



## Cabinet

Minutes of a meeting held at County Hall, Colliton Park, Dorchester,  
Dorset, DT1 1XJ on Wednesday, 18 October 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
Tony Ferrari	Cabinet Member for Community and Resources
Daryl Turner	Cabinet Member for Natural and Built Environment
Peter Wharf	Cabinet Member for Workforce

### Members Attending:

Hilary Cox, as Chairman of the County Council  
Ros Kayes, County Councillor for Bridport  
David Shortell, County Councillor for Moors

### Officers Attending:

Debbie Ward (Chief Executive), Richard Bates (Chief Financial Officer), Mike Harries (Corporate Director for Environment and Economy), Nicholas Jarman (Interim Director - Children's Services), Jonathan Mair (Head of Organisational Development - Monitoring Officer), Michael Carhart-Harris (Senior Communications Officer) and Lee Gallagher (Democratic Services Manager).

### For certain items, as appropriate:

Trevor Badley (Principal Planning Officer - DCC), Ed Denham (School Admissions Manager) and Patrick Myers (Assistant Director - Design and Development).

- (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, 24 October 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, 15 November 2017.**)

### **Apologies for Absence**

124 No apologies for absence were received.

### **Code of Conduct**

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

### **Minutes**

126 The minutes of the meeting held on 27 September 2017 were confirmed and signed.

### **Public Participation**

#### 127 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**

128 The Cabinet considered the draft Forward Plan, which identified key decisions to be taken by the Cabinet on or after the next meeting. The following items were added or amended:

- Local Government Reorganisation - 15 November 2017
- Bridport Hub – to be renamed to 'Provision in Bridport' and be moved from 15 November to 6 December 2017
- A350 and C13 Report – 6 December 2017

Nick Jarman, Interim Director for Children's Services, was welcomed to his first Cabinet meeting. It was noted that items in relation to Children's Services would be added to the Plan over next couple of weeks.

### **Noted**

### **Panels and Boards**

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

### **Executive Advisory Panel on Forward Together for Children's Services - 5 September 2017**

129a The Cabinet considered recommendations from the Executive Advisory Panel and the following areas were discussed.

#### Recommendation 14 - Transforming Youth Services in Dorset

The good news story of the youth service transformation was welcomed by the Cabinet. A summary about the finances detailed within the minute was provided, which clarified that the 'start up' contribution for youth centres of £1000 would be provided to 20 clubs from the available transformation fund of £200k which was formed following budget savings of £2.2m. Reference to '£200k savings' in the minute actually referred to the transformation fund and would be amended accordingly outside of the meeting.

#### Recommendation 15 - Home to School Transport Policy

Attention was drawn to the suggested formation of a group to consider the home to school transport policy. That group would be the Executive Advisory Panel on Forward Together for Children's Services and not a separate group. A correction to the minutes would be made outside of the meeting.

### **Resolved**

That the minutes of the meetings held on 5 September and 2 October 2017 be received, and the recommendations below be approved.

#### Recommendation 14 - Transforming Youth Services in Dorset

*That a sum of £1000 should be made available to each youth service provider applicant to be used to start up their particular project and access low token items, with it being left to officers to commission and scope how this would be done.*

#### Recommendation 15 - Home to School Transport Policy

*That the Executive Advisory Panel on Forward Together for Children's Services give further consideration to how the Home to School Transport Provision Policy might be*

*best applied, so as to understand the issues at hand and assist in consolidating the strategic direction being taken.*

### **Executive Advisory Panel on Forward Together for Children's Services - 2 October 2017**

129b **Noted**

### **Dorset Health and Wellbeing Board - 13 September 2017**

129c The operating model for the Health and Wellbeing Board was highlighted as a best practice model across the South West. It included an informal interactive element to its meetings which allowed for a wide range of people and partners to attend and participate in the work of the Board. The meetings enabled the 'on the ground' working to move at pace. A request was made for more detail to be reported in the minutes regarding the informal sessions and it was confirmed that this issue had been raised with officers. The Monitoring Officer advised that consideration would be given to the information that could be included in the future without altering the informal nature of that part of the meeting.

The Board's very good Better Care Fund Submission was welcomed as well as recent development of mini Health and Wellbeing Boards being cited as best practice.

**Noted**

### **Outcomes Focused Monitoring Report, October 2017**

130 **Resolved**

That consideration of the report be postponed and considered at a future meeting.

### **Medium Term Financial Plan (MTFP) update**

131 The Cabinet considered a report by the Cabinet Member for Community and Resources on the national and local issues impacting on the County Council's finances, the development of the three-year Medium Term Financial plan (MTFP) from 2018/19 to 2020/21, and financial performance of the Council.

