

Cabinet

Minutes of a meeting held at County Hall,
Colliton Park, Dorchester on 26 June 2013.

Present:

Spencer Flower (Chairman)
Robert Gould (Vice-Chairman)
Toni Coombs, Hilary Cox, Peter Finney, Jill Haynes and Rebecca Knox.

John Wilson, Chairman of the County Council, attended under Standing Order 54(1).

Members attending


Pauline Batstone, County Council Member for Blackmore Vale (Minutes 314 to 315)
Robin Cook, County Council Member for Minster
David Harris, County Council Member for Westham (Minutes 314 to 315)
Colin Jamieson, County Council Member for Highcliffe and Walkford (Minutes 314 to 315)
Daryl Turner, County Council Member for Marshwood Vale (Minutes 314 to 315)

Jacqui Cuff, West Dorset District Councillor for Piddle Valley attended for minutes 296 to 298.

Officers attending: Debbie Ward (Chief Executive), Dave Ayre (Head of Countryside and Business Development), Catherine Driscoll (Director for Adult and Community Services), Paul Kent (Director for Corporate Resources), Jonathan Mair (Monitoring Officer), David Phillips (Director of Public Health), Anne Salter (Head of Strategic Planning Commissioning and Performance), Fiona King (Public Relations Officer) and Lee Gallagher (Democratic Services Manager).

For certain items, as appropriate: John Alexander (Policy and Performance Manager), Harry Capron (Head of Commissioning and Improvement), David Coates (Dorset Passenger Transport Group Manager), Glen Gocoul (Head of Specialist Adult Services), Dugald Lockhart (Superfast Broadband Project Manager), Andrew Martin (Head of Dorset Highways Operations) and Peter Scarlett (Estates and Assets Manager).

(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: **2 July 2013**.

(2) The symbol () denotes that the item considered was a Key Decision and was included in the Forward Plan.)

Apologies for Absence

279. Apologies for absence were received from Miles Butler (Director for Environment) and Jackie Last (Acting Director for Children's Services).

Code of Conduct

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

Minutes

281. The minutes of the meeting held on 5 June 2013 were confirmed and signed.

Matters Arising**Minute 274 - Superfast Broadband - Conditional Award of Contract (Preferred Bidder Status)**

282.1 The Chief Executive updated the Cabinet regarding the resolution at the previous meeting in relation to the redistribution of funding across the Superfast Broadband Project, which had been achieved. Further information was provided later in the meeting at minute 310.

Minute 276.1 - Tender for Integrated Domestic Violence Services

282.2 The Head of Strategic Planning Commissioning and Performance reported that a recent sector led review of domestic violence had been undertaken by Devon and Plymouth Councils, which had commended the knowledge and expertise of the Dorset services. Detailed feedback had been received on child centred outcomes and suggestions to strengthen arrangements including governance and decision making.

Minute 256.1 – Minutes

282.3 Following previous concerns raised about dealing with draft minutes the Cabinet Member for Education and Communications indicated that the tabled information, which suggested arrangements with future minutes went some way to address the issues raised, but she would meet with the Head of Legal and Democratic Services and the Democratic Services Manager to progress the future approach.

Cabinet Forward Plan

283.1 The Cabinet considered the Cabinet Forward Plan, identifying key decisions to be taken by the Cabinet and items planned to be considered in a private part of the meeting. The current plan was published on 28 May 2013 and included items on the agenda for this meeting. It was noted that the next Forward Plan included items to be considered on or following the Cabinet meeting on 17 July 2013 and was published on 18 June 2013.

283.2 The Leader of the Council indicated the Local Supported Bus Services would need to be included in the plan for 17 July 2013. The Cabinet Member for Education and Communications indicated that full details in relation to the item on the future of the Arts Service should also be completed in the plan. It was noted that these items had already been added to the draft plan following publication of the Cabinet agenda.

