

Cabinet

Minutes of a meeting held at County Hall,
Colliton Park, Dorchester on 18 September 2013.

Present:

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

Members attending


Steve Butler, County Council Member for Cranborne Chase
Fred Drane, County Council Member for Lytchett
Colin Jamieson, County Council Member for Highcliffe and Walkford
Peter Wharf, County Council Member for Egdon Heath

Officers Attending: Debbie Ward (Chief Executive), Catherine Driscoll (Director for Adult and Community Services), Mike Harries (Head of Dorset Property and Deputy Director for Environment), Paul Kent (Director for Corporate Resources), Jackie Last (Director for Children's Services), Jonathan Mair (Monitoring Officer), David Phillips (Director of Public Health), Jonathan Slater (Public Relations Officer) and Lee Gallagher (Democratic Services Manager).

For certain items, as appropriate:

Brian Richards (Principal Engineer) and John West (Efficiency and Change 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: **24 September 2013.**

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

(3) 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 **2 October 2013.**)

Apologies for Absence

378. Apologies for absence were received from John Wilson and Miles Butler (Director for Environment).

Code of Conduct

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

Minutes

380. The minutes of the meeting held on 17 July 2013 were confirmed and signed.

Matters ArisingMinute 329.4 – Medium Term Financial Plan Update

381.1 The Director for Corporate Resources confirmed that following the last meeting the funding retained as a contingency in respect of the Adoption Reform Grant had now been largely released following receipt of £564k for extended rights to free travel. This had originally been expected to be £700k.

Minute 328.5 – Medium Term Financial Plan Update

381.2 The Director for Children's Services updated the Cabinet in relation to transport for Special Educational Needs and Children Out of School (SEN/COOS), which still presented significant challenges for the Children's Services and Environment directorates. It was noted that there was a need to investigate the functionality of the current system to allow a reporting function for individual children and their transport. Further wider issues had also arisen regarding the confirmation of mainstream transport with users and post 16 transport in the context of Raising the Participation Age.

381.3 It was acknowledged that a meeting would be held between appropriate Cabinet members and directors to look at these serious and ongoing issues.

381.4 The Cabinet Member for Education and Communications also highlighted the hidden cost to the authority when parents contacted Dorset Direct with their concerns, which then needed to be dealt with by officers. The Chief Executive asked that the views and experiences of service users be taken into account when finalising the actions to resolve the issues with the system.

Minute 344.1 – Review of the County Council's Response to the Fire at Lytchett Minster School

381.5 The Cabinet Member for Education and Communications informed the Cabinet that discussions continued regarding sprinklers and the associated risk management of the replacement block at the school, and discussions were also being held between the governors and the Fire and Rescue Service regarding options available.

Cabinet Forward Plan

382.1 The Cabinet considered the Cabinet Forward Plan, which identified 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 20 August 2013 and included items on the agenda for this meeting.

382.2 Members considered the content of the plan to cover the meeting on 6 November 2013, which would be published on 8 October 2013. However, members asked that the current plan which had already been published should be included with the agenda in future.

382.3 The Director for Corporate Services indicated that an item in relation to the Medium Term Financial Plan would be added to the Plan for November 2013. The Cabinet Member for Education and Communications also informed officers that an item in relation to the School Admissions Policy should also be included for November 2013.

382.4 The Cabinet Member for Public Health confirmed that a number of reports would be considered by the Cabinet in January 2014 and that these would be added to the Plan in due course. The Cabinet Member for Environment felt that better planning of items to be included in the plan would be more proactive and benefit the Cabinet by knowing well in advance.

Resolved

383. That the Forward Plan be noted, subject to the amendments outlined in the minute above.

Panels and Joint Committees

384.1 The minutes of the Dorset Waste Partnership Joint Committee held on 30 July 2013, and the Joint Archives Advisory Board held on 19 June 2013 were submitted for consideration.

