

Cabinet

Minutes of a meeting held at County Hall,
Colliton Park, Dorchester on 2 October 2013.

Present:

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

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

Members attending


Mike Byatt, County Council Member for Weymouth Town (Minutes 422-424 and 428-430)
Barrie Cooper, County Council Member for Blandford (Minutes 445-447)
Beryl Ezzard, County Council Member for Wareham (Minutes 425-427)
Peter Wharf, County Council Member for Egdon Heath (Minutes 425-427)

Officers Attending: Debbie Ward (Chief Executive), Catherine Driscoll (Director for Adult and Community Services), Miles Butler (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) and Helen Whitby (Principal Democratic Services Officer).

For certain items, as appropriate:

Mike Harries (Head of Dorset Property), Les Gardner (Head of Early Intervention Services) and Andrew Martin (Head of Dorset Highways Operations).

(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: **8 October 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 **6 November 2013**.)

Apologies for Absence

416. Apologies for absence were received from Peter Finney, Cabinet member for Community and Public Health.

Code of Conduct

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

Minutes

418. The minutes of the meeting held on 18 September 2013 were confirmed.

Matters Arising

Minute 381 – Medium Term Financial Plan Update

419.1 The Cabinet Member for Education and Communications reported that a meeting regarding transport issues was to take place later that day.

Minute 387.5 – Children Not in Education, Employment or Training (NEET)

419.2 The Cabinet Member for Education and Communications informed the Cabinet that the NEET figure for June 2013 had been 4% and performance over the previous twelve months had shown a drop of 7% in NEETs.

Minute 394.2 – New Homes Bonus

419.3 The Director for Corporate Resources confirmed that the responses to consultations had been submitted on time and copies had been sent to local MPs. No responses had been received to date.

Cabinet Forward Plan

420.1 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 3 September 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 6 November 2013 and would be published on 8 October 2013.

420.2 The Cabinet Member for Corporate Resources stated that the Medium Term Financial Plan had been added to the Forward Plan for the meeting on 6 November 2013 as requested at the last meeting.

420.3 The Cabinet Member for Education and Communications referred to discussion about the inclusion of the School Admissions Policy on the Forward Plan. Further guidance was awaited from the Government which meant that the Policy would not be considered until April 2014.

Resolved

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

 **Children's Services – A review of Universal Services to Children and Families**

422.1 The Cabinet considered a joint report by the Cabinet Member for Children, Safeguarding and Families and the Cabinet Member for Education and Communications on the review of universal services to children and families.

422.2 The Cabinet Member for Children, Safeguarding and Families explained that as part of the need to consider changes and efficiencies in the delivery of universal services, a review of children's centres and youth clubs was to be undertaken so that services provided met the needs of residents. Elected members had attended a workshop on 10 September 2013 where options for future service provision were considered. The review would include discussions with residents and stakeholders, with members taking an active role. The report included a timeline for the review.

422.3 The Cabinet Member for Education and Communications added that the review would result in the right services being provided in the right places to meet local needs. The Director for Children's Services explained that as members were leading the review, it was proposed to hold meetings in November/December on a district/borough basis to establish a framework for each area.

422.4 The County Council Member for Weymouth Town supported the locality approach and asked about member engagement where services were outsourced to other

agencies. The Director for Children's Services explained that universal services would be part of the usual contract monitoring procedures and member engagement would need to be built into this framework.

422.5 The Cabinet Member for Corporate Resources supported the review of services so that they met local needs and was encouraged by this being a member-led process. He asked that meeting dates referred to in minute 422.3 be set as soon as possible and was informed that dates would be set later that day.

Resolved

423.1 That the commencement of a review of universal services in the Children's Services Directorate in line with the principles and processes shared at the workshop on 10 September 2013 and referred to in paragraph 2.2 of the report be supported.

423.2 That the timescales proposed for the review and the process proposed for reporting back the outcomes and recommendations from the review be confirmed.