283.3 It was noted that a general item on the Meeting Future Challenges 2 Groups' work should be included in the plan. It was agreed that this should be detailed in future plans.

Noted**Panels and Joint Committees**

284.1 The minutes of the following Panels and Joint Committees were submitted:-

- (i) Dorset Waste Partnership Joint Committee – 4 June 2013
- (ii) Dorset Olympic Board – 22 March 2013

284.2 In relation to the minutes of the Dorset Waste Partnership Joint Committee, the Cabinet Member for Environment and the Director for Corporate Resources clarified that the recommendation related specifically to an external auditor suggestion that a separate statement of accounts should be used for the Partnership, which officers maintained was not

required, but had made changes to the Inter Authority Agreement to reflect accounting arrangements that would be retained within the County Council's accounts.

Resolved

285.1 That the minutes be received.

285.2 That the following recommendation from the Dorset Waste Partnership Joint Committee be agreed:-

Inter Authority Agreement

65. *That the Partner Authorities agree to the amendments to the Inter Authority Agreement as set out in sections 2 and 3 of the joint report by the Clerk and Treasurer to the Joint Committee.*

Corporate Performance Monitoring Report: Fourth Quarter 2012-13

286.1 The Cabinet considered a report by the Chief Executive regarding the results of corporate performance monitoring for the fourth quarter of 2012-13. The report contained analyses of the Council's progress against its corporate aims and presented the Corporate Balanced Scorecard. Overall, performance indicators in the Budget and Corporate Plan had an average "amber" (0% - 5% off target) rating, having been "green" (on target) at the end of the first quarter. The percentage of indicators meeting their targets had fallen from 61% in quarter two to 56% in quarter three, but had risen to 59% for quarter four. However, the percentage of actions which were on course or complete had risen from 73% in quarter 3 to 76%.

286.2 The Policy and Performance Manager provided a detailed overview of the summary of outcomes and spend that were highlighted as "red" against each corporate aim, together with a summary of "red" performance indicators in the balanced scorecard. It was explained that following accruals at the end of the financial year the projected £5.2M underspend had reduced by £1.5M to a final position of £3.7M.

286.3 In relation to aim CH02 regarding children's initial and core assessments, the Head of Strategic Planning, Commissioning and Performance confirmed that the national indicators had now been ceased, which did previously distort practice, and following the Munro Review of Child Protection future assessments would be more quality led through a single assessment process and local targets would be developed to address performance.

Noted

Approval of Community Based Mental Health and Well Being Contracts valued at above £500,000

287. The Cabinet considered a report by the Director for Adult and Community Services in relation to the approval of Community Based Mental Health and Well Being Contracts valued at above £500,000.

Resolved

288. That tenders be invited for the contracts for provision of services as set out in Appendix 1 to the Director's report.

Reasons for Decision

289.1 To ensure compliance with Dorset County Council's Constitution.

289.2 To raise the Cabinet's awareness of existing and proposed contract arrangements.

289.3 To protect and enrich the health and well-being of Dorset's most vulnerable residents.

289.4 To provide innovative and value for money services.

289.5 To ensure the County Council had a planned and co-ordinated approach to procurement and commissioning activity.

The Reconfiguration of In-House Adult Learning Disability Residential Services

290.1 The Cabinet considered a report by the Director for Adult and Community Services in relation to the consultation feedback and a recommendation for the reconfiguration of the in-house adult learning disability residential care services at Phoenix House, Blandford (10 long-term and 6 short break places), Douglas Jackman House, Dorchester (11 places) and Alexandra Road, Weymouth (21 places). This report was considered by the Adult and Community Services Overview Committee at its meeting held on 24 June 2013.

