



Cabinet

Minutes of a meeting held at County Hall, Colliton Park, Dorchester,
Dorset, DT1 1XJ on Wednesday, 5 December 2018.

Present:

Jill Haynes	Deputy Leader and Cabinet Member for Health and Care
Steve Butler	Cabinet Member for Safeguarding
Andrew Parry	Cabinet Member for Economic Growth, 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:

Jon Andrews, County Councillor for Sherborne Town
Deborah Croney, County Councillor for Hambledon
Nick Ireland, County Councillor for Linden Lea

Officers Attending:

Mike Harries (Chief Executive), Richard Bates (Chief Financial Officer), Gary Binstead (Strategy, Partnerships and Performance Service Manager), Grace Evans (Legal Services Manager), Nick Jarman (Corporate Director for Children's Services), Matthew Piles (Service Director of Environment, Infrastructure and Economy), Andy Reid (Assistant Director - Schools and Learning), Peter Scarlett (Estate and Assets Manager), Kirstie Snow (Senior Communications Officer) 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, 11 December 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, 16 January 2019.**

Apologies for Absence

119 Apologies for absence were received from Rebecca Knox and Hilary Cox.

In the absence of the Chairman, Cllr Jill Haynes chaired the meeting.

For information Cllrs Wharf and Turner arrived at the meeting a little late as they had to attend a previous meeting.

Code of Conduct

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

Minutes

121 The minutes of the meeting held on 17 October 2018 were confirmed and signed subject to an amendment to Minute 116d. The first sentence to now read 'The Chairman, who also chaired the Dorset Health and Wellbeing Board, advised Cabinet that whilst the works of the Health and Wellbeing Board were a statutory duty and cross-cutting, it was being held up as a national example of getting it right on Prevention at Scale.

Public Participation

122 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

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

Cllr Haynes noted that the Forward Plan was quite light but felt sure that there would be items coming to Cabinet in the New Year. She was disappointed to note these had not yet been flagged and urged Cabinet members and Directors to populate the Forward Plan through to the end of March 2019.

Amendment to Special Educational Needs and Disability (SEND) Transport Policy

124 The Cabinet considered a report by the Cabinet Member for Economic Growth, Education, Learning and Skills which proposed a change to the wording in the current Home to School Transport Assistance Eligibility Policy for Children and Young People Attending School 2019-20 in order to increase the independence of SEND children as they moved through their journey towards adulthood. The change would provide greater equality between mainstream home to school transport and SEND transport and also help to reduce costs.

Cllr Parry presented the report and his speech is attached as an annexure to these minutes.

Cllr Nick Ireland supported statements made by members of the public and his colleague Cllr Jefferies. His speech is attached as an annexure to these minutes along with the statements received, that had been read out to members, from Cllr Jefferies, Mrs Patterson, Ms Sorin, Mr and Mrs Evans and the Dorset Parent-Carer Council.

Cllr Haynes made reference to her own personal circumstances where in the past her son had Special Educational Needs and she was therefore acutely aware of the sense of feeling of parents and the importance of this service to families.

The Director for Children's Services advised members that he had not in fact given any quotes to the Dorset Echo. Selective parts of the report had been used and published in the paper. He highlighted the issue of consultation and the financial specifics of the proposal in the report.

In response to comments in the statements that had been read out, the Assistant Director for Schools and Learning advised that there were no proposals to remove services from those that currently used the service. For new applications the option of a Personal Transport Budget (PTB) would be offered. None of the cases that had been referred to earlier in the meeting would be affected as the policy did not make reference to high need cases. It was more about changing the conversation and assessing if there was any way independence could be increased by looking at risk in respect of the journey. He felt that not many people would be affected in the first instance.

Cllr Turner whilst approving the promotion of independence from child to adulthood highlighted the need to ensure robust processes were in place and that it was safe. He was concerned about who would be assessing the pick-up points, as the only officers qualified to do this were the Road Safety Team, who had not been approached to determine resources or the impact on their workload which would undoubtedly increase. He also raised a concern about the lack of consultation. The Assistant Director advised that each case would be looked at individually and if it needed to be referred to the Road Safety Team it would be on a case by case basis. He stressed there were no plans to change anything in respect of children with high need.

