

Cabinet

Minutes of a meeting held at County Hall,
Colliton Park, Dorchester on 7 May 2014.

Present:

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

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

Members attending


Paul Kimber, County Council Member for Portland Tophill

Officers Attending: Debbie Ward (Chief Executive), Nicky Cleave (Assistant Director of Public Health), Catherine Driscoll (Director for Adult and Community Services), Mike Harries (Director for Environment and the Economy), Paul Kent (Director for Corporate Resources), Jonathan Mair (Monitoring Officer), Sara Tough (Director for Children's Services), Jonathan Slater (Public Relations Officer) and Lee Gallagher (Democratic Services Manager).

For certain items, as appropriate:

Darran Gunter (Chief Fire Officer), Derek Hardy (Commissioning Manager), Peter Holt (Communications) and Paul Leivers (Head of Community Services).

(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: **13 May 2014**.

(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 **4 June 2014**.)

Apologies for Absence

176.1 No apologies for absence were received.

176.2 The Leader of the Council welcomed Colin Jamieson to his first meeting of the Cabinet as the Cabinet Member for Public Health and Communities.

Code of Conduct

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

Minutes

178. The minutes of the meeting held on 9 April 2014 were confirmed and signed. It was noted that the minutes had been amended following comments received at the County Council meeting held on 24 April 2014.

Matters ArisingMinute 135 - Public Speaking - X8 Bus Service

179.1 Following a public question and receipt of a petition at the last meeting in relation to the X8 bus service, the Director for Environment and the Economy confirmed that the service would continue until the end of term in July 2014. Discussions would be held with the bus operator in relation to the future of the X8 and 47 services. He also informed members that a report on post 16 transport provision would be considered by the Cabinet at the next meeting on 4 June 2014.

Minute 145 - Introduction of Divisional Budgets

179.2 The Head of Legal and Democratic Services reported that following approval of the divisional budgets scheme information would be provided for members on the arrangements and how to use the funds, and there would be wider communication with stakeholder groups and interested parties.

Public ParticipationPublic Speaking

180.1 There were no public questions received at the meeting in accordance with Standing Order 21(1).

180.2 There were no public statements received at the meeting in accordance with Standing Order 21(2).

Petitions

180.3 There were no petitions received in accordance with the County Council's petition scheme at this meeting.

Cabinet Forward Plan

181.1 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 8 April 2014 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 4 June 2014 and was published on 6 May 2014.

181.2 It was noted that reference to Cabinet members in the Plan would be updated to take account of the recent member changes, and that of the two items raised at the last meeting one had been included in the published Plan and the other was in the process of being finalised.

Noted**Panels and Boards**

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

- (a) Dorset Waste Partnership Joint Committee – 25 March 2014
- (b) Dorset Health and Wellbeing Board – 28 March 2014
- (c) Executive Advisory Panel on Children's Universal Services – 1 April 2014

182.2 In relation to the Dorset Waste Partnership Joint Committee meeting held on 25 March 2014, it was noted that an informal workshop had been held before the meeting on increased efficiency and savings. Members acknowledged that the approval of the Medium Term Financial Plan provided the principle and basis for further work on efficiencies and emphasis for savings.

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182.3 In relation to the Health and Wellbeing Board meeting held on 28 March 2014, the Leader of the Council reported that the governance arrangements for the Board would be considered at the next meeting in June 2014.

182.4 In relation to the Executive Advisory Panel on Children's Universal Services meeting held on 1 April 2014, the Cabinet Member for Children's Safeguarding and Families clarified that although recommendations were highlighted in the minutes, there were in fact no decisions for the Cabinet to make as they referred to the ongoing work of the Panel. It was acknowledged that the minutes would be amended to reflect this.

Resolved

183. That the minutes be received.

 Dorset Accessible Homes Service (DAHS)

184.1 The Cabinet considered a report by the Cabinet Member for Adult Social Care on the development of a fully integrated service following a review of aids and adaptations services available to support everyday living and increase the independence of disabled and older people.