290.2 The Head of Commissioning and Improvement and the Head of Specialist Adult Services presented the report in detail regarding the proposals to redevelop Adult Learning Disability Residential Services to provide a supported living focussed approach to ensure as much choice of control for service users, with the expected cost efficiencies of £500k in 2013/14 and £500k in 2014/15 through the Meeting Future Challenges Programme. It was noted that the savings target had been built into the Medium Term Financial Strategy agreed at County Council on the 14 February 2013. It was also clarified that the proposed change to services was no reflection of the quality of staff and support provided by teams delivering the services.

290.3 It was explained that extensive consultation had been undertaken with staff, service users, carers and health partners through 40 meetings over 12 months. Key feedback included confirmation that the service would be a person centred approach, no user would be forced into supporting living, and that huge support was expressed for the current staff. It was noted that providing the service in-house would not be viable for the future and that staff would have the opportunity to TUPE across to existing proven voluntary sector providers. In answer to a member's question, the Head of Specialist Adult Services confirmed that he had consulted with local members.

290.4 The Cabinet Member for Adult Social Care supported the very important and sensitive changes to the services and drew attention to the fantastic outcomes achieved through the previous Campus Reprovision Project which would provide a framework for the changes to learning disability residential services, and that the savings to be achieved through the changes were a bonus. The Cabinet Member for Corporate Resources and the Cabinet Member for Education and Communications echoed the support for the proposals as the correct way forward for provision of services to vulnerable people, and the extensive consultation.

Resolved

291.1 That the closure of 21 Alexandra Road, Weymouth and Douglas Jackman House, Dorchester be agreed.

291.2 That residents from these two properties move to alternative supported housing, or alternative accommodation according to their individual assessed need.

291.3 That tenders be invited for the conversion of the ground floor at Phoenix House to self-contained flats, that additional rooms be created upstairs to extend the short-breaks facility and the property be leased to a housing provider.

291.4 That the care and support at the alternative supported housing, and for both the long-term and short breaks provision at Phoenix House, be commissioned from an independent sector learning disability framework provider.

291.5 That all employees at the three relevant locations, (Douglas Jackman House, Alexander Road, and Phoenix House) transfer under TUPE regulations to the new provider(s), when selected.

Reason for Decisions

292. The reconfiguration of these services would contribute to the following County Council aims:

- i) protect and enrich the health and well-being of Dorset's most vulnerable adults
- ii) provide innovative and value for money services.

(Note: This item was not included in the Cabinet Forward Plan published on 28 May 2013. Approval for the item to be considered by the Cabinet at this meeting was given by the Chairman of the Adult and Community Services Overview Committee in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012).

Transformation Challenge Award

293.1 The Cabinet considered a report by the Chief Executive which outlined support arrangements from the Department of Communities and Local Government (DCLG) through Transformation Challenge Award for radical innovations involving two or more local authorities combining their operations across all or a major part of their service delivery and back office, whilst maintaining their separate identity and political representation. This report was considered by the Adult and Community Services Overview Committee at its meeting held on 24 June 2013.

293.2 The Head of Commissioning and Improvement explained that the total fund nationally was £9M, and single multi-authority awards could be up to £2M, as a contribution to the net transitional costs incurred in 2013-14 and 2014-15 in setting up the combined arrangements or other innovations. On 28 March 2013 the Leaders and Chief Executives of Bournemouth, Dorset and Poole Councils agreed to submit a joint bid to DCLG by 14 July 2013 for £1.5M-£2M to support a proposal to engage with the health community to deliver cultural change through more integrated 'front-end' services and better outcomes for individuals across services, including the benefits of joint working and the integration of the respective councils' adult social care functions with the health sector, including the Dorset Clinical Commissioning Group (CCG), and the Dorset HealthCare, the Royal Bournemouth and Christchurch Hospital, Poole Hospital and Dorset County Hospital Foundation Trusts.

293.3 It was also reported that an expression of interest had been prepared to bid for 'pioneer status' through the Department of Health and other agencies as a further opportunity to enhance integration and ambition of the Transformation Challenge Award.

293.4 Cabinet members fully supported the bid as a tool to build on work that would be undertaken anyway to integrate systems and services.

