



Cabinet

Minutes of a meeting held at County Hall, Colliton Park, Dorchester,
Dorset, DT1 1XJ on Wednesday, 16 January 2019.

Present:

Rebecca Knox	Leader of the Council
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:

Hilary Cox, Chairman of the County Council and County Councillor for Winterborne
Jon Andrews, County Councillor for Sherborne Town
Cherry Brooks, County Councillor for South Purbeck
Graham Carr-Jones, County Councillor for Stalbridge and the Beacon
Nick Ireland, County Councillor for Linden Lea

Officers Attending:

Mike Harries (Chief Executive), Andrew Bradley (Project Engineer (Democratic)), Nick Jarman (Corporate Director for Children's Services), Helen Coombes (Transformation Programme Lead for the Adult and Community Forward Together Programme), Grace Evans (Monitoring Officer), Jim McManus (Chief Accountant), Matthew Piles (Service Director of Environment, Infrastructure and Economy), 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, 22 January 2019.**
- (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, 6 March 2019.**

Apologies for Absence

- 1 There were no apologies for absence.

For information, Cllr Parry arrived at the meeting a little late as he had to attend a previous meeting.

Code of Conduct

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

Minutes

- 3 The minutes of the meeting held on 5 December 2018 were confirmed and signed.

Public Participation

- 4 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

- 5 The Cabinet considered the draft Forward Plan, which identified key decisions to be taken by the Cabinet on or after the next meeting. Cllr Knox highlighted that it was appropriate that the Forward Plan was diminishing as the new Dorset Council was approaching. The next meeting of the Cabinet would be on Wednesday 6 March 2019 and there was a reserve date in the diary of Wednesday 27 March 2019 which would be used to ensure all business was completed and signed off prior to the start of the new Council.

Items for consideration included a proposal for Better Care Funding and an item on the Bridport Care Village.

Noted

Dorset Statement of Common Ground on Strategic Planning Matters

- 6 The Cabinet considered a report by the Cabinet Member for Natural and Built Environment which included a draft Statement of Common Ground (SoCG) which documented the cross-boundary matters being addressed in emerging local plans and also set out any progress in co-operating to address these. The draft SoCG had been prepared jointly by local authorities in Dorset and had also been presented to the pan Dorset Strategic Planning Forum. The Shadow Executive had also considered and approved this report at their meeting on 17 December 2018.

Cllr Haynes felt this report was a really good piece of work which showed authorities the way forward and was clear to read and understand.

Cllr Wharf, in his role as Vice-Chairman of the pan Dorset Strategic Planning Forum advised that the SoCG had now been agreed by all sovereign authorities, including Bournemouth, Poole and Christchurch.

Resolved

That the draft Statement on Common Ground be approved.

Reason for Decision

To comply with the requirements of the National Planning Policy Framework in demonstration that the duty to co-operate was being met.

Recommendations from Committees - Regulatory Committee - 061218

- 7 **Recommendation 65 – Proposed parking restrictions on the C8, West Road, West Lulworth**

Members received a statement from the Weld Estates supporting the Order and is attached as an Annexure to these minutes.

The Cabinet Member for Natural and Built Environment highlighted to members the minutes from the Regulatory Committee relating to this item when it was considered.

Resolved

That the Traffic Regulation Order for extending the current waiting restrictions

northwards and southwards on West Road (C8) at West Lulworth be approved and introduced as advertised.

Reason for Decision

To avoid danger to persons or other traffic using the road and preventing the likelihood of any such danger arising and for facilitating the passage on the road, of any class of traffic, including pedestrians.

Recommendation 66 – Proposed Puffin Pedestrian Crossing – Broad Street-Lyme Regis

Members were advised that a site meeting had been held on 18 December 2018 to explore potential ways of mitigating the loss of on-street car parking following the Regulatory Committee meeting on 6 December 2018 and an update for members was provided with their papers.

The Cabinet Member for Natural and Built Environment who was also the local member for Lyme Regis, made reference to a recent dialogue with Mr Robinson (one of the speakers) which had been very informative and helpful in the process. He had met with officers on site and felt there was now a pragmatic solution to the loss of parking. For reasons of safety and equality he felt he must support the crossing and highlighted the need to treat all issues as a single scheme. He asked that a third recommendation be considered that 'he work with Officers to look at the package of measures highlighted in the update report to mitigate the loss of parking spaces in Broad Street and to investigate funding for the whole scheme'. In respect of costs the works would cost around £80k and would come from the Local Transport Plan (LTP) Budget.