At this point the Chairman decided to withdraw the paper as there was a great deal of confusion and misunderstanding surrounding this proposal. She apologised to the members of the public who had attended for this matter and asked officers to bring this report back at a later date in a form which had been consulted upon, agreed and could be properly understood.

Resolved

That the report in its current form be withdrawn and be reworked and to come back to Cabinet at a later date.

Quarterly Asset Management Report

125 The Cabinet considered a report by the Cabinet Member for Community and Resources which set out the key issues relating to the various asset classes of Property, Highways, ICT, Fleet and Waste.

Cllr Tony Ferrari highlighted the key items for consideration including 3 road related projects which were described in the report.

Cllr Deborah Croney attended as the local member for Hambleton and commented on the highway maintenance work on the A357 at Durweston. She emphasised the importance of the programme which had been ongoing for the past 2 years. Engineers and contractors had been working together to ensure the flood arches could be repaired safely and she now felt a good scheme had been agreed. She highlighted the importance and significance to the local area of the work being undertaken.

Following a question about whether this scheme needed to be approved by the Shadow Executive, the Chief Financial Officer advised that as this was being funded from existing allocations it was not necessary.

Cllr Wharf advised members that he was on the Board of the Dorset County Museum who were currently planning their opening next year following major works. They would have lots of additional space and were very keen to display Judge Jeffery's chair.

Resolved

1. That a provision for costs in the order of £450,000 is made to enable work to be undertaken to resolve the issue of the slope instability at North Dorset Business Park (Para 2.1.7) be approved.
2. That the allocation of £530,000 of LTP block maintenance funding from a combination of the 2018/19 bridges capital budget, 2019/20 bridges capital budget and 2019/20 structural maintenance capital budget to undertake a scheme to replace three flood arch structures and complete embankment works on the A357 Highway near Durweston (Para 3.1.7) be approved.
3. That the use of the County Council's general powers of competence to gift the legal title of the seventeenth century "Judge Jeffreys" chair to the Dorset County Museum

under the terms of Arts Council England's Accreditation standard and the Museum's existing Acquisition & Disposal Policy (Para 4.1.4) be approved.

4. That the overall revised estimates and cash flows for projects as summarised and detailed in appendices 1 and 2 (para 5.2) be approved.

Reason for Decisions

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

Approval of Strategic Documents linked to new 'Well Managed Highways Infrastructure' (WMHI) Code of Practice

126 The Committee considered a report from the Cabinet Member for the Natural and Built Environment which accompanied the submission of the following key documents which were linked to the new 'Well Managed Highway Infrastructure' Code of Practice and had recently been revised:-

- The Highways Asset Management Plan (Draft)
- The Code of Practice for the Classification of Highway Safety Hazards and Defects (Draft)
- Dorset Highways Winter Service Policy and Operational Plan 2018/19.

The Shadow Executive would also consider this report at its meeting on 17 December 2018.

Following a question about any changes to operations that could affect this year's forecast of a severe winter, Cllr Turner advised there would be very little change, teams would work on the same routes and the levels of spread and volumes of grit would remain the same. Cllr Haynes suggested it would be helpful to send out a press release to this effect to give assurance to members of the public.

Resolved

That the revisions to the afore mentioned strategic documents be approved.

Reason for Decision

To ensure the authority had a robust-risk-based approach to asset management, highway inspection and defect repair and winter service which met the requirements of the new code and criteria linked to incentivised funding.

Recommendations from Committees

127

Regulatory Committee 181018

128 Members received statements from Mrs Dursley and Mr Penny that are attached as an annexure to these minutes.

Cllr Ferrari, on behalf of the Cabinet offered heartfelt condolences to Mrs Dursley and advised that Preston Road was in his electoral division. He personally felt that the speed limit of 50mph was too high for this particular road as it was effectively within a built-up area. He was not aware of any other roads with 50mph roads and no pedestrian crossings and he felt that visitors to the area would not realise this was a 50mph road. He had spoken with officers about this issue and been advised of the number of accidents and he now believed, on an evidence basis, that the speed should be reduced.

Cllr Turner made reference to further evidence which had been received in that the road had been assessed as suitable for a 40mph road and not a 50mph road. 50mph was noted as suitable in the guidance policy in 1990 but not for current policies.