Resolved

294. That the bid for the DCLG's Transformation Challenge Award outlined in the Director's report be supported and endorsed.

Reasons for Decision

295.1 A successful bid would contribute to the efforts of the partner organisations to work together to secure:

- improved health and social outcomes for residents
- an improved and more integrated business model for the delivery of adult care and health in Dorset
- cost reductions for all partners

295.2 It would support the County Council's aims to protect and enrich the health and well being of Dorset's most vulnerable adults and to provide innovative and value for money services.

(Note: This item was not included in the Cabinet Forward Plan published on 28 May 2013. Approval for the item to be considered by the Cabinet at this meeting was given by the Chairman of the Audit and Scrutiny Committee in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012).

Quarterly Asset Management Update

296.1 The Cabinet considered a joint report by the Director for Corporate Resources and Director for Environment on the progress of the County Council's 'Asset Management Plan' specifically in relation to the reduction in the size of the property estate by 25% and the rationalisation of the remaining estate as two key strands of the Council's strategy to reduce the property maintenance backlog and to better manage the 'core' longer-term portfolio.

296.2 The Estates and Assets Manager introduced the report and provided details of decisions required regarding asset and property related developments for the County Council, together with updates on progress to date on achieving the aims of the Asset Management Strategy, including the Environment portfolio. It was noted that fewer 'business as usual' decisions were required following revised terms of reference of the Asset Management Group and the Property Management Group, but further changes may be needed in the future through a review of the scheme of delegation and other constitutional changes to refine the decision making requirements through these bodies and the Cabinet.

296.3 On questioning the sharing of an uplift in value of the Longburton Depot site following a Neighbourhood Development Order (NDO), members felt that the 50/50 share potential uplift in value with the Cam Vale Parish Council was appropriate.

296.4 Regarding the development of land occupied by the Puddletown Rugby Club, and the potential release of the current ransom strip to allow development to take place, Ms Jacqui Cuff addressed the Committee as the local District Council member for the Piddle Valley Ward. She requested that the cost of the release of the ransom strip be waived to enable the funding to be used for community use, and highlighted the economic advantages, health and fitness implications and the effective management committee of the club.

296.5 Cabinet members felt that the release of the ransom strip should not be waived completely and as such decided that the Director for Environment should, after consultation with the Cabinet Member for Environment, negotiate for the mutual benefit of the Council and the Rugby Club through a suitable agreement.

296.6 In relation to an update on the Lytchett Minster School, to commence on the rebuilding of the Lulworth Block following the recent fire at the School, it was noted that the plans did not currently include provision for sprinklers and that this was a decision to be made by the School itself due to the foundation status of the School. Members agreed with the recent concerns of the Audit and Scrutiny Committee and the Dorset Fire Authority that the School should be urged as far as possible to include sprinklers. It was also noted that the School should be informed of the increase in liability through the insurance required to cover the School and that they should be expected to meet the resultant increase in cost. This would be done by a joint letter if possible.

296.7 The Cabinet agreed that a similar message should be communicated to the wider school and academy community to inform them of the Council's position on this issue.

296.8 In relation to the 'large' reduction to the budget of the Blandford School it was clarified that the underspend could be returned to the Corporate Capital Programme or be earmarked for inclusion in the Modernising Schools Programme. Members felt that the underspend should be returned to the Corporate centre.

296.9 The Cabinet Member for Education and Communications was pleased that the Queen Elizabeth's School landscaping had nearly finished and the project had been finished within the approved budget, and also highlighted that the progress and development of a Joint Material Recycling Facilities was a huge bonus for Dorset. However, she questioned the ability of the authority to meet ICT needs through ICT asset management as there were continuing difficulties in meeting the needs of users regarding access to Council systems. The Director for Corporate Resources explained that work was continuing to develop alternative access arrangements for a multitude of software platforms and to deal with the appropriate risks around security of information. He was confident that a solution would be achieved, but he asked members for their patience.