Members received statements from Mr & Mrs Haines, Cllr Reynolds, Ms Wiscombe, Mr Robinson, Mr Hyde, Cllr Miller and Cllr Doney which supported the installation of a Puffin Crossing and are attached as an Annexure to these minutes. Following a reference made regarding an extra-ordinary meeting of Lyme Regis Town Council, the Chairman advised that any action today would be in line with what the County Council and the new Dorset Council could achieve and any other comments would be for the Town Council to deal with.

In response to comments made about any potential equality issues, the Chief Executive made reference to the equalities impact assessment contained in the report considered by the Regulatory Committee which stated there would be neutral impact on any sector of the community on the grounds of gender, race or ethnicity, sexual orientation, sex, married or civil partnerships or other socially excluded groups and not in respect of disability. There was more than a slight positive impact for people with protected characteristics relating to age, disability, pregnancy and maternity. The Service Director for Environment, Infrastructure and Economy advised members he would be working with the Cabinet Member to find a solution and to take on board any potential equality issues. This was a good opportunity for the new council to work with Lyme Regis Town Council going forward.

Resolved

1. That the provision of a Puffin pedestrian crossing for Broad Street, Lyme Regis, as advertised, be approved.
2. That consideration to the provision of increased provision of limited waiting time so as to compensate for that lost by the installation of the puffin crossing be agreed.
3. That the Cabinet Member work with Officers to look at the package of measures highlighted in the update report to mitigate the loss of parking spaces in Broad Street and to investigate funding for the whole scheme.

Reason for Decisions

To facilitate pedestrian movements and benefit road safety in Broad Street and in contributing to the Corporate Aim and outcomes of encouraging people to lead active lives and in maintaining their independence.

Panels and Boards - Corporate Parenting Board - 11 December 2018

8 The minutes of the meeting held on 11 December 2018 were noted.

Following a question from the Cabinet Member for Health and Care regarding support for care leavers in respect of appropriate accommodation and support for Universal Credit, the Director for Children's Services advised that there was a variety of types of accommodation that were used. The type of accommodation used was dependent on the amount of support required by the care leaver. Those with significant problems needed to be placed in semi-independent placements which could be quite costly to the Authority. Accommodation was pre-commissioned and of a high standard. Personal Assistants to support those care leavers that needed them were employed by the County Council.

Cllr Haynes added that many care leavers found managing money difficult and in respect of Universal Credit this was a concern.

Noted**Tricuro - 20 December 2018**

8a The Cabinet Member for Health and Care advised members that Bournemouth and Poole wished to make amendments to these minutes and therefore would not be presented at this time.

Noted**Urgent Item - LGR Programme Budget**

9 The Cabinet considered a report by the Cabinet Member for Community and Resources that highlighted the need for approval of expenditure of up to a further £400k of programme expenditure to meet the revised anticipated costs in 2018-19. The Cabinet heard that based on the Programme Director's report to the Shadow Executive this would then be sufficient to cover all of Dorset County Council's share of programme costs in 2018-19. All further programme costs for 2019-20 would need to be met by Dorset Council as there would be no residual LGR funding set aside by Dorset County Council to transfer to the new authority.

Resolved

That the additional spend of up to £400,000 by Dorset County Council in respect of their share of the LGR programme costs be approved.

Reason for Decision

Additional programme costs had been approved by Shadow Dorset Council and Dorset County Council's share of these was over the current approved sum.

Questions from County Councillors

10 A question was received from Cllr Nick Ireland to the Cabinet Member for Community and Resources in respect of the LGR Programme Budget.

The question and answer are attached as an annexure to these minutes.

The Cabinet Member for Community and Resources added that as the new Dorset Council was not yet in existence spending needed to be adopted by the existing councils. He noted that a better programme than anticipated was being produced and

that this was a good news story and would make Dorset Council better.

Meeting Duration: 10.00 am - 11.00 am

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Summary of the address by the Weld Estate to Regulatory Committee – 6 December 2018

We will confirm our support for the Order. We will express our opinion that the Order has the support of the local community and that there is an immediate need to take proactive action on the issue of parking in this location, to ensure free movement along the highway for the safety and convenience of residents and visitors. We will make comment on the 9 objections made and note that 6 objections come from one property. We will confirm our willingness to discuss how the Estate can assist with additional measures, once the Order has been approved.

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Statement for Dorset County Council's Cabinet Meeting Re: Puffin Crossing, Broad St, Lyme Regis, Wednesday, 16th January 2019

I proposed the Puffin Crossing in Lyme, following the traumatic experience, crossing the busy main road, trying to live my life independently.