These figures were not available to the Regulatory Committee at the time of its meeting and he proposed to support the recommendation to reduce the speed limit in line with the additional evidence.

Resolved

That the recommendation from the Regulatory Committee meeting held on 18 August 2018 be approved as set out below:-

Recommendation 58 – proposed speed limit reduction on part of Preston Road, Weymouth

That having considered the objection received, Cabinet be asked to approve the proposed reduction of the 50 mph speed limit to 40 mph on part of Preston Road, Weymouth as originally advertised.

Reason for Decision

The recommendation was in line with County Council policy for speed limits, which itself was adopted from Department for Transport guidance. In addition, there had been a number of collisions on this section of road in recent years which had resulted in two serious injuries and one fatality. The proposal would create an environment which would contribute towards a lowering of speed-related collisions, improve road safety and contribute towards the Corporate Aim of improving health and wellbeing.

Corporate Parenting Board 011118

128a **Resolved**

That the recommendation from the Corporate Parenting Board meeting on 1 November 2018 be approved as set out below:-

Recommendation 67 – Draft Terms of Reference for the Corporate Parenting Board

That the Cabinet be asked to approve the Draft new Terms of Reference for the Corporate Parenting Board.

Panels and Boards

129 The following minutes have been received:-

Dorset Waste Partnership Joint Committee 051118

130 The minutes of the meeting held on 5 November 2018 were noted.

Dorset Health and Wellbeing Board 071118

131 The minutes of the meeting held on 7 November 2018 were noted.

Cllr Haynes advised that whilst there had been firm agreement at the meeting on venues for future meetings this was very much work in progress. The aim was to hold meetings either in a school or other community setting rather than a different council chamber.

Dorset Police and Crime Panel 131118

132 The minutes of the meeting held on 13 November 2018 were noted.

Joint Public Health Board 191118

133 The minutes of the meeting held on 19 November 2018 were noted.

Cllr Haynes highlighted the change to the membership from the current 2 members from each council to 4 from each when the 2 new councils were up and running.

Questions from County Councillors

134 No questions were received from County Councillors.

Meeting Duration: 10.00 am - 11.06 am

Cllr Parry

Madam Chairman, At the heart of the paper before cabinet today, is recognition of the importance of personal development and greater independence. As a council we are honouring our budget commitment to invest in excess of £7m towards assisting with SEND travel for educational purposes. The prominence of Personalised Travel Budgets within the paper will provide an essential mechanism for the delivery of increased choice for those we seek to assist.

Individual sensitivities around SEND policy, may be a factor in any anxiety expressed towards a possible change. It is imperative... that we acknowledge anyone unfamiliar with the potential benefits being proposed, must be consulted and given access to information which is intended to alleviate their concerns, including route safety assessments and independent travel training.

Let us be clear, the primary driver in bring this variation in current policy, is the belief in doing the right thing for an individual child's ability and requirements... and not an assumption based on outdated models and thinking, which for far too long has sort to categorise all SEND children the same.

Therefore. In light of this, we should alter our current default position. Failure to do so, would be to deny a generation of young people an improved structure towards making the transition from childhood to adulthood and possible independence.

The benefits for establishing a carefully considered and suitable pick up point for a pupil's taxi to school, close to their place of residence or the flexibility offered by a personalised travel budget, need to be firmly understood.

To re-iterate the purpose of these options... when fully utilised, both can make a vital contribution in helping SEND children and young people across Dorset, towards the desired path of greater independence.

In drafting this paper, we our mindful of our statutory requirement towards those who could justifiably be categorised as vulnerable... and the need to consult and support individuals and their families through any period of transition is imperative.

Madam Chairman there are 3 Recommendations before cabinet, which are:

Approve the promotion of personalisation, independence and setting the right conditions for the transition to adulthood when considering the choice of home to school transport most appropriate for a SEND child.

Approve the requirement for new SEND applications to be processed using a designated pick-up point (where risk assessed to be possible). This will happen under a strict application of the existing policy wording from 1st January 2019 but will, nevertheless, be subject to consultation.