296.10 At the conclusion of this item the Monitoring Officer commented on the effort that had gone into preparing such a comprehensive report but also on the need to review whether there was a need for the entire content to be presented as a formal report to a decision making meeting of the Cabinet.

Resolved

297.1 That the promoting of a Neighbourhood Development Order (NDO) upon the Longburton Depot site be approved. Furthermore, that the disposal of the site, once an NDO has been made, on terms to be agreed by the Director for Environment, but subject to the County Council obtaining a capital receipt equivalent to the current market value of the site be approved. In the event that a receipt is obtained in excess of the advised market value, that the County Council uses its general powers of competence to gift half of the additional receipt to the Cam Vale Parish Council for the express provision of community facilities on the depot site (para 3.5 of the Director's report).

297.2 That the sale of a small triangle of land on the eastern edge of Knaveswell Farm, to the owner of an adjoining property, on terms to be agreed by the Director of Environment (para 3.6 of the Director's report) be approved.

297.3 That the Director for Environment be delegated authority to negotiate the terms of a transfer of the ransom strip around the land at Piddlehinton Cam, after consultation with the Cabinet Member for Environment.

297.4 That the disposal of Unit 5, Marabout Industrial Estate, by way of an assignment of the lease, on terms to be agreed by the Director for Environment (para 3.8 of the Director's report) be approved.

297.5 That a 'large' reduction to the budget of the Blandford School – Phases 3b, c and d project (para 3.17 of the Director's report) be approved, and the funds be returned to the Corporate Capital Programme.

297.6 That the progress on the following areas be noted:

- the revised asset management governance arrangements (para 2.11 of the Director's report)
- property asset management performance (para 3.1-4)
- the delivery of Building projects (Section 3)
- the delivery of Highways projects (Section 4).
- the delivery of ICT projects (Section 5).
- the development of a Corporate Fleet Management approach (Section 6)
- the delivery of capital projects for the Dorset Waste Partnership (Section 7)

297.7 That the special report on the asset rationalisation strategy in respect of the property portfolio managed by the Environment Directorate (Section 8 and Appendix 4 of the Director's report) be noted.

Reasons for Decisions

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

298.2 Aim 5 of the Corporate Plan (provide innovative and value for money services), included the pledge to make progress towards reducing the size of the Council's property estate by 25% by the end of 2014/15. In addition, work on collaborative asset management of the public sector asset base, to achieve best provision of accommodation in support of the delivery of public service delivery, was an important component of both the Meeting Future Challenges and Public Services Working Together programmes.

Sustainable Construction Strategy 2011-14 Action Plan – Performance Report

299.1 The Cabinet considered a report by the Director for Environment regarding the Sustainable Construction Strategy with the aim of ensuring that sustainability was built into the whole construction process. This report was considered by the Environment Overview Committee at its meeting held on 21 June 2013 and a recommendation was tabled at the meeting.

299.2 The Head of Countryside and Business Development explained that the report provided a mid-term update on progress covering the 5 action areas and 16 key priority tasks within the action plan. It was noted that one area was on target, but the other four required the identified mitigation actions to be implemented. There was a particular focus on the impact of two significant programmes; the Baseline Design work and the Asset Reduction programme, along with the use of the environmental assessment tools, BREEAM and a sustainability matrix developed by Max Fordham.

299.3 The Chairman of the Council, as the Member Champion for Sustainability and a member of the Environment Overview Committee, commended the recommendation.

Resolved

That the progress to date as set out in the action plan, the key issues in respect of baseline design and BREEAM, and the approach being taken within Dorset Highways be noted.

That the Council adopt the Max Fordham matrix as a more flexible tool to assess sustainability in place of the currently used BREEAM method.

Reason for Decision

301. The corporate Sustainable Construction Strategy was one key element in how the County Council was seeking to fulfil its corporate responsibilities, deliver the County Council's carbon reduction target, compliance with the CRC and the environmental aims of the Corporate Plan. Progress against agreed actions was reported periodically.