384.2 In relation to the minutes of the Dorset Waste Partnership Joint Committee, the Cabinet Member for Environment asked the Leader of the Council if the Leaders' Inter Authority Agreement (IAA) across Bournemouth, Dorset and Poole had been signed, which would be needed before the Waste IAA was signed across Bournemouth and Dorset. The Leader indicated that he would investigate this and let the Cabinet know outside of the meeting.

Resolved

385. That the minutes be received.

Meeting Future Challenges – Progress Report

386.1 The Cabinet considered a report by the Chief Executive which provided an update on the progress of the Meeting Future Challenges (MFC) programme. This included a summary of the programme for 2013/14, and progress on delivering the actions in order to realise savings.

386.2 The Chief Executive introduced the report, provided an overview of the current position, and drew attention to the challenges facing the Council throughout 2013/14 and through the MFC Challenge Groups.

386.3 The Efficiency and Change Manager updated members regarding the status of projects within the MFC Programme to show that the number of projects with 'green' status had reduced from 24 to 23, the 'amber' projects had reduced from 17 to 9, and completed projects had increased from 97 to 106. This was largely due to changes in Environment projects.

386.4 He also confirmed that the total cost of savings that were unlikely to be achieved had increased from £1.8M to £2.2M due to a slight change in the Assets and Workstyles Project (OV009) and the slippage of £500k in the Learning Disability Services review (AS061). The Cabinet Member for Adult Social Care explained that the slippage was due to more time being needed to allocate accommodation for service users and that this would not be rushed.

Noted** Dorset Equality Scheme 2013-2016**

387.1 The Cabinet considered a report by the Chief Executive on the Dorset Equality Scheme for 2013-16, which had been produced in partnership with Dorset's borough and district councils and detailed how the County Council would meet its legal duties under Section 149 of the Equality Act 2010, and how the Council would promote equality and diversity.

387.2 The Chief Executive introduced the report and explained that the County Council was required to publish specific and measurable equality objectives. It was noted

that the Dorset Equality Scheme was the work plan and included actions which would underpin the published equality objectives. It was also recognised that the Dorset Forum for Equality and Diversity had been consulted during the development of the scheme and would remain a key stakeholder.

387.3 The Cabinet Member for Children's Safeguarding and Families, as the former Member Champion for Equality and Diversity, expressed her support for the report and realised that it applied to the Council's workforce, but asked that more reference be made to the impact on children and young people.

387.4 The Director for Public Health highlighted that the Health and Wellbeing Strategy addressed health inequalities across Dorset and that this should be cross referenced in the scheme.

387.5 The Cabinet Member for Education and Communications raised concern that reference to young people Not in Employment, Education or Training was incorrect and the level was decreasing, not increasing. The Director for Children's Services undertook to share information with members outside of the meeting.

387.6 She also raised concern regarding funding through schools in relation to the Black and Minority Ethnic population in Dorset, of which Gypsies and Travellers were the largest component. She informed members that this funding was now retained by schools instead of being de-delegated back to the Council.

Resolved

388. That the Dorset Equality Scheme at Appendix 1 to the Chief Executive's report, ready for promotion and publication on Dorset For You, be approved subject to the changes outlined in the minute above.

Reason for Decision

389. Adoption of the Dorset Equality Scheme 2013-16 by Dorset County Council would ensure compliance with the Public Sector Equality Duties as specified by the Equality Act 2010; and provide a measurable and accountable framework for the County Council's work to promote equality and diversity, both as service providers and employers.

Poole Harbour, Poole Bay and Wareham Flood and Coastal Erosion Risk Management Strategy

390.1 The Cabinet considered a report by the Director for Environment on the Poole Harbour, Poole Bay and Wareham Flood and Coastal Erosion Risk Management (PWFCERM) Strategy, which had been developed by the Environment Agency in partnerships with local authorities including the County Council, to identify the preferred strategic tidal flood and erosion risk management approach for an area of Dorset extending from Hengistbury Head to Durlston Head.