Approve the amendment to existing policy to say that transport to/from a pick-up point (the nearest bus stop) will be the default setting for all home to school transport (both SEND and mainstream). The amendment will mean that users of the door to-door taxi service would be asked to change from 1st September 2019. This allows time for full consultation (and completion of an Equalities Impact Assessment) with families and children.

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Cabinet 5th December – Cllr Nick Ireland

Thank you for the opportunity to comment on this paper.

I fully support the statements from the public that we have already heard and also the comments from Cllr Jefferies. In addition, several of my Liberal Democrat colleagues have expressed concern as to the outcomes if this proposal is supported by Cabinet.

The headline savings span a range from £0.46m to just over £1m. However, the report contains absolutely no evidence to back this up.

The closest we come to any concrete number in the text is that of 'approx. 800' on page 5.

Having checked with the author, this represents the total number of children currently transported by DCC under the SEND policy.

It IS NOT the number of children this proposal will impact; that total is not mentioned even once, yet it is the primary determinant as to the possible savings achievable.

The proposed savings are broken down into three areas.

The first is, and I quote, "marginally reduced" mileage costs of £100k.

These savings are however perfectly well able to be calculated accurately as DCC knows where the affected children live, and therefore how far they are from the appropriate pick-up point. It's a spreadsheet job at worst and indeed, this information is also necessary in order to carry out the proposed risk assessments; incidentally, the method and resource requirements of how these are to be achieved is also notably absent.

Secondly, a saving of between £200k and £400k is "estimated" from new applications for transport having a behaviour change. This is based on an increase in families taking personal travel budgets from 38% to 60%, yet absolutely no evidence is provided to support this conclusion

Finally, the biggest savings are based on between 5% and 20% of the families of the FULL 800 children currently transported moving to PTBs. As I've already highlighted, the actual, unknown to us, number is somewhat less than 800. Again, no rationale or evidence is provided to back up this claim.

When I read a paper which contains phrases, many repeated, such as "difficult to accurately predict", "anticipated", "expectation", "difficult to precisely quantify", "no evidence", "expected", "estimated" etc. that sets alarm bells ringing. Setting aside the unsubstantiated savings, the impact on vulnerable children will be evidently high, the resource requirements are not stated, either on staff or the Child and Adult Services appeals panel, and the reputational damage to Dorset County Council is potentially huge.

Indeed, one must question the haste in which this report is being brought forward, when pretty much everything else before this Cabinet is being kicked out into the long grass for the new Unitary to deal with. Perhaps the hope is to slip this into DCC's coffin just before the lid is nailed down and we're buried into history.

As the Dorset Parent Care Council has highlighted in its letter to Cabinet, consultation is meaningless if the policy is to be adopted from January 2019.

It's tempting to describe this paper as a back of a fag packet calculation, but it isn't even that good. It's bumf, in every sense of the word.

My suggestion, if I may be so bold, is that this paper is withdrawn, reworked by taking out the unknowns and the guesses based on them, and the actual known numbers inserted with realistic, evidential calculations and conclusions derived thereof: then, and only then, put it in front of Dorset Council's newly appointed Child Services Executive Director for them to decide if this is really worth pursuing.

Statement from Cllr Jefferies - Item 6 Cabinet Agenda December 5th.

As a long standing member of the Children and Adult Services Appeals Committee and am concerned to read item 6 on the Cabinet Agenda for December 5th. I am afraid I will be unable to attend Cabinet as I am attending the Fostering Panel on Wednesday December 5th.

Although I understand the sentiments behind this initiative I feel it is a step too far.

I am particularly concerned about the Primary School age children. 0.75 miles is too far for a younger child to travel to a pick up point. Walking 0.75 miles to the safe haven of a school is one thing, but a pick up point does not qualify as a safe haven and can be far from a safe place for a child with difficulties. It will also mean that the child will need to be accompanied by an adult, probably a parent, who needs to wait until the transport arrives. The adult/parent will in many cases have other children at home which will make things logistically very difficult indeed. Stress at the beginning of the day is to be avoided where possible, living with a child with difficulties can be stressful enough without extra problems, getting children calmly into school and a place of education can be critical, as any teacher will tell you. It is important for all children to attend school regularly and on time.

Many children with difficulties have a real problem with a pick up point, they can wander off, feel intimidated, and feel very insecure, which starts the day off badly, and ends it badly as well when they are dropped off a distance from home.

