



Cabinet

Minutes of a meeting held at County Hall, Colliton Park, Dorchester,
Dorset, DT1 1XJ on Wednesday, 17 January 2018.

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:

Cherry Brooks, County Councillor for South Purbeck
Ray Bryan, County Councillor for Moors
Graham Carr-Jones, County Councillor for Stalbridge and the Beacon
Hilary Cox, Chairman of the County Council
Spencer Flower, County Councillor for Verwood and Chairman of the Dorset and Wiltshire Fire and Rescue Service Authority
David Harris, County Councillor for Westham
Nick Ireland, County Councillor for Linden Lea
Byron Quayle, County Councillor for Blandford Forum

Officers Attending:

Debbie Ward (Chief Executive), Richard Bates (Chief Financial Officer), Nick Jarman (Interim Director - Children's Services), Jonathan Mair (Head of Organisational Development - Monitoring Officer), Matthew Piles (Service Director - Economy) and Fiona King (Senior Democratic Services Officer).

(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, 23 January 2018.**

(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, 31 January 2018.**)

Apologies for Absence

1 There were no apologies for absence.

Code of Conduct

2 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct. However, the following interest was declared:

Cllr Deborah Croney declared a general interest in minute 8a as a resident of Iwerne Minster living in the vicinity of both the C13 and the A350. She stated that she had taken advice and that she had no disclosable pecuniary interest. Cllr Croney remained in the meeting and took part in the debate.

Minutes

3 The minutes of the meeting held on 6 December 2017 were confirmed and signed.

The Cabinet Member for Natural and Built Environment advised members that there would be a Transport Enquiry Day on 26 February 2017.

Public Participation

4 Public Speaking

One public question was received at the meeting in accordance with Standing Order 21(1) which related to the No.5 Bus Service serving the Linden Lea electoral division. The question and answer are attached as an annexure to these minutes.

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

5 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 additions were noted:

- Local Authority school relations – March 2018
- Special School Provision – February/March 2018 (minute 12)

Noted

Dorset and Wiltshire Fire and Rescue Authority - Annual Report

6 The Cabinet considered the first Annual Report for the newly created Dorset and Wiltshire Fire and Rescue Service Authority.

The Chairman of the Dorset and Wiltshire Fire and Rescue Service Authority presented their Annual Report and advised members that this had been a critical year for the combination and that they had achieved the majority of the savings required and the tasks that had to be completed in their first year. He highlighted the key points in the report for members and noted that whilst there was a heavy reliance on retained firefighters issues and challenges were still present. Following governance work and support from authorities it was noted that from June 2018 there would be 18 members on the Fire Authority instead of the rather unwieldy 30. The Chairman referred to the Police and Crime Commissioner (PCC) wishing to become involved with the Authority but at present the main thrust was to be ready for the Annual General Meeting, but consideration of the involvement of the PCC could be given at a later date.

The Chief Fire Officer offered members of the Cabinet reassurance following the Grenfell Tower tragedy noting that there were some similar size buildings mainly in Bournemouth, Poole and Swindon but some within the County Council area. Officers had now visited all the buildings to ensure they were safe and had also reassured residents.

He advised members that no fire related lives had been lost in the Dorset area in year 1, although subsequent issues had arisen and were highlighted. Although £4m had been saved from a £54m budget the Chief Fire Officer highlighted that there were still further challenges and savings to be faced.

Members were most appreciative to the Chairman and Chief Fire Officer for sharing their Annual Report and insights to their Authority with them.

In respect of the Grenfell work, Cllr Rebecca Knox, as the Leader of the Council, thanked the Chief Fire Officer and his officers for being so communicative with leaders and officers in Dorset. She assured him that they were lobbying Government for the Fire Service grant to be reviewed in light of the extra work this tragedy had caused. It was added that if it was felt at any time there were any barriers that needed drawing to her attention to please let her know.

Noted

Admission Arrangements 2019-2020 and Transport Policy 2018-2019

7 The Cabinet considered a report by the Cabinet Member for Economy, Education, Learning and Skills on the consultation arrangements and annual consideration of the Council's admission arrangements for 2019-2020 and Transport Policy for 2018-2019. The report had also been considered by the People and Communities Overview and Scrutiny Committee at their meeting on 10 January 2018.

Cllr Deborah Croney highlighted changes to the eligibility policy focussing on incremental rises which was comparable with other authorities. She made reference to the minutes of the Overview and Scrutiny Committee meeting and agreed that some elements warranted further investigation. There was now an opportunity to do this to help inform their decision.