390.2 The Deputy Director for Environment introduced the report and explained the significant number of assets at risk from tidal flooding and coastal erosion in the Poole Bay and Poole Harbour area which required protection over the long-term as climatic conditions would change and sea-level rose. He explained that the Strategy was the next step in delivering the policy developed during the Shoreline Management Plan review endorsed by the Cabinet in October 2010, and that endorsement of the Strategy by the Cabinet was required by the Environment Agency.

390.3 The County Council Member for Highcliffe and Walkford, as a Christchurch member, asked if the Strategy included reference to Christchurch Bay. It was clarified that the Strategy related only to Poole Harbour and Poole Bay, and that Christchurch was in a separate strategy.

Resolved

391. That the Poole and Wareham Flood and Coastal Erosion Risk Management Strategy in a formal letter of endorsement to the lead authority (the Environment Agency) signed on behalf of Dorset County Council by the Environment portfolio holder, be approved.

Reason for Decision

392. Although Dorset County Council was not an operating authority in terms of coastal defences, there were a variety of considerations for the Authority presented in the Flood and Coastal Erosion Risk Strategy. These related to potential impacts on coastal communities, infrastructure and safeguarding Dorset's unique environment.

New Homes Bonus

393.1 The Cabinet considered a joint report by the Director for Corporate Resources and the Director for Environment on proposals by the Department for Communities and Local Government (DCLG) to increase the amount of funding to be top-sliced from the Revenue Support Grant in order to finance the New Homes Bonus (NHB) in 2015-16.

393.2 The Director for Corporate Services explained that the County Council received 20% of any NHB, and as such it stood to lose more grant than it would receive in NHB. He also explained that the Government was consulting on options to re-allocate £400M of the NHB currently paid to local authorities to be pooled with Local Growth Funds, operated by Local Enterprise Partnerships, in order to help support strategic, locally-led housing and economic development priorities. It was highlighted that both proposals would have a detrimental effect on the Council's budget strategy and were likely to require additional savings of approximately £2.5M in 2015-16 to balance the budget.

393.3 The Cabinet Member for Corporate Resources expressed concern regarding the difficult impact that either proposal would have on the Council's finances and felt that the scheme, originally set up to incentivise growth, could be fundamentally changed and would have a disproportionate effect on local authorities. He asked that his comments be emphasised in the response to the consultations.

393.4 The Cabinet Member for Public Health wholeheartedly supported the comments of the Cabinet Member for Corporate Resources and asked that the response be shared with all Dorset MPs when it was sent. He also felt that proper guidance was needed to address this issue.

393.5 The Leader explained that there was a lot of discontent locally and nationally about this issue and agreed that the response should be strengthened to incorporate the views expressed. It was also noted that the County Councils Network would collate responses from other authorities.

393.6 The Cabinet Member for Environment also asked that the response be supported by districts and boroughs in Dorset. The Leader confirmed that a number of councils in Dorset had similar views to that of the County Council.

393.7 The Cabinet Member for Children's Safeguarding and Families expressed support for the LEP, but highlighted that the LEP was not accountable to the communities in Dorset in the same way as the Council.

Resolved

394.1 That the impact of the proposals for funding and allocation of New Homes Bonus monies in 2015-16 be noted.

394.2 That the proposed responses to the consultations, on behalf of the County Council, as set out in Appendix 1 of the Director's report be approved subject to the comments outlined in the minute above.

Reasons for Decisions

395. To respond to the government consultations on NHB in accordance with the Corporate Aim 4, including support and development the local economy, whilst delivering a balanced budget in 2015-16.

Transformation Team Budget

396.1 The Cabinet considered a report by the Chief Executive in relation to the formation of a Transformation Team in order to provide capacity and support to take forward and implement ideas for service change and to further explore the scope for savings.

396.2 The Chief Executive introduced the report and explained that it was necessary to form a Transformation Team with a budget of £350k to drive forward the Meeting Future Challenges (MFC) Programme and cultural change through 'Forward Together'. This was a direct result of the recent Peer Review undertaken in July 2013, and a development plan arising from the findings would be available shortly.