I would reluctantly, agree to trailing this initiative with the secondary age children, which is suspect will be the larger cohort anyway, so should achieve reasonable savings.

Yours, Susan Jefferies

November 30th 2018

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Statement from Mr & Mrs Evans

We are writing to complain about the planned changes to cut to taxis and transport for children with special educational needs.

We have a child that is on transport from Wareham to Dorchester every day and is transported in his manual chair which he can't self-propel very far, he has a diagnosis of cerebral palsy and is mobile but requires wheelchair for some of the day especially at the end when he absolutely shattered.

The first thing we would like to point out is that at no point where we informed by either the travel or SEN team at Dorset County Council. We only found out by chance seeing something on social media.

This is absolutely disgusting, it could affect us directly and we haven't been given any consultation.

We have since read the Dorset Echo article dated 30th November and see that you want to introduce independence to children like ours by making them go to a nearest pick up point, with possible taxis to and from bus point. What a waste of money and quite frankly narrow minded. How will this enable independent living if you can't get yourself to a bus stop without help? Or if you need a taxi to a bus stop then a bus, how will this save money, what about the PA? Will they all lose their jobs? How can we trust our child in a taxi on their own to a bus stop? Surely there is safeguarding issues?

How about asking the parents who know their children how to enable independent living?

Or the fact it will make even longer travelling time to already vulnerable children who tire easily.

Also and we quote from echo that Nick Jarman thinks:

"There will undoubtedly be real impact on children and their families. They will perceive this initiative as an unnecessary reduction in the service offered by the Council. It may cause hardship for those with more than one child (in terms of getting one to the pick-up point whilst the other stays in the home) but it will level the playing field and, will in many cases, be an important step towards independent living. It is, however, important to note that independent travel training will be a key element of the offer to any family affected by these changes."

How absolutely disgusting and utterly patronising of Nick Jarman, of course it will cause hardship! How are we meant to be in two places at once if you need to get one child to bus and others to other schools? Especially if you don't have transport and need to walk children to another school which is in the opposite direction to designated bus stop?

Can we ask what 'level the playing field' actually means? We didn't realise that our children were in competition or being used as Pawns in the council need to recover money that it's over spent .

Medical teams, teachers, parents and ourselves or the children, have not been consulted at all and can be very damaging to everyone involved. The report in the Echo even states that

Nick Jarman knows this as he'd be prepared for parents to take out legal action and expects judicial reviews from this outcome.

We do not understand why a council would be prepared to use tax payers money to fight parents through judicial reviews as this can cost a lot of money to everyone. Surly the best way to go about this is to vote this proposal down and work with parents, health professionals and teachers to find a better outcome in which can save money rather than causing a high level of anxiety to parents who are already struggling on a daily basis just to get their children to school. Parents like us would love nothing more than to see our children be independent as possible and going off to school by themselves or even leading a normal life like other children, but sadly this is not to be. Why are they being punished for having medical conditions and disabilities? Please can we ask that the council officers and Councillors be reasonable in their decision making of this issue.

Mr and Mrs Evans

Statement from Mrs Patterson

Hello,

I hope you don't mind my email I'd like to submit a statement for Wednesday about SEN travel cut's

My son George contracted meningitis at 11 months old. He was left brain damaged, with cerebral palsy, deaf, hydrocephalus, severe scoliosis, dislocated hips, epileptic, non-verbal and having to be peg fed by a gastrostomy peg - this peg is what keeps him alive. He requires 24/7 care. Sadly his life was turned upside down by a dreadful illness and through no fault of his own.

Despite his problems he's a very happy boy who's constantly smiling and enjoys being around others, especially his teachers and class friends at Mount Joy School in Beaminster. It's a very stressful time in the mornings getting George ready for school as he has so many different medications and fully depends on his parents to get him ready. His morning involves being hoisted and wearing pads as he is incontinent. Some mornings things run smoothly other mornings things can become a little difficult.