There was concern raised by members of the Overview and Scrutiny Committee about the Post 16 Transport element as the financial case had not been presented with the papers and she would like to take the opportunity for this to be looked at again to see if the proposed change was affordable. Following further reflection and the feedback from the Overview Scrutiny Committee she proposed that recommendations 'b' and 'd' in the Interim Director's report be deferred (shown as resolutions 4 and 5 below). The Cabinet Member for Natural and Built Environment supported this proposal and stressed the need for all to fully understand the transport costs across the organisation.

Resolved

That the following arrangements, policies and changes to admission numbers be adopted:

1. Dorset County Council Admissions Arrangements including the Co-Ordinated Scheme, the Admissions Arrangements for Community and Voluntary Controlled Schools in Dorset 2019- 2020, the Admission of Armed Forces Community Children Policy and the Guidance on the Placement of a Pupil Outside His or Her Normal Age Group, the 6th Form Admissions Policy and the Nursery Admissions Policy.
2. That the identification of a transport catchment area for the Swanage School be approved.
3. That the Pupil Admission Number for Charmouth Primary School be reduced from 25 to 15.
4. That the Home to School Transport Assistance Eligibility Policy for Children and Young People attending School 2018-2019 and the Dorset Post 16 Transport Support Policy for 2018-2019 which includes a rise in the surplus seat price from £640 to £770. Cabinet were advised that a cost of £795 would be used for consultation in April 2018 for September 2019 surplus seat/cost recovery charge. This recommendation be deferred pending further information.
5. That approval of either the 3 or 5 mile criteria for the reduction of 50% for contribution towards post 16 transport be also deferred pending further information.

Reasons for Decisions

1. To determine admissions arrangements in accordance with statutory requirements including the Schools Admissions Code December 2014.
2. To ensure compliance with the latest legislation and subsequent regulation/statutory guidance.

Recommendations from Committees

8 The Cabinet considered the following recommendation:

Proposed Introduction of a 20mph Zone in Iwerne Minster

8a The Cabinet considered a recommendation by the Regulatory Committee on 4 January 2018, as four objections had been received when the proposal had been formally advertised.

Cllr Deborah Croney, as the local member for Hambledon, highlighted the work that could be achieved with Parish Councils working with the County Council and was pleased to report that they fully supported the recommendation. She also supported the recommendation and stated that she had been campaigning for a speed reduction since before she became a County Councillor.

Cllr Croney also wished to place on record her thanks to Peter Finney, a former County Councillor, for all his work at the start of this project.

Resolved

That having considered the objections received, the proposed introduction of a 20mph Zone in Iwerne Minster be approved.

Reasons for Decision

1. The proposals would regulate or reduce the speed of vehicles to a level which drivers could readily meet the general hazards which might be expected on these roads.
2. Also, to fulfil the Council's obligation to review speed limits in light of changes in DFT (Department for Transport) guidance 'Setting local speed limits'. The Dorset 20mph Speed Limit Policy was approved by the Environment Overview Committee in January 2014. This allowed Parish Councils to fund 20mph speed limits and 20mph zones subject to meeting the criteria laid out in the County Council's speed policy.

Panels and Boards

9 The Cabinet received the following minutes:

Tricuro Executive Shareholder Group - 27 November 2017

9a The minutes from the Tricuro Executive Shareholder Group meeting held on 27 November 2017 were noted.

Cllr Jill Haynes advised members that since these notes had been published they had received notice of an increase in salaries from 1% to 2%. There would be a Shareholder meeting towards the end of February 2018 when this would be discussed further.

Noted

Executive Advisory Panel for Pathways to Independence/Social Care – 4 December 2017

9b The minutes from the Executive Advisory Panel for Pathways to Independence/Social Care meeting held on 4 December 2017 were noted.

Cllr Jill Haynes highlighted the Civica work and advised that they had been commissioned to do more and to continue to review the means-tested contributions to the cost of their care. Work was ongoing to look at transport charges that were made and how they would be made in the future.

In respect of Extra Care Housing, she highlighted that this way of looking after people in the communities with investors and housing associations was really important.

Reference was made to the changes to mobility allowances and the need to understand the full impact of these before moving forward.

Noted

Questions from County Councillors

10 A question was received from Cllr Clare Sutton to the Cabinet Member for Natural and Built Environment in relation to the Council's Waste Plan and Non-Hazardous Residual Waste Treatment.

A question was also received from Cllr Nick Ireland to the Cabinet Member for Natural and Built Environment in relation to the No.5 Bus Service serving the Linden Lea electoral division, as local member.

The questions and answers to both are attached to these minutes as an annexure.

Cllr Nick Ireland asked 2 further supplementary questions:-

'Speaking for the many residents of Linden Lea that would be been severely impacted by the withdrawal of the First No.5 Service, I congratulate Damory for stepping up and providing a replacement public bus service and appreciate the efforts of Cllr Daryl Turner and the Head of Economy and his team in achieving this. I note however that the contract awarded to Damory was solely for the provision of transport for entitled students to and from Thomas Hardye School and made no provision to ensure the service was open to the public.