A summary of the financial position was provided by Cllr Ferrari, which included the current forecasted year end overspend of £6.061m, and a description of the pressures facing the services which were likely to come back within budget by the end of the financial year. However, the ongoing pressures within Children's Services regarding Special Educational Needs and Disability (SEND) transport, high cost placements, and contracted foster care placements were discussed. Efforts to reduce the overspends in each area were examined. The use of reserves and other techniques would be used to address the overspend and to balance the overall budget.

The impact of increased inflation on care providers, and increasing pressure on demand in relation to adult care, specifically about 'sleeping nights', were identified as increasing risks to the council's budget. Clarification was provided about the additional funding received in the Government's social care precept which was designed to contribute towards additional care costs and the national living wage. However, there was a risk in 2019/20 following the front loading of the precept of 3% in 2017/18 and 3% 2018/19 which would mean there would be no increase in 2019/20.

The impact of inflation over time was explained in terms of increases following the EU Referendum, and the national position by the Bank of England. Although the value of currency had been affected and inflation had increased it was likely that inflation would decrease in the coming months.

Clarification was sought on the recent closure of a small number of care homes and whether this related to inflation changes. The closures were due to a complex mixture of circumstances which included recruitment and buildings. The national picture showed that there were not enough people in the industry and not enough care homes, but it was confirmed that Dorset was doing everything possible to offer the right provision.

The role of the Forward Together Board was highlighted and that continued efforts to address savings would be reviewed by the Board. Additional ideas for further savings would also be welcomed from members.

### **Resolved**

1. That the Directors' latest estimates included in the forecast of outturn for the current year and the operational reasons causing us to diverge from the balanced budget agreed by Council in February 2017 be noted.
2. That the latest projections for the current MTFP and budget round including the level and adequacy of reserves and balances on the general fund be noted.
3. That the latest, savings expectations from the Forward Together programme be noted.
4. That all councillors be encouraged to put forward any other issues to be taken into account in the development of the MTFP and budget.
4. That the risks associated with and impacting upon the financial performance for the current and future financial years be acknowledged.

### **Reason for Decisions**

To enable work to continue on refining and managing the County Council's budget plan for 2018/19 and the overall three-year MTFP period.

## **Contingency Application for Special Educational Needs and Disability Improvement Plan**

- 132 The Cabinet considered a report by the Cabinet Member for Economy, Education, Learning and Skills regarding a request for contingency funding for a three year improvement drive in order to address the significant resource issues currently within the Special Education Needs and Disability (SEND) Services for children and young people.

A detailed summary of the work to bring about improvements in the transfer of SEND statements to Education Health and Care Plans (EHCPs) and future provision of the service was provided by Cllr Deborah Croney. Rapid and significant improvements were anticipated within 12 months with the appropriate resources. Governance arrangements including representation from the Council, the Clinical Commissioning Group, partners, parents and other professionals were shared together with a summary of the work and intense focus of the SEND Delivery Group in monitoring performance and outcomes to meet targets. The Group would continue to robustly scrutinise performance in accordance with improvements detailed within the Council's Written Statement of Action following a recent Ofsted Inspection.

Cllr Ros Kayes, in her role as a member of the SEND Improvement Board, asked questions about the transfer assessment and independent advocacy. She also explored why the current monitoring of the service had not foreseen the issues that were being experienced. In relation to advocacy, this would be the responsibility of the Participation Development Manager to provide advocacy services and ensure responses to feedback from parents about the system.

Work would be undertaken to understand how performance had suffered as a result of policy changes to transfer from statements to EHCPs, but it was broadly due to an unprecedented increase in demand by 134% at the same time as the policy changes

came into force. The sustainability of future service delivery was seen as a priority to ensure that the complexities of the service were considered in order to secure a high quality service in future, rebuild confidence and improve communication and engagement. The Interim Director for Children's Services clarified the measures being taken to scientifically monitor and assess performance as a priority to achieve results with the completion of 13 transfers per week until the end of March 2018.

Cabinet were advised that The SEND Delivery Group will be meeting monthly to review and ensure the progress of improvement. A update report was sought to ensure that targets were being met and to track performance. The report would be submitted to the Cabinet on 17 January 2018. However, this would be brought forward if there were any performance concerns before January 2018.

The improvement in performance following the publication of the report was outlined including the reduction of statements transferred to EHCP from 528 to 487. The number of completed transfers had therefore increased from 483 to 524 which indicated that performance was due to meet the target completion rate of 700 by the end of October, and the overall target by the end of March 2018.

### **Resolved**

1. That the Cabinet Member's report be noted,
2. That the additional staff capacity required to address the complex issues outlined in the report be agreed.
3. That the necessary contingency funds detailed within the report to turn the situation around be agreed.

### **Reason for Decisions**

The issues raised in the Ofsted/CQC SEND Local Area inspection report could not be resolved without significant additional funding. The consequences of not meeting demand effectively would impact upon significant numbers of young Dorset residents and would damage the reputation of the Council significantly.