396.3 The County Councillor for Egdon Heath explained that the Audit and Scrutiny Committee had recently considered the ethos of staff at all levels within the organisation bringing forward ideas and proposals for service transformation and that the Business Transformation Reserve be used to support this type of innovation. The recommendation from the Committee is set out in minute 400 below.

396.4 However, he further explained that he had suggested a change to a director, but had not yet received a response, and asked that the views of all members be taken into account when ideas for service change were forthcoming. The Leader and the Chief Executive confirmed that views of all members would be equally considered alongside members of staff and that good ideas would be progressed.

396.5 It was suggested that the arrangements and meetings of the MFC Challenge Groups should be made widely available to members and staff to encourage participation and to raise their profiles, and that this detail should be included in the usual MFC update reports.

Resolved

397. That a budget of £350,000 for a Transformation Team be approved in order to provide capacity and support to take forward and implement the ideas generated by the MFC2 groups and to further explore the scope for savings.

Reason for Decision

398. To provide capacity and support to help make change happen in accordance with the aims in the Budget and Corporate Plan.

Recommendations from the Audit and Scrutiny Committee

399. The Cabinet considered the following recommendations from the meeting of the Audit and Scrutiny Committee held on 23 July 2013:

Recommendation 153 - Medium Term Financial Plan Update

Resolved

400. That the proposal that staff at all levels within the organisation be asked to bring forward ideas and proposals for service transformation that are able to demonstrate efficiencies within a reasonable timescale to deliver payback on the initial investment (e.g. within two years) and that the Business Transformation Reserve be expanded if necessary in order to support development and implementation of these proposals (No idea is too small – all that we ask is the people show ambition in their ideas and for them not to feel constrained by existing processes or procedures.), be agreed.

Recommendation 153 - Citizens' Panel Survey 29

Resolved

401. That a review be undertaken of the aims and purpose of the Citizen's Panel.

Recommendation from the Roads and Rights of Way Committee

402. The Cabinet considered the following recommendation from the meeting of the Roads and Rights of Way Committee held on 2 September 2013:

Recommendation 102 - Proposed No Waiting at Any Time – Locarno Road, Swanage

Resolved

403. That the proposed order as advertised for Locarno Road, Swanage be approved.

Dorset County Council: Improvement & Efficiency Social Enterprise

404.1 The Cabinet considered an invitation to work with Improvement & Efficiency Social Enterprise Ltd (iESE). It was explained that with decreasing budgets and increasing demands from residents, local authorities continued to look for ways of transforming their services and iESE was local government's transformation social enterprise.

404.2 Members noted that iESE helped councils by accelerating the transformation of service delivery and the leadership of growth and prosperity, and would build support with councillors and officers to transform systems, reduce duplication and deliver fresh and innovative ideas and solutions.

Resolved

405.1 That Leader of the Council be authorised to sign the Members Agreement to become a member of iESE.

405.2 That the Leader be appointed as a Non-Executive Director for the iESE Board and the Cabinet Member for Corporate Resources be appointed to act as Owner Representative at the Annual General Meeting of the Board.

Future Arrangements for Reporting to the Cabinet

406.1 Arising from the recent LGA Peer Review, the Cabinet considered a proposal that as part of demonstrating that the Council was a member led authority new arrangements would be introduced for reporting to the Cabinet.

406.2 The Leader explained that as a result of the Peer Review in July 2013, there was a clear recommendation that Cabinet members should deliver reports and also have a hand in drafting them.

406.3 Cabinet Members supported the change so that they would themselves take ownership and lead in presenting reports and making recommendations to the Cabinet in respect of their areas of responsibility. It was noted that officers would continue to be relied upon in presenting the technical detail of reports where necessary.

406.4 The Head of Legal and Democratic Services summarised the changes that would take place on the report template for Cabinet meetings, and explained that statutory officer reports by the Section 151 Officer and Monitoring Officer would not require a Cabinet member to present.

