consider.

Noted**Further approval for procurements over £500k**

105 The Cabinet considered a report by the Cabinet Member for Community and Resources in relation to planned procurements during 2017/18 which were in excess of the Council's key decision threshold of £500k.

In relation to the contract framework for the provision of school meals, Cllr David Harris (Chairman of the Audit and Governance Committee) highlighted that the former Audit and Scrutiny Committee had scrutinised the previous contract arrangements and was pleased to see that the new contract arrangements had taken account of the action plan and scrutiny ideas that the Committee had developed. It was noted that the next Audit and Governance Committee meeting would receive an update on progress, and a channel of reporting back to the Committee if any problems occurred in the new contract was welcomed. Cllr Croney, as a former member of the Audit and Scrutiny Committee, echoed the comments and drew attention to the huge amount of work and consultation to arrive at the new contract framework, including service improvements, support for local businesses, and cost effectiveness for schools.

Resolved

1. That the procurements and awards of contracts set out in Appendix 1 of the Cabinet Member's report be approved.
2. That delegated authority be granted to lead officers to approve further procurements set for implementation during 2017 (or as specifically noted otherwise) on terms to be agreed after consultation with the appropriate Director and Cabinet Member(s) for each arrangement.

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 ensured stakeholder engagement, efficient sourcing, compliance with regulations and contract procedure rules and best value for money.

Special Educational Needs and Disability - Written Statement of Action

106 The Cabinet considered a report by the Cabinet Member for Economy, Education, Learning and Skills on the Written Statement of Action in relation to Special Educational Needs and Disability (SEND) following a joint inspection in January 2017 by Ofsted and the Care Quality Commission (CQC) of Children's Services and their partners regarding support for children and young people SEND.

Cllr Ros Kayes, as the Leader of the Liberal Democrat Group, expressed appreciation for being involved in the SEND Improvement Board and supported the report. She asked how the monitoring of the statement of action would be undertaken and reported back to members, and also sought assurance about the staffing arrangements and capacity in the SEND team.

Cllr Deborah Croney introduced the report and explained the four main areas of improvement following the inspection, as detailed within the report. It was confirmed that the SEND Improvement Board, which worked with health partners, the voluntary sector and parent and carers designed the WSOA and set up a Strategic Working Group to identify how to deliver and measure success of the statement. A SEND Delivery Group would then deliver the actions and milestones from September 2017 to October 2018, and was scheduled to meet on 9 October 2017. The Director for Children's Services also summarised the wider governance arrangements, how the groups and Board linked with the work of partners including the Clinical Commissioning Group, and how the delivery arrangements were designed to bring partners together.

In relation to the action to increase capacity in the SEND team, it was confirmed that there had been success in making key appointments and changes to management and leadership. However, the staffing situation was not stable as there was ongoing turnover of other staff as well. Difficulty in recruitment and retention was highlighted due to the ongoing challenging market, which in turn increased agency costs.

The Cabinet acknowledged the large amount of work required and support needed from across the whole Council and recognised that as part of the monitoring arrangements for the WSOA a further report would be considered by the Cabinet on 18 October 2017.

Resolved

That the contents of the Written Statement of Action be noted and that updates on progress towards the outcomes detailed in the statement be provided to the Cabinet by report or other means as required.

Reason for Decision

It is important that Cabinet, due to the financial and reputational impacts of this area of work, remained informed on progress and achievement against the Written Statement of Action.

Quarterly Asset Management Report

107 The Cabinet considered a joint quarterly report by the Cabinet Member for Community and Resources and the Cabinet Member for Natural and Built Environment which provided an overview of the key issues relating to the Council's Asset Management Plan and its various asset classes of Property, Highways, ICT, Fleet and Waste.

Cllr Nick Ireland, as the local member, confirmed that he and Winterborne Farringdon Parish Council supported the proposal to retain the Monkton Park site. Cllr Ros Kayes as the Leader of the Liberal Democrat Group, also supported the proposal and asked if consideration of using the site for a children's home could be investigated. It was confirmed that a children's home would be considered alongside all other options to better exploit the use of the site.

With regard the transfer of Youth Centres to communities, it was noted that many had progressed well and Cabinet would continue to be updated on progress until the end of the programme. However, Cllr Jill Haynes asked for the transfer of the centre at Maiden Newton/Higher Frome Vauchurch to be progressed as a priority as the arrangements appeared to have stalled. In addition, Cllr Kayes, as a local member, drew attention to practical problems experienced by Bridport Youth Centre in relation to the payment of utility bills alongside the transfer of the centre which had amounted to £8k, and suggested that this should be handled better in the future. In addition, Cllr David Harris, as a local member, asked if STEPS youth club in Weymouth had now been transferred. Cllrs Tony Ferrari and Steve Butler indicated that they would investigate the issues raised outside of the meeting.