Reason for Decisions

424. Budget pressures and the Children's Services strategy for future delivery of services mean that we can no longer continue to deliver all of our services in the same way as previously. We will need to work with parents, staff and communities to maintain universal services and access to buildings in new and different ways.



Quarterly Asset Management Update

425.1 The Cabinet considered a joint report by the Cabinet Member for Environment and the Cabinet Member for Corporate Resources which set out progress against asset management performance, financial performance, land/property transactions, programmes and projects which contributed to the reduction in the size of the property estate by 25% and rationalisation of the remaining estate as part of the strategy to reduce the property maintenance backlog and better manage the "core" longer-term portfolio.

425.2 The Cabinet Member for Environment presented the report highlighting the recommendations within it. She drew particular attention to the fact that there were still properties without designated Premises Responsible Persons and asked for every effort to be taken to identify officers.

425.3 The Head of Dorset Property explained that approval to bid for Football Association funding was sought for the provision of a synthetic turf pitch at The Blandford School. Current analysis had showed that there could be a funding shortfall and means of addressing this were being explored, possibly through adjusting the scope of the work involved. If Optimism Bias was to be used, then the bid would be subject to the scrutiny of the Asset Management Group and the Modernisation Schools Project Board but he confirmed that the overall aim was for Optimism Bias not be used in any project. The Cabinet Member for Education and Communications asked that further information on the costs and the bid be provided for the next meeting of the Modernising Schools Project Board. She also updated the Cabinet on progress with regard to the Purbeck Schools Review. All projects were on budget and funding to progress the feasibility study for the new Bere Regis Primary School had been agreed. A clear picture of the cost of the new school would be known following the outcome of the feasibility study in January 2014.

425.4 The County Council Member for Wareham thanked the Cabinet for their continued support of the Swanage Railway and in particular the approval to waive future rental payments as this would help with the Railway's connection to Wareham in 2015 to support the provision of a public passenger service.

425.5 With regard to the disposal of land at Sandford Lane, Wareham, the County Council Member for Wareham asked whether the ramped crossing could be used by cyclists. The Director for Environment explained that cyclists would be expected to dismount before crossing the bridge. The County Council Member for Bere Regis, as Chairman of Purbeck District Council's Planning Committee, confirmed that cyclists would be expected to dismount before using the bridge and that the bridge would meet all health and safety requirements.

Resolved

426.1 That the use of the County Council's general powers of competence to enable the grant of a new lease upon the whole of the Swanage Branch Line to Swanage Railway Company at a peppercorn rent and otherwise upon terms to be agreed by the Director for Environment be approved.

426.2 That the disposal of a small parcel of land at Sandford Lane, Wareham, to Network Rail for no consideration and otherwise on terms to be agreed by the Director for Environment, by way of further contribution to the construction of the Wareham Pedestrian Crossing (para 2.5) be approved.

426.3 The disposal of Whitepit Farm buildings upon terms to be agreed by the Director for Environment and furthermore that the County Council enters into an option agreement with Dorset Development Partnership upon this land (para 2.6) be approved.

426.4 That joining the new Construction Framework South West (CFSW) and executing a user agreement (para 2.7) be approved.

426.5 That proceeding with a bid for external funding and investment in the Blandford School Synthetic Turf Pitch if the bid is successful; subject to the project being fully funded without further call on capital funds (para 2.9) be approved.

426.6 That the execution of a framework and associated contracts for premium surface dressing and micro-asphalt highway maintenance services (para 3.1.6) be approved.

426.7 That the overall revised estimates and cashflows for projects as summarised in Section 7 and detailed in Appendices 1 and 2 of the report by approved.

426.8 That progress on asset management performance, property building performance, the assignment of Premises Responsible Persons, the planned conversion of QE School, Wimborne to Academy status, the key issues within the Modernising Schools Programme, the delivery of the Highways programme, the delivery of the ICT programme, the development of a Corporate Fleet Management strategy and the delivery of the Dorset Waste Partnership's programme be noted.