406.5 The County Council Member for Egdon Heath drew attention to the role of the Audit and Scrutiny Committee and asked that appropriate attention be drawn to the need for Cabinet members and directors to attend the Committee in relation to contentious matters, even if they were outside of the formal Call to Account and Call In processes.

406.6 It was noted that this was the logical next step to the new arrangements for the Cabinet, but that this arrangement would need to align with Cabinet members' diaries and to keep them fully aware of forthcoming items for scrutiny. It was noted that this suggestion would be investigated by officers.

406.7 The Deputy Director for Environment raised a concern that in some instances there may be differing views between the technical advice of officers and the view of the Cabinet portfolio member. It was noted that it may be necessary for the Cabinet member to include a summary of their view in the report to provide clarity about the difference(s). It was also noted that the report template would be reviewed in the light of experience.

Resolved

407. That the new arrangements for reporting to the Cabinet be applied from the next meeting to be held on 2 October 2013.

Questions

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

Exempt Business

Exclusion of the Public

Resolved

409. 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 410-415 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 and 5, and 3 respectively 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.

Tender for Equipment Services (Paragraph 3 and 5)

410.1 The Cabinet considered an exempt report by the Director for Adult and Community Services. The report contained exempt information in accordance with paragraphs 3 and 5, relating to the financial or business affairs of any particular person

(including the authority holding that information), and in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

410.2 The Cabinet Member for Adult Social Care introduced the report and summarised the current situation in relation to the commissioning of Dorset Integrated Equipment Service (Dorset IES) through a consortium that included Dorset County Council in partnership with the Dorset Clinical Commissioning Group, the Dorset County Hospital NHS Foundation Trust and Dorset HealthCare University NHS Foundation Trust. It was explained that the service was currently delivered through three workstreams for Simple Aids for Daily Living (SADLs), Complex Aids for Daily Living (CADLs), and Bespoke Special Items of Equipment.

410.3 Members noted that the current service contract for CADLs and for the bespoke IT system were both due to cease in 2014. As part of the preparation to renew arrangements a service review was undertaken which showed that it would be preferable to create a joint service with Bournemouth and Poole in the future rather than to provide a separate service. This would require the two contracting processes to be brought together for a year until the current arrangement for Bournemouth and Poole would end in 2015.

410.4 The Director for Children's Services explained that steps had been taken outside of these arrangements for children with special needs as it was more economical to purchase items when needed by children on a long term basis rather than rent in some circumstances, and there had been special items that had not been available on the stocklist. These exceptions had been permitted as they advantaged both the children and the Council.

Resolved

411. That a tendering exercise be approved for one year contracts for Complex Aids to Daily Living (CADLs) and the bespoke IT system, in order to align timeframes with Bournemouth and Poole to allow the investigation of a future model.

Reasons for Decision

412.1 This service contributed to the County Council's aim to protect and enrich the health and well-being of Dorset's most vulnerable adults.

412.2 The future provision of a joint service with Bournemouth and Poole would contribute to the County Council's aim to provide innovative and value for money services as this joint approach would achieve greater efficiencies for the County Council and its health partners.

Springfield Distributor Road, Verwood - Land Acquisition (Paragraph 3)

413.1 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).

413.2 The Deputy Director for Environment summarised the report which sought authority to acquire land for the Springfield Distributor Road and that in two cases it could be necessary to acquire entire properties due to the significant impact of the scheme. The potential outlay for compulsory purchase would exceed the threshold at which land acquisition was delegated to officers.

Resolved

414.1 That acquisition of land for the Springfield Distributor Road, Verwood on terms to be agreed by the Director for Environment, including the purchase of entire properties if necessary, be authorised.

414.2 That the commencement of the compulsory purchase procedure (to be the subject of a separate report before implementation), be approved.

Reason for Decisions

415. The acquisition of land was necessary to widen the existing private street to current adoption standards.

Meeting Duration: 10.00am – 11.10am