My training says I should seek a controlled crossing, as the 'gold standard' for safely crossing the road. Also recommended by Guide Dogs.

If you do not approve this today, the budget that is already approved will have to be re-found and I fear, will be unavailable again, losing this chance of a vital resource. Do not let this chance go!

Lizzie Wiscombe

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f.d.king@dorsetcc.gov.uk

For the attention of DCC Cabinet Meeting
on 16th January 2019

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Date 2nd January 2019

Dear Ms Knox

I am writing in support of a Puffin crossing in Lyme Regis and to record my opposition to the LRT Council's withdrawal of its support for the crossing.

The need for a crossing was brought to the attention of LRTC in 2016 when 600 people signed a petition in favour. The campaign was started in 2015 by a visually impaired lady, who had been refused a guide dog, due to the lack of a crossing. At that time, the LRTC supported the petition and in February 2018 this lady won her long battle for a guide dog. No doubt the support for a crossing by LRTC weighed in her favour.

The long decision making process for the crossing was almost complete. However this seems to have been jeopardised by a last minute U turn made by LRTC, unpicking it's own decision just before Christmas.

A report signed off by Mike Harries on the 18th. Nov 2018 recommended that the crossing not be implemented. No doubt you will be considering this report again, in which case I would also like to point out the following flaws:

- Clause 1.3 - this states that crossing in the face of a vehicle going at 20mph is "not arduous". This is a personal opinion and not one which we agree with.
- Clause 1.4 - this states that, the lack of crossing was not cited as a causation factor in the accident reports. Causation is a legal term that refers to the factors causing an accident. A factor will not be considered if it is too "remote". So the crossing or lack thereof was likely too remote to be considered. It would not be feasible to say that "had there been a crossing" the accident would not have happened. Although it is possible to say that a crossing would prevent children stepping out, that a car would stop for a crossing and that children are taught to only use a crossing.

Two reasons were highlighted in the conclusion; (1) the loss of parking spaces and (2) that there were 34 objections (9 in support) during the public notice period. The report however also went on the state:

- Clause 3.5 (officer a) that it was unlikely there would be a traffic tailback caused by a crossing,
- Clause 3.7 (Officer c) that a crossing would bring benefit to vulnerable groups.

Clause 4.2 states that the loss of on street parking is the main dis-benefit but this is stated out of context of the approximately 80+ public spaces in 3 car parks immediately off Broad Street. The spaces lost are a small percentage of the total available. Also it would be safer to have fewer cars manoeuvring to park on a steep narrow street and holding up traffic. This has not been considered.

On December 6th 2018 a meeting of the regulatory committee at DCC took place. This considered the report and further representations made by attendees at that meeting. We understand this committee decided, in spite of Mr Harries report and his conclusions, that the benefits **did** outweigh the dis-benefits and they would recommend to the Cabinet Committee that the crossing be implemented.

At this point, it is our understanding that this recommendation, in light of LRTCs previous declaration of support, would simply go on to be finalised by the Cabinet Committee at their next meeting.

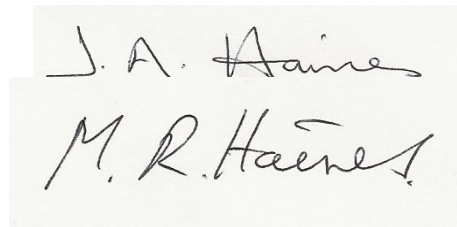
On December 19th an extraordinary meeting was held by the LRTC. Instead of the matter of the crossing now following the usual passage, LRTC was convinced to re-open the issue by County Councillor Mr D. Turner. It appears that his persuasion resulted in LRTC voting to retract its support for a crossing. This is a most unusual U-turn to make in the light of a petition of 600 people and a visually impaired resident being denied a guide dog for three long years due to the lack of a crossing.

Please take into account that there has been no change in circumstances to affect either the original support for a crossing by LRTC earlier this year, or the recommendation for a crossing made by the regulatory committee on December 6th 2018. The 600 people who signed the petition for a crossing far outweighs the 43 objections made at the public notice phase. In addition, 21 traders stated they were in favour of the crossing to 8 who didn't mind and 6 against, which again shows that the majority are for this crossing.

A comprehensive traffic plan for Lyme Regis is years down the road and I am sure Councillor D. Turner will work diligently for this as always. However a crossing has been requested by the public, supported by the regulatory committee and is needed NOW.