Pedestrian Rail Crossing at Wareham Station

302.1 The Cabinet considered a report by the Director for Environment on the arrangements for a pedestrian rail crossing at Wareham Station.

302.2 The Head of Countryside and Business Development explained that the County Council funded £115,000 per annum to ensure safety at Wareham pedestrian level crossing through the provision of a security guard. This was financially unsustainable. To obviate the cost of the crossing which had to be closed, an accessible alternative that was compliant with the Disability Discrimination Act 1995 (DDA) must be provided.

302.3 It was reported that Network Rail was able to implement a DDA compliant solution in the current financial year, subject to planning consent. Ramps would be attached to the existing footbridge at a cost of £1.6M. However, Network Rail had requested that the County Council contribute to the scheme cost, and had indicated that a capped contribution of £500,000 would meet this requirement, enabling the scheme to progress. The cost of the capital financing charges to the revenue budget would be £40k per annum from the Traffic Group budget.

Resolved

303. That a capped contribution of £500,000 to the implementation by Network Rail of a ramped rail crossing at Wareham Station be approved.

Reason for Decision

304. Improving delivery of the transport infrastructure of Dorset would help support Corporate Aim 4 – safeguard and enhance Dorset’s unique environment and support its local economy.

Councillors’ Pensions

305.1 The Cabinet considered a report by the Director for Corporate Resources on the consultation paper published in April 2013 on the question of access by councillors and other elected office holders to the Local Government Pension Scheme (LGPS). Responses were invited by 5 July 2013.

305.2 The Director for Corporate Resources explained that a council’s Scheme of Allowances must set out which members of the authority were entitled to be members of the LGPS and whether the basic allowance or special responsibility allowance or both was pensionable.

305.3 It was noted that the Government had identified three options for consultation whereby councillors and local elected office holders may, or may not, have access to the new Scheme from 2014. The options comprised of no access for councillors, elected mayors and other directly elected office holders from April 2014; a two tier membership – continued access for ‘front bench’ councillors only, which could include elected mayors (including the Mayor of London) and elected Leaders or could encompass all those councillors with a special responsibility allowance; or no change. The consultation document also asked questions regarding access to the scheme and a preference of whether or not the scheme should be linked with the banded rate for staff contributions.

305.4 Members expressed a preference to retain the scheme for County Councillors i.e. no change, and to link member contributions to the banded scheme for staff.

Resolved

306.1 That the report be noted and the preference for the retention of the current scheme i.e. no change be expressed through the consultation as the preference of the County Council from the options presented.

306.2 That an increase in the councillor contribution rate in line with the bandings for the rest of the LGPS be supported.

Reason for Decisions

307. To respond to the Government consultation on taxpayer funded pensions for councillors in light of the Council’s Aim 5 - to provide innovative and value for money services.

(Note: This item was not included in the Cabinet Forward Plan published on 28 May 2013. Approval for the item to be considered by the Cabinet at this meeting was given by the Chairman of the Audit and Scrutiny Committee in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012).

Questions

308. No questions were asked by members under Standing Order 20(2).

Exempt Business

Exclusion of the Public

Resolved

309. 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 minutes 310-318 because it was likely that if members of the public were present, there would be disclosure to them of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

Superfast Broadband – Award of Contract

310.1 The Cabinet considered an exempt report by the Chief Executive. The report contained exempt information in accordance with paragraph 3, relating to the financial or business affairs of any particular person (including the authority holding that information).

310.2 The Chief Executive highlighted that the resolution at the previous meeting regarding the redistribution of funding across the Superfast Broadband Project had been achieved. A reduction in the commitment from East Dorset District Council would be offset by an increase in the contribution from the County Council. A summary of the revised distribution of costs across the partner authorities was provided. This would enable the planned rollout of the project across Dorset to take place, noting that the commercial development and viability in East Dorset had been previously forecasted.