Can the Portfolio Holder explain that whilst the Equality Impact Assessment for the Public and School Transport Review mentions (twelve times no less!) both the need and intention to open publicly funded school bus services to all as mitigation for the loss of rural services, the seven year contracts awarded under the One School, One Operator model failed to require that this was done and hence we now have the situation where none of the existing Damory operated school services in Linden Lea division are 'open' and residents of villages such as Dewlish and Owermoigne for example, who have no publicly available service of any description, have to watch buses paid for by their council tax pick-up and drop-off daily without providing them a means of accessing the services and facilities of Dorchester?

Given that the proposed public service is described by Damory as 'experimental' and hence presumable subject to review, with Cllr Turner provide both an assurance and commitment that any new contract awarded from September onwards will ensure that the school time service for entitled children will be also a registered and open route for the general public?'

Cllr Daryl Turner responded that the majority of the questions had been answered in the original question and answers which were contained in the annexure to these minutes. He also added that the County Council was obliged to provide an entitled service for children, and could not decide commercial services by operators but could try to influence positive outcomes where. The message to residents had to be 'use it or lose it'.

All the officers who had been involved in the recent work of the No.5 bus service were thanked for their efforts.

Exempt Business**11 Resolved**

That in accordance with Section 100 A (4) of the Local Government Act 1972 to exclude the public from the meeting in relation to the business specified in minute 14 as it was likely that if members of the public were present, there would be disclosure to them of exempt information as defined in paragraph 4 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

The Relocation of Dorchester Learning Centre in to Monkton Park Premises

12 The Cabinet considered a joint exempt report from the Cabinet Member for Economic Growth, Education, Learning and Skills and from the Cabinet Member for Community and Resources which included a business case for the re-location of the Dorchester Learning Centre into the Monkton Park premises.

Officers were thanked for their hard work in putting the evidence forward for members to consider and highlighted the substantial risk if nothing was done. The proposal was highlighted and it was noted that it was a logistical and complex issue. There was a need to get detailed costings for the move which was currently being investigated.

In thinking about the potential movement of staff and site disposal an additional recommendation was proposed by Cllr Deborah Croney that a small Project Steering Group be established, led by the Manager of the Design and Development Team in Children's Services with political oversight by herself and Cllr Tony Ferrari and with input from the Estates team.

Cllr Tony Ferrari, as part of his resources role, highlighted that although this was unbudgeted expenditure it would be implicit to address the usage of the rest of the site to remedy the budget hole that this project created. It would be important to communicate to the new school the plans for the site and to highlight that they would not have access to all of it.

Following a question about special schools, it was advised that there would be a further report to the Cabinet on this in February/March 2018.

Cllr David Harris as the Chairman of the Audit and Governance Committee advised the Cabinet the next Committee meeting on 19 January 2018 would be looking at asset management to ensure that things were working together.

Cllr Nick Ireland as the local member for Linden Lea, added that he felt his Parish Council would be supportive of the proposed recommendation and would accept sensitive redevelopment of the area.

Resolved

1. That the recommendation in Section 9 of the business case for Monkton Park, included in the exempt report, and the potential relocation of Dorchester Learning Centre along with authorisation for officers to pursue Option 3 (relocate to Learning Centre within Monkton Park) in order to achieve the earliest improvement in provision of facilities for learners who attend the Centre be approved.

2. That a small Project Steering Group be established, led by the Manager of the Design and Development Team in Children's Services with political oversight by the Cabinet Member for Economy, Education, Learning and Skills and the Cabinet Member for Community and Resources and with input from the Estates team be approved.

Reasons for Decisions

1. There was an urgent requirement to improve the suitability, quality and safety of the facilities at the Dorchester Learning Centre.

2. Previous attempts to find an alternative site for the Learning Centre were unsuccessful in finding any site which was suitable or affordable. Therefore a relocation within the Monkton Park site was the most suitable and cost effective option for improving provision for the Learning Centre.

Meeting Duration: 10.00 am - 11.10 am

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Minute Item 4

Public Questions for the Cabinet meeting on 17 January 2018

Questions from Ms Linda Thompson to the Cabinet Member for Natural and Built Environment in relation to the No. 5 Bus Service between Crossways, Broadmayne, West Knighton and Dorchester

Questions

1. Why was route extended to cover Weymouth when there was an existing regular service covering Dorchester to Weymouth?
2. Was there no clause in the business plan / contract safeguarding this service for minimum of a year to obtain true figures?
3. Were user audits carried out over various weekdays and times of day?
(I was told by First that they were ending the service as 'fewer people were using the bus'. As a regular passenger I saw the opposite!)
4. We're told people can use community transport to get to hospital appointments in the absence of a bus, and that schoolchildren will be covered – what about those who work?

