



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