Cllr Cherry Brooks, as a member of the Enterprise Zone Management Board and Purbeck District Council as the Portfolio Holder for Economy and Infrastructure, raised concerns regarding the ability of the Local Enterprise Partnership (LEP) to meet the £1.3m funding contribution and the impact if it was unable to provide the funding. Confirmation was provided that the capital investment programme would be considered by the LEP Board on 27 September 2017, and confidence was expressed in being able to progress with the programme. A financial breakdown of the investments was also provided by the Chief Financial Officer, which included a summary of the associated risks and repayment through future business rates.

Whilst continuing to support the Innovation Park project Cllr Brooks also raised concern that there appeared to be a feel of reduced ambition and not focussed on the original ambition of bringing high tech, and high spec marine defence and engineering, particularly in relation to the addition of a Café to Chesil House.

Further to a concern raised in relation to the change of contracts for premium surface dressing, clarification was provided that there was unlikely to be any interruption in service and that all information was available online via Dorset Explorer. On seeking confirmation outside of the meeting with the Service Director – Highways, Cllr Daryl Turner indicated that he would share any further information outside of the meeting.

Members also discussed the impact of budgetary pressures on ICT capacity to manage and maintain operational services. Although the financial position across the Council added pressure to capacity, the importance of ICT as an enabling tool was recognised. A position statement on capacity to deliver across operation, given reduced financial allocations, would be reported in due course.

Clarification was provided to members regarding the grant funding arrangements for Children's Services, which showed a lower than expected level of capital funding. It was reported that the amount was likely to increase from December 2017 when the funding was announced by Government.

Resolved

1. That the transfer of legal title of The Dorset Yeoman at Agagia, 26th Feb. 1916 by Elizabeth Southerden Thompson, Lady Butler, to the Keep Military Museum under the terms of Arts Council England's Accreditation standard and the Museum's existing Acquisition & Disposal Policy (Paragraph 3.1.4 of the Cabinet Members' report) be approved.
2. That the retention of Monkton Park to explore options for utilisation of the site, including the potential of providing an SEMH Special School, and the re-provision of the Learning Centre on the site (Paragraph 4.1.13 of the report) be approved.
3. That the use of the County Council's general powers of competence to permit it to grant a 125 year lease of the 10 acre site comprising the former Bovington Middle School site to the Delta Education Trust for the provision of a school for children with Special Educational Needs and Disabilities and otherwise on terms to be agreed by the Corporate Director for Environment and Economy (Paragraph 4.3.6 of the report) and the retention of the remaining 7 acre playing field site at Bovington Park whilst further options for the site are explored (Paragraph 4.3.9 of the report) be approved.
4. That the disposal of the whole of former Bere Regis Primary School site on terms to be agreed by the Corporate Director for Environment and Economy (Paragraph 4.4.6 of the report) be approved.
5. That resources of £2,276,000 (including a 20% contingency) are made available as a loan for up to a ten year period through Forward Funding from the County Council by way of either prudential borrowing from the Public Works Loan Board or the use of credit balances (Paragraph 4.5.6 of the report) be approved.
6. That the disposal of 8 Glyde Path Road, Dorchester on terms to be agreed by the Corporate Director for Environment and Economy (Paragraph 4.6.4 of the report) be approved.
7. That upon completion of the scoping work, a new Surface Treatment Framework be procured and let (Paragraph 5.1.3 of the report).
8. That the overall revised estimates and cash flows for projects as summarised and detailed in Appendix 1 (Paragraph 9.2.2 of the report) be approved.
9. That the emerging issues detailed in this report be noted.

Reason for Decisions

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

Recommendations from Committees

108 The Cabinet considered the following recommendation.

Approval of the Youth Justice Plan 2017-18

109 The Cabinet considered a recommendation from the Safeguarding Overview and Scrutiny Committee meeting held on 6 July 2017.

Cllr Steve Butler introduced the recommendation and summarised the content of the Youth Justice Plan. He clarified that it was a statutory requirement for the Youth Justice Plan to be approved by County Council on 9 November 2017, and that the Safeguarding Overview and Scrutiny Committee supported the plan for adoption. Cabinet members and the Director for Children's Services commended the positive report and the hard work of David Webb as the Youth Offending Service Manager and his team for being continually high performing, for significant partnership working with wider visibility, and to recognise the achievements of the service.

RECOMMENDED

That the Cabinet recommend the County Council to approve the Youth Justice Plan 2017-18.

Reason for Recommendation

The draft Youth Justice Plan has been approved by the Youth Offending Service (YOS) Management Board. The plan reviewed achievements in the previous year, detailed the structure, governance and resources of the YOS, and set out the priorities for 2017-18.

Questions from County Councillors

110 No questions from County Councillors were received.

Meeting Duration: 10.00 am - 11.10 am