Reasons for Decisions

427.1 A well managed Council ensures that the best use is made of its assets in terms of optimising service benefit, minimising financial impact and maximising financial return.

427.2 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, is an important component of both the Meeting Future Challenges and Public Services Working Together programmes.

427.3 Applying these same good asset management principles to all classes of assets represents a further development of best practice.

Cabinet – 2 October 2013

428.1 The Cabinet considered a report by the Cabinet Member for Environment on future options for the on street parking in Weymouth and Portland.

428.2 The Cabinet Member for Environment reminded members that a decision had been taken in February 2012 to take back the on street parking agency arrangements with Weymouth and Portland Borough Council. The Borough Council had since made representations to retain on street parking and, as a result, a number of options had been set out in the report for consideration. In view of the sensitivities involved it was recommended that an external consultant be employed to assess the options and that the on street parking agreement with the Borough Council be renewed for 2014/15 to allow the appraisal of options to be carried out, with the guaranteed return of £70,000 and any surplus in excess of this figure to the County Council for the year 2014/15. The third recommendation was amended to enable other elements of the agency agreement to be extended until 31 March 2015 on condition that the Borough Council make a further payment of £30,000 to the County Council.

428.3 In answer to a question from the Monitoring Officer it was confirmed that the payment of £70,000 referred to in the second recommendation and any surplus would not be ring-fenced in the way specified in the Borough Council's business case and would be available for any highway works decided by the County Council. It was also confirmed that the payment of £30,000 referred to in the amended third recommendation was in addition to the payment of £70,000 identified in the second recommendation and any surplus.

428.4 The County Council Member for Weymouth Town supported the recommendations which would provide clarity about future working arrangements. He drew attention to the need for local members, members who sat on both Councils and the public to understand the agreement and he asked that local members to be kept informed of progress.

Resolved

429.1 That the commissioning of a suitably experienced external consultant to assess the options available to the County Council, in relation to the on-street parking service be approved. This report should contain detailed analysis of existing service provision and provide a recommendation on which the delivery model will offer the County Council the most customer focussed and cost effective solution.

429.2 That the County Council enter into a new On Street Parking Enforcement Agency Agreement with Weymouth and Portland Borough Council for the 2014/15 financial year, to enable a suitable period of time to be afforded to the appraisal of all suitable options; the structure of a new agreement to be based upon the proposal contained within the Weymouth and Portland Borough Council business plan which will guarantee Dorset County Council an annual return of £70,000 with any surplus in excess of this figure also being returned to the County Council.

429.3 That, subject to a further payment of £30,000, the remaining elements of the Highway Agency Agreement with Weymouth and Portland Borough Council be extended until 2014/15.

Reason for Decisions

430. To secure the level of efficiency savings agreed by the County Council and to ensure best value in the delivery of the service.

Dorset Local Nature Partnership (LNP) Draft Strategy

431.1 The Cabinet considered a report by the Cabinet Member for Environment on the Dorset Local Nature Partnership's Draft Strategy which was currently the subject of public consultation.

431.2 The Cabinet Member for Environment drew attention to the proposed response to the Draft Strategy as set out in the appendix to the report.

431.3 The Director for Environment confirmed that the report had been considered by the Environment Overview Committee on 1 October 2013 and they had fully supported the Draft Strategy and the proposed response.

Resolved

432.1 That the Dorset LNP's Draft Strategy be endorsed, subject to the minor changes and clarifications summarised in the proposed County Council response (as set out in the Appendix).

432.2 That the authority to adopt the final iteration of the Strategy on behalf of the County Council be delegated to the Director for Environment after consultation with the Portfolio Holder for the Environment, the County Council's representative on the LNP Board.

Reason for Decisions

433. To support the delivery of Corporate Plan Aims 1, 2 and 4.

Draft Management Plans for Dorset's AONBs 2014-19

434.1 The Cabinet considered a report by the Cabinet Member for Environment on the draft statutory Management Plans for Dorset's two Areas of Outstanding Natural Beauty for the period 2014-19, both of which were currently the subject to public consultation.