184.2 The Cabinet Member for Adult Social Care introduced the report and explained that the delivery of a new merged service was good news as it would provide better outcomes for service users in relation to access to aids and adaptations. However, she asked that the following amendment be added to the impact equality assessment section of the report regarding the impact on staff:

'There may be an impact on current staff. It is proposed that the Greenwood Centre may be managed by the new provider which would have implications for current staff. Options are being discussed (partnership working, secondment, TUPE) and are still to be agreed. The new service would look to develop the role of Trusted Assessors and would reduce the current workload for local office Occupational Therapists.'

184.3 Members welcomed the report. A detailed communications plan was requested in order to provide information on the messages to be given to members, residents and the public, together with the timings and approach to communications. It was confirmed that a strategy would be prepared, and would include specific branding in line with the Council's protocol, so that it could be used to raise awareness and be associated with the seamless service.

Resolved

185.1 That the commissioning of a new Dorset Accessible Homes Service be approved, subject to the change to the impact assessment as detailed above, and development of a communications strategy.

185.2 That the final contract award be delegated to the Director for Adult and Community Services after consultation with the Cabinet Member for Adult Social Care.

Reason for Decisions

186. This service would contribute to the County Council's aim to protect and enrich the health and well being of Dorset's most vulnerable adults.

 Civil Contingencies and Emergency Planning arrangements for Bournemouth, Dorset and Poole

187.1 The Cabinet considered a joint report by the Leader of the Council and the Cabinet Member for Public Health and Communities which detailed a business plan

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presented for consideration by Bournemouth, Dorset and Poole Local Resilience Forum (LRF) members which advocated the formation of a permanent Civil Contingencies Unit (CCU) for the LRF. A supplementary update was tabled at the meeting.

187.2 The Leader of the Council explained the importance of considering the report especially in the light of recent emergencies regarding floods. He explained that the LRF was a key group in respect of multi agency working, and that it was important that the arrangements were improved where possible even though they were already of a good standard.

187.3 Darran Gunter, Chief Fire Officer for Dorset Fire and Rescue Service attended the meeting and addressed the Cabinet to summarise the current arrangements and explain that the LRF executive received no funding and had no accountability at present, but worked to enable category one responders to fulfil their duties. He then reported on the use of Dorset as a case study in respect of the 2012 Olympics in a national report on blue light services. In 2011 Chief Executives across Dorset had also agreed to review emergency planning after the Olympics.

187.4 He further explained that although the LRF worked well, there was always room for improvement and the model used by Staffordshire County Council for the last seven years was seen as a good model. A pilot had therefore been in operation since August 2013, comprising seconded staff from partners to learn about how to apply the model. In March 2014 a full audit of Civil Contingencies Act functions and duties was undertaken and the Steering Group then provided a view as to how the CCU could be provided through an efficient structure at less than half cost of the Staffordshire model.

187.5 An important consideration for the County Council was the application of duties through the current service level agreement with District and Borough Councils in terms of functionality and legal compliance assurance, but it was reported that there were some duties, specifically in relation to business continuity that were not included in the new model. Members felt that work should be done to make sure there was seamless coordination and ensure that there was no duplication of efforts and in terms of retaining the responsibility and budget for the duties not included. It was also suggested that further refinement of the arrangements be undertaken following implementation of the new model in order to seek further efficiencies and value for money where possible.

187.6 It was noted that Health, Police, Fire, Bournemouth Borough Council, Borough of Poole Council and Districts and Borough Councils had signalled support for the Dorset Fire and Rescue Service to be the host, subject to Dorset Fire Authority approval, and for Dorset Police to provide an IT and property lead. However, there would be outstanding staffing issues to be considered.

187.7 The Leader of the Council thanked the Chief Fire Officer for his contribution which enriched the debate and provided a good explanation of how the arrangements would work.

187.8 The Cabinet discussed the service provided in Poole in respect of animal recovery, to which the Chief Fire Officer explained that the Red Cross Fire Emergency Support Service provided advice and contacts for looking after animals, but acknowledged that the LRF was keen to second someone to provide a single point of contact.

187.9 The Cabinet Member for Children's Safeguarding and Families, as the Chairman of the Dorset