Answer

1. The decision to extend the new #5 is commercial and meets the Passenger Transport Strategy and New Contract model objectives of using school movement to underpin services and operators taking commercial decision to develop the route where they see them financially viable.
2. First took the commercial decision to take over a route which was not due for renewal in the retender process. The council do not franchise public transport routes, so growth is down to commercial operators and the communities to use this.

The new #5 is a commercial venture (outside of the school time, school day movement) and the ability to maintain the service in the long term lies with the communities it serves, by using the service and assisting its financial viability

3. First use digital ticket machines and have data for each individual journey by fare type, concessionary, fare payer and season ticket holder. This is their commercial information. The data from First showed a decline in patronage and the changes all operators make between winter and summer timetables reflects seasonal passenger demand
4. The decision to remove the service highlights it is not commercial. Communities are encouraged to consider what travel solutions already existing in communities for workers who currently drive in single occupancy cars and if they would share. Tools such as carsharedorset.com or speaking with their employers about workplace travel plans or other initiatives available are encouraged.

It is also worth noting that the X54 which serves Owermoigne, Poxwell and Osmington has in the previous year's been withdrawn over the winter period. The work Dorset Travel undertook with the entitled flow into Purbeck School has secured this as an all year round service.

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County Councillor Questions for the Cabinet - 17 January 2018

Question from Cllr Clare Sutton to the Cabinet Member for Natural and Built Environment in relation to the Council's Waste Plan and Non-Hazardous Residual Waste Treatment

Question

I welcome the detailed Waste Plan currently out for consultation, and note that one of the major issues identified is the emerging shortfall of capacity to treat non-hazardous residual waste. I note too that the draft plan (Policy 6) says:

Proposals for the recovery of non-hazardous waste, including materials recovery, mechanical biological treatment, thermal treatment, anaerobic digestion and biomass facilities, will be permitted where it is demonstrated that they meet all of the following criteria: ...

d) where energy is produced, they provide combined heat and power.

This policy does not explicitly include the mass incineration of non-hazardous residual waste in the list in the pre-amble, but nor does it exclude it. Is it the Council's intention to allow mass incineration of non-hazardous residual waste within the County, and if so what criteria would apply to permissible sites?

Answer

The Waste plan is currently going through a formal pre-submission consultation. Once submitted, the plan will be the subject of a public examination by an independently appointed inspector who will consider whether the plan is sound and legally compliant having regard to consultation responses to the current draft plan. It will then come back to Dorset County Council, Borough of Poole and Bournemouth Borough Council to formally adopt the plan. Consequently, policies in the plan are not yet adopted although they are capable of being a material consideration.

The draft plan's approach to residual waste treatment is to promote the most sustainable means of treatment that follow the principles of the Waste Hierarchy, in essence to avoid disposal if waste can be prevented, reused, recycled or recovered/put to other beneficial use. For this reason no new landfill sites are proposed and instead residual non-hazardous waste will require suitable treatment facilities. The plan contains a policy that deals with waste recovery (Policy 6) for circumstances where waste cannot be prevented, reused or recycled. Where treatment generates energy the plan promotes its use and recovery.

The plan is not prescriptive about the technology or process that should be used for waste recovery facilities. This will be a matter for consideration if and when a particular application is submitted, having regard to the suitability of the site in question. In assessing this the Waste Planning Authority will need to consider a suite of planning considerations which will include a range of development management policies in the Waste Plan (including matters such as transport, amenity, landscape, etc.), district/borough local plans and national policies such as those set out in the National Planning Policy Framework. As to which policies or criteria will apply will depend upon the specific proposal that is before us and the particular sensitivities of the location'.

Question from Cllr Nick Ireland to the Cabinet Member for Natural and Built Environment in relation to the No. 5 Bus Service between Crossways, Broadmayne, West Knighton and Dorchester

Question

Can the Cabinet confirm what travel provisions are to be provided for the general public by the new bus service which Dorset County Council have contracted Damory to provide from the 22nd January 2018 as a consequence of the termination of the First Bus #5 route?

Answer

The Dorset Travel Service has been working with the Damory to ensure the continued provision of entitled school transport. As part of the communication with the Damory, they indicated the possibility of additional services and opening the school time service. To inform Damory of the potential for additional services, the passenger loading data from the First Wessex #5 was provided. This covered the last quarter of 2017. Dorset Travel have supported Damory with short notice confirmation with the traffic commissioner to allow operation to commence on 22 January. The new #5 is an experimental service and will require the support of the communities it serves to be financially viable and continue. The requirements from Dorset Travel were to accommodate the entitled students only and the route has been designed around this flow with enhancements.