The public are not simplistic! They have declared what they want in 600 signatures. Councillors I urge you to endorse the Puffin crossing as the start of a comprehensive traffic plan for Lyme Regis. It is inconceivable that such a plan would not include a crossing, and it would be discriminatory if visually impaired residents are in future refused guide dogs because of the lack of such a crossing.

Yours faithfully



J. A. Haines
M. R. Haines

Sources

- Screen shot Daryl Turner social media post 18th. December 2018 (reposted Lyme Regis notice board (Facebook) 23rd. December 2018)
- Mike Harries report to the regulatory committee November 18th 2018
- Lyme on Lyme 20th. December 2018
- Lyme on Lyme 23rd. February 2018
- Bridport news 14th December
- Bridport news 3rd November 2015
- Councillor Reynolds for details of the Regulatory Committee meeting December 6th. 2018
- Google maps of Lyme Regis



Statement from Mr Hyde

I personally, and on behalf of The Royal National Institute of Blind People wish to see equality between visually impaired people and their sighted peers in the built environment.

Loss of vision substantially impacts personal mobility.

signal control crossings are a key adjustment to enable blind and partially sighted pedestrians, who cannot make eye contact with drivers, to cross roads.

There are an estimated 20,300 people living with sight loss in Dorset, this does not include the elderly, disabled, children or mothers with young children who will be at risk without this controlled crossing.

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Cabinet Meeting 16th January 2019.

100 word submission by Adrian Robinson for public questions.

I've been trained by the RNIB and can't find a safe place to cross Broad Street. I've 30 years in equalities, keeping organisations safe from harm to reputation and from litigation. Your equalities objective 1 is to conduct impact assessments, which can't have a neutral conclusion. The Single Equality Act 2010 is primary legislation. General duty 2 supports the installation of the crossing. Your Equalities Policy is not on the web, and only refers to staff in the main text. This gives a poor signal to people already feeling discriminated against by LRTC and the Highways officer report.

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Statement for Dorset County Council's Cabinet Meeting

I have been involved with Elizabeth Wiscombe's request for a safe crossing in Lyme Regis since its inception and the requests from many constituents for a crossing, I will continue to support something I strongly believe we as councilors should all be supporting.

I will be speaking on the details of Lyme Regis Town Councils position on this item and on the reasoning of their actions of late that has brought us to this precarious position.

There are several important issues here and I will be covering them in the hope of saving us all the embarrassment of further action.

Cheryl Reynolds

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As a member of Lyme Regis Town Council, I am focused on how we can make life easier for people who are disadvantaged. Particularly those with a disability or an impairment. We have made some simple adjustments to help people with reduced vision and we have budgeted for a proper accessibility audit of the town this year. I see the Puffin crossing as a valuable part of this programme. It will help both residents and visitors.

Richard Doney

Councillor
Lyme Regis Town Council

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Cllr Steve Miller, Lyme Regis Town Council

My focus will be on the support shown by traders on Broad Street for the provision of a Puffin Crossing together with information I obtained by speaking to the businesses directly. I will also make reference to overarching traffic issues in Lyme Regis as they relate to the provision of a crossing.

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Question from Nick Ireland to the Cabinet Member for Community and Resources regarding LGR Programme Costs

Question

Why is this report only being presented as an urgent item published today (14 January 2019) when the consequences of the decision taken at the Shadow Executive meeting in December were known immediately?

What assurances can be given that we won't be asked to fork out more for the LGR programme before April?

Answer

The simple answer to the first question is that it was missed due to human error, with everyone so busy and the Christmas break. The Shaping Dorset team assumed Dorset County Council would pick up the required approval automatically, but that did not happen and it was not until January's Programme Board that the need for a sovereign council decision was raised. It should have been spotted, but it was not; apologies.

The second question is more challenging, but perhaps it is more concerned with assurance around the *overall* cost of the programme rather than costs accruing before 1 April?

We have anticipated some additional costs from the early commencement of the Exec Directors and I believe that the Programme Director's report to the SEC sought to ensure the request covered all expected costs insofar as they were known or anticipated.

It is also right to point out that the scope of convergence has grown over time progressively moving to encompass contribution levels 2 to 6. As well as some new officers arriving earlier than budgeted we have also crystallised redundancy costs in 2018/19 that were not originally expected until 2019/20.

However, exceeding anticipated costs this financial year in this situation is good not bad. With some activities - like Convergence - the earlier we invest the earlier we make savings, giving us more money to spend on front line services. Other events, like the early arrival of new staff will allow us to be more effective in the new organisation.

We will continue to manage and monitor the costs closely.

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