434.2 The Cabinet Member for Environment asked that the draft management plans be endorsed and the responses set out within the appendices to the report be adopted.

434.3 The Director for Environment confirmed that the report had been considered by the Environment Overview Committee on 1 October 2013 and they had supported the management plans and the proposed responses.

Resolved

435.1 That the draft Management Plans for Dorset's AONBs subject to the minor changes and clarifications summarised in the proposed Dorset County Council response to each (Appendices 1 and 2) be endorsed.

435.2 That the authority to adopt the final iteration of these Management Plans be delegated to the Director for Environment after consultation with the Portfolio Holder for the Environment to ensure their timely completion by the end of March 2014.

Reason for Decisions

436. To support Corporate Plan Aim 4 to safeguard and enhance Dorset's environment and support the local economy, and to meet statutory and other policy obligations towards the good management of AONBs.



Povington Pit – Modification of Planning Permission

437.1 The Cabinet considered a joint report by the Cabinet Member for Environment and the Cabinet Member for Corporate Resources on the proposed modification of a planning consent at Povington Pit which was to be considered by the Planning Committee on 11 October 2013, as this would have financial implications for the County Council. The Cabinet were being asked to make representations to the Planning Committee if they thought this was appropriate.

437.2 The Cabinet Member for Environment drew attention to the potential cost of a modification order being made and the low risk that Defra would not bear this.

437.3 The Cabinet Member for Corporate Resources added that the risk related to the cost of an appeal and professional fees involved if this were the case should the level of compensation be challenged. He supported the recommendations.

Resolved

438.1 That the making of an order to modify the planning consent at Povington Pit to the minimum extent necessary to protect the integrity of the Ramsar site be supported.

438.2 That the Planning Committee be asked not to proceed with a modification order if there is any indication from Defra that the County Council will not be reimbursed compensation payable to the mineral owner.

438.3 That costs associated with the making of any modification order and any claim by the mineral owner be met from contingency.

Reason

439. The impact on public finances can be taken into account in a decision by a planning authority whether to make a modification order. Defra have given an assurance that the County Council will be reimbursed compensation payable to the mineral owner but only to the extent that any modification of the planning consent is necessary to protect the integrity of the Ramsar site.

Changes to the relationship between the County Council and the Colliton Club

440.1 The Cabinet considered a report by the Cabinet Member for Corporate Resources which set out further changes to the relationship between the County Council and the Colliton Club which would enable further income and savings totalling £20,000.

440.2 The Cabinet Member for Corporate Resources supported the recommendations which he considered to be a sensible way forward.

Resolved

441.1 That the proposed changes be noted and endorsed.

441.2 That Dorset County Council meet any unmet pension liabilities if the community admission body is wound up.

440.3 That the County Council grants leases of Colliton House and the General Manager's property at 8 Glyde Path Road with the Colliton Club, on terms to be agreed by the Director for Environment.

Reason for Decisions

442. To implement changes as set out within the MFC CR-016 business case and ensure that the necessary change management activity is completed in support of the transfer.

Questions

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

Exempt Business

Exclusion of the Public

Resolved

444. 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

445-446 because it was likely that if members of the public were present, there would be disclosure to them of exempt information as defined in paragraph 3 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.



The Future of DCC Nursery and Out of School Provision (North Dorset)

445.1 The Cabinet considered a joint exempt report by the Cabinet Member for Children, Safeguarding and Families and the Cabinet Member for Education and Communities on the future of DCC Nursery and Out of School Provision in North Dorset. 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).

445.2 The County Council Member for Blandford understood the recommended actions and asked that any changes be handled carefully.

445.3 The Cabinet agreed the recommendations set out in the report.

Resolved

446. That the recommendations contained in the report be agreed.

Reason for Decisions

447. To support the Corporate Aim to safeguard and enhance Dorset's children and young people to reach their potential and protect those who are most vulnerable.

Meeting Duration: 10.00am – 11.05am