George may have a seizure or his gastrostomy button may come out of his tummy. I am trained to treat both situations, on many occasions George's button has come away right before transport has arrived, when this happens we have 20 minutes to put this button back in before the hole in his tummy closes over, if this does not happen George will find himself in Southampton hospital. When this happens just before the taxi arrives as it has on many occasions, the PA and driver has always been understanding and will wait for me to attach it so he can then get on the transport for school. If George had to go to a pick up point on mornings like this we would constantly be missing transport and we would then find ourselves having to explain to social care as to why our son has missed so much school.

I also have two other children who attended schools in Dorchester and I do not drive, so getting George to school in Beaminster is impossible as bus services are cut and the buses from Bridport to Beaminster do not carry wheelchairs. I found it very patronising reading the Dorset Echo, to see that you want to introduce independent living to children like mine by making them go to a nearest pick up point. I've explained how George sadly has no independence as this was ripped away from him aged 11 months by an illness, it clearly shows this proposal has been carried out by someone with no medical knowledge whatsoever. I then spoke to my son's consultant who had many concerns and I know he's written to Nick Jarman to state his concerns not just about my son's situation but many other children's situations. This shows the medical teams, teachers, parents and myself, have not been consulted at all and can be very damaging to everyone involved. The report in the Echo even states that Nick Jarman knows this as he'd be prepared for parents to take out legal action and expects judicial reviews from this outcome.

I do not understand why a council would be prepared to use tax payers money to fight parents through judicial reviews as this can cost a lot of money to everyone. Surely the best way to go about this is to vote this proposal down and work with parents, health professionals and teachers to find a better outcome in which can save money rather than causing a high level of anxiety to parents who are already struggling on a daily basis just to get their children to school. Parents like myself would love nothing more than to see our children be independent as possible and going off to school by themselves or even leading a normal life like other children, but sadly this is not to be. Why are they being punished for having medical conditions and disabilities? Please can we ask that the council officers and councillors be reasonable in their decision making of this issue.

Best wishes

Naomi Patterson a SEN parent

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Statement from Ms Sorin

I'd like to submit the following statement to the Cabinet meeting on 5 December 2018. I'm unable to attend the meeting in person so can I ask that it be read to the meeting.

Amendment to the SEND Transport Policy

As someone who has worked with pupils with SEND for many years, I'm asking you to vote against the amendment to the SEND Transport Policy.

I'm shocked that there has been no consultation with parents, schools or medical staff. The head of Children's Services is quite right in saying there will be hardship for families as a result of this amendment but at the same time he's trying to dress these cuts up as a way to promote independence. Many children with SEND are only able to do the ordinary things like attending school because they have access to trusted and well trained support and efficient transport services. The Personal Transport Budget will not be adequate for these families and will leave them struggling to give their child the support he or she needs in order to achieve their potential.

This policy is a backwards step when it comes to inclusion and is an unfair penalty on the most vulnerable in our community. Children with SEND and their families are faced with a constant battle to get the support they need and often face extremely challenging circumstances in their day to day lives.

The report, Amendment to the SEND Transport Policy, is vague on numbers of children who will be affected by these cuts but I fear that children with SEND who really need this support to get to and from school will be negatively impacted for what might be a relatively small financial saving for the council.

This cannot be right or fair. Please vote against the amendment.

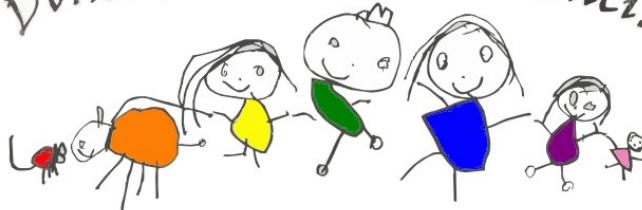
I'd be grateful if you could acknowledge receipt of this email.

Kind regards

Claudia Sorin

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Dorset Parent-Carer Council



Making Positive Change for Children and Young People with Disabilities

Tuesday 4th December 2018

Dear Chair

I am writing on behalf of the Dorset Parent-Carer Council, (DPCC). We are your local Parent Carer Forum and a member of the National Network of Parent Carer Forums.

DPCC are responding to the cabinet paper, "Amendment of the SEND Transport Policy" that is to be discussed at the cabinet meeting on Wednesday 5th December 2018, Agenda Item 6.