### **Special Educational Needs Transport Clause**

- 133 The Cabinet considered a report by the Cabinet Member for Economy, Education, Learning and Skills in relation to Special Educational Needs and Disability (SEND) transport to be included in the periodic consultation document on Home to School Transport.

A detailed explanation of the policy development through the Executive Advisory Panel on Forward Together for Children's Services was provided which sought to modify the arrangements for users to clarify the Council's travel assistance policy eligibility and distance criteria. A preference for a phased change in the distance criteria for post 16 free transport from 5 miles to 4 in 2018/19 and then further consideration to 3 miles from 2019/20 was highlighted as an area for consideration by the EAP. The change to reduce to 3 miles was estimated to cost an additional £40-70k, although attention was drawn to the budget pressure on SEN transport by the Chief Financial Officer which was already forecasted to overspend.

The clauses within the report were explained as being part of the wider home to school transport policy consultation for 2018/19 which would be brought to the Cabinet for consideration in January 2018.

Assurance was sought about the wider school admissions consultation, as context of how the SEND element formed part of the wider policies including travel assistance and about the financial impact of the changes over time.

The clauses were constructively challenged, which resulted in a request for further consideration of the link with the wider consultation, and a need for a phase approach

to the changes to be financially evidenced. A decision was required before the next meeting and as such it was necessary to consider delegated authority to enable the decision to be made. A suggestion was also made that the wider consultation should be considered by the relevant Overview and Scrutiny Committee prior to Cabinet consideration if possible.

### **Resolved**

That delegated authority be granted to the Director for Children's Services, after consultation with the Cabinet Member for Economy, Education, Learning and Skills, to agree changes to SEND transport clauses to form part of the Council's Home to School Transport Policy consultation.

### **Reason for Decision**

The clauses clarified the council's position on SEND transport and would enable progress to be made in providing an efficient and economically sustainable model.

## **Change of Chairmanship**

At this point the Chairman left the meeting and Cllr Haynes took the Chair as Vice Chairman.

## **Publication, consultation and submission to the Secretary of State of the Bournemouth, Dorset and Poole Mineral Sites Plan and Waste Plan with associated amendment of the Minerals and Waste Development Scheme Milestones**

134 On considering a report by the Cabinet Member for Natural and Built Environment the Cabinet was informed of the consideration of the report by the Economic Growth Overview and Scrutiny Committee on 16 October 2017 and recommendations from the meeting, which were circulated prior to the meeting.

The cost of the Secretary of State's public examination by an independent inspector was raised. Members were advised that the cost and remit of the inspection could vary widely depending on what was chosen to be considered in the examination and was unknown at this point.

Progress of the plans was welcomed, given the many years to arrive at the submission stage. The steps for site inclusion in the plans was discussed, and although all of the proposed sites were accepted for inclusion, the Cabinet acknowledged that some sites raised concerns with the public. Moving forward to the consultation, the importance of councillors being impartial was highlighted to not predetermine any outcomes. The Cabinet welcomed the positive consultation.

### **Resolved**

1. That the publication of the Waste Plan and Mineral Sites Plan be agreed, subject to any amendments arising from the three Authorities, as the most up-to-date expressions of policy on behalf of the Minerals and Waste Planning Authorities, to be followed by an eight week consultation, anticipated to begin in early December 2017.
2. That the comments made to the additional consultation on waste site options in Blandford and Purbeck (2017) and officer responses/recommendations (refer to Appendix A of the report) be noted and acknowledged.
3. That the published version of the plans be submitted to the Secretary of State, alongside any representations that are received on the plans, following the consultation, to begin the examination process;
4. That officers be authorised to make minor amendments, factual updates and editorial changes to both plans prior to submission and during the examination.
5. That delegated authority be granted to the Service Director for Economy, after consultation with the lead Cabinet Member for the Natural and Built Environment, to agree any main (non-minor) modifications arising during the plan's examination and to consult upon these in accordance with the Local Plan Regulations.
6. That delegated authority be granted to the Strategy Director for Economy, after

consultation with the lead Cabinet Member for the Natural and Built Environment, to confirm the Local Development Scheme milestones to take account of any changes needed to reflect programming arrangements.

7. That the SWTAB's 'Residual Waste Management in the South West' as a useful evidence base that supports the duty to co-operate.

Reasons for Decisions

1. To progress the preparation of local plans in the Minerals and Waste Development Scheme; and,

2. To support the Corporate Plan focus of enabling economic growth, in particular:

a. Work together with our partners to plan for business growth and maximise funding and investment.

b. Work in partnership to ensure the good management of our natural and historic environment.

c. Promote waste reduction, increase recycling rates and manage residual waste effectively.

**Questions from County Councillors**

135 No questions from County Councillors were received.

Meeting Duration: 10.00 am - 11.15 am