310.3 Members recognised that the provision of superfast broadband was critical to the future economic and social prosperity of Dorset and that the programme aimed to deliver the most appropriate superfast broadband solution for communities, maximising benefits in a cost effective manner across the business and domestic community. Further to the previous meeting it was noted that the extension of the access to funding to complete the project by March 2016 had been confirmed.

310.4 It was reported that, as expected, a single response to the tender for the deployment of broadband services was received on 22 April 2013, from British Telecommunications plc (BT).

310.5 The Chairman of the Council asked a question regarding access to businesses through the rollout and the connectivity to be afforded to trading estates that were not previously commercially viable. The Superfast Broadband Project Manager confirmed that the project would intend to make these connections available and that this was an important part of the programme of connectivity across the County.

Resolved

311.1 That British Telecommunications plc be awarded the contract for the provision of deployed network services, and authorises the Chief Executive, after consultation with the Leader of the Council to resolve any outstanding issues prior to contract award.

311.2 That the allocation of project resources to support the project as outlined in section 4 of the Chief Executive's report be agreed.

311.3 That authority to enter into the formal partnering agreement, subject to the legal advisors being satisfied with the final wording, for delivery of the superfast business support programme, as outlined in section 7 of the report, be approved.

Reason for Decisions

312. The Superfast Dorset Programme supported the County Council's aims to:

- Help to build strong communities for all.
- Safeguard and enhance Dorset's unique environment and support our local economy.
- Provide innovative and value for money services.

(Note: This item was not included in the Cabinet Forward Plan published on 28 May 2013. Approval for the item to be considered by the Cabinet at this meeting was given by the Chairman of the Environment Overview Committee in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012).

Durlston Castle Catering Arrangements

313.1 The Cabinet considered an exempt joint report by the Monitoring Officer, the Director for Corporate Resources and the Director for Environment. The report contained exempt information in accordance with paragraph 3, relating to the financial or business affairs of any particular person (including the authority holding that information).

313.2 The Director for Corporate Resources and the Monitoring Officer explained that the report provided the findings of an internal audit review carried out at the request of the Director for Environment and the Director for Corporate Resources in the light of a report to the Cabinet in November 2012 concerning the arrangements made for the award of a County Council catering concession at Durlston Castle. It was noted that a number of learning points had been taken on board as a result of the audit and that there was an ambition to enable innovation, but to ensure that the appropriate arrangements were in place and necessary advice was provided and acted upon. It was also noted that the Audit and Scrutiny Committee had been made aware of this audit.

313.3 The Head of Countryside and Business Development provided a summary of the performance of the catering arrangements throughout the first year and the performance for the early part of 2013-14. Members requested that the trends of performance should be reported to the Cabinet in the future to provide assurance on the catering arrangements

313.4 The Cabinet felt that the report highlighted a number of unacceptable actions which had led to some hard lessons, but that this shouldn't detract from the success of the wider flagship project at Durlston Castle.

Noted

Supported Local Bus Services

314.1 The Cabinet considered an exempt report by the Director for Environment. The report contained exempt information in accordance with paragraph 3, relating to the financial or business affairs of any particular person (including the authority holding that information).

314.2 The Head of Dorset Highways Operations reported that during 2013/14 the budget for supporting bus services was being reduced significantly and as such there would be a need to address the level and provision of subsidy to routes as the Council financially

supported approximately 25% of Dorset's bus network which enabled many people to access work, education, shopping, medical and leisure opportunities. It was noted that the network also helped to address rural isolation and social exclusion.

314.3 A number of messages and comments were tabled at the meeting from local members in relation to issues in their electoral divisions regarding the proposed changes to routes.