As the paper recognises, this is a very considerable change in practice and service, affecting some of the most vulnerable children and young people across Dorset, even though it is technically permissible under a strict reading of the existing policy.

Our concern would be that this considerable change is not something identified as an outcome from the work done by Dorset County Council, iMpower and DPCC which has been shared with parent carers across Dorset. Indeed, the first that DPCC, parents and stakeholders heard of this proposal was as a result of the newspaper article in the Dorset Echo on Friday, 30th November 2018.

The paper refers at item 5 to timing, stating that "subject to consultation new applications will be processed under strict application of the existing policy wording from 1st January 2019". We fail to see how any meaningful consultation can be achieved for this to go ahead on 1st January. Furthermore, if this is to be introduced as a policy for new applications from 1st Jan, without consultation, it is difficult to see how any subsequent consultation process ahead of September as proposed for this to be applied to all existing users, can be genuine, as the policy will already be in operation.

The general principles of consultation have been established in court by caselaw: consultation must be proportionate and fair.

In particular, consultation must occur when proposals are still being developed.

Stakeholders must be given enough reasons for the proposals to allow them to make informed response.

Stakeholders must have adequate time to consider and respond to the proposals.

The outcome of the consultation should be taken into account.

Parents, carers, children & young people with SEND along with other stakeholders must have genuine opportunity to provide constructive comment on the proposals. DPCC think this is a reasonable expectation under the Dorset County Councils *SEND Participation and Co-Production Vision* as articulated in the DCC draft policy which was co-produced with parents and carers.

Lesley Mellor – Chairperson

☎ 07827 793244



dpcc@dorsetparentcarercouncil.co.uk



www.dorsetparentcarercouncil.co.uk



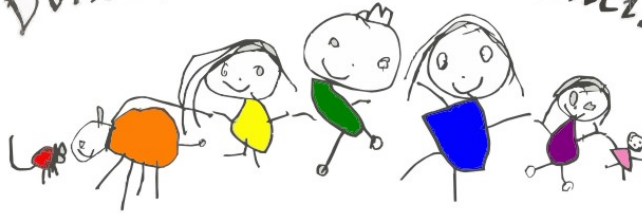
Dorset Parent Carer Council

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@dpccnews

Dorset Parent-Carer Council



Making Positive Change for Children and Young People with Disabilities

We ask members of the committee/cabinet to be reasonable in their decision making and vote against this proposal on Wednesday. We ask that you work to ensure that there is not only fair and proportionate consultation but also that the council work with DPCC, parents, carers, children and young people with SEND and other stakeholders to find better solutions for saving money that avoid increasing the levels of anxiety to parents who are already struggling on a daily basis to get their children to school.

Yours Sincerely

Lesley Mellor & Elaine Okopski

On behalf of Dorset Parent-Carer Council

Lesley Mellor – Chairperson

☎ 07827 793244



@ dpcc@dorsetparentcarercouncil.co.uk



www.dorsetparentcarercouncil.co.uk



Dorset Parent Carer Council

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@dpccnews

Statement from Mr Penny

The chairman of the Regulatory Committee said that any recommendation would be evidence based. However, the evidence presented was not detailed and was not examined by the committee.

The speed limit on the beach road has been 50mph for nearly 30 years. No evidence has been presented that motorists driving at 50mph are causing an increased frequency of accidents.

The Preston Beach road is identical in character with many off the 50mph roads leading into Weymouth where accidents have also happened but where no changes to the speed limits have been proposed.

I request that the cabinet reject the recommendation.

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Statement from Mrs Grace Dursley

Mr. Chairman, Ladies and Gentlemen,

I am here today to ask you to seriously consider ratifying the proposal to reduce the speed limit on Preston Beach Road from 50 mph to 40 mph, which was approved by the Committee at an earlier meeting.

Whatever you decide it will be too late for my husband, who was killed by a speeding motorcyclist on that road three years ago.

It will be too late for me, as I was with my husband at the time. The memory of watching the man to whom I had been married for sixty-one years lying in the middle of the road, fighting for his life and dying an agonising death will go with me to my grave.

It will be too late for our family and friends who had to cope with the awful shock of my husband's sudden and tragic death.

But I hope that, if the speed limit is reduced, it may help to prevent another family having to suffer as we have done.

Thank you.

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