314.4 The County Council Member for Highcliffe and Walkford raised concern that there were a wide range of improvements to bus lanes in areas of Christchurch which were counter intuitive to the reduction of supported bus services, to which the Head of Dorset Highways Operations replied and indicated that these developments were Government driven and would support commercially viable routes in the area. Concern was also raised regarding the access to Highcliffe as part of the three towns' corridor. It was confirmed that the corridor included Christchurch but did not extend as far as Highcliffe.

314.5 The County Council Member for Westham generally agreed with the report but asked that if there was the potential to have a 'pot' of funding to be used for new services and trial services, which would be a positive step to ensuring sustainability of all appropriate routes. He also drew attention to the impact on tourism and the physical activity aims of the Council in encouraging people to walk, and that walkers would use the bus services to get to desirable walking locations. He confirmed that officers had done well in Southwell, but better options regarding afternoon bus services would be beneficial as people could get to destinations, but not get back in the same day.

314.6 The County Council Member for Marshwood Vale illustrated a problem with the restriction of parking at the Park and Ride site at Lyme Regis where works were being undertaken regarding coastal defences. He suggested that this area should be excluded from any reductions in service until 2015 instead of 2014.

314.7 The County Council Member for Blackmore Vale highlighted the difficulties in bus travel in North Dorset and residents in Stalbridge who felt excluded as they had no bus service at all. She drew attention to the general connectivity problems in the area including not being able to get buses from many areas to Blandford, and instead travelling to Yeovil to shop outside of Dorset. She also raised the need to consult people who would like to use bus services in addition to those who already used the services.

314.8 Members discussed in detail the options available regarding the future of local supported bus services, and although local members had been engaged in the process through a member briefing on 21 June and had received a copy of the report, the Cabinet felt that local members should be given the opportunity to talk through the changes with the transport team on a one to one basis or as part of a workshop. It was therefore decided that officers would consult members one more time through workshops with a view to reporting back to the next meeting on 17 July 2013.

314.9 It was recognised that the current network was unaffordable and had been thoroughly reviewed, including public consultation. The options outlined in the report were based on recognised criteria for planning bus services, but it was noted that the information was not forthcoming from bus companies and was therefore difficult to analyse at an early stage. Members asked that further information on the calculation of £3 per customer for urban areas and £5 for rural areas would be helpful when the report was considered on 17 July.

314.10 Support was also given to the need to use innovate methods of changing service delivery when services were non-viable, such as Community Transport Schemes.

Resolved

315. That officers consult members through workshops and report back to the next meeting of the Cabinet on 17 July 2013.

Report of the Monitoring Officer on the Composition of the Personnel Appeals Committee

316.1 The Cabinet considered an exempt report by the Monitoring Officer. The report contained exempt information in accordance with paragraph 3, 4 and 5, relating to the financial or business affairs of any particular person (including the authority holding that information), information relating to consultations or negotiations in connection with any labour relations matter, and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

316.2 It was reported that under section 5 of the Local Government and Housing Act 1989 the Monitoring Officer was required to report to the executive if he became aware that any action taken or proposed course of action by the authority, one of its committees or an officer was in breach of any enactment or rule of law or amounted to maladministration.

316.3 It was therefore necessary that the Cabinet should be made aware of this issue. However, the steps that needed to be taken in order to comply with the law were ones that should be dealt with via the PAC, the Staffing Committee and full Council.

316.4 It was also noted that the report contained a revised approach to the consideration of grievance and dismissal appeals through the PAC arrangements which would simplify the current process and to avoid any unlawful practice in relation to grievance appeals.

Resolved

317. That the report and the recommendations being made to the Personnel Appeals Committee and the Staffing Committee be supported.

Reason for Decision

318. In order to comply with legal requirements in Part VI of the Local Government Act 1972 appendices.

(Note: This item was not included in the Cabinet Forward Plan published on 28 May 2013. Approval for the item to be considered by the Cabinet at this meeting was given by the Chairman of the Audit and Scrutiny Committee in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012).

Meeting Duration: 10.00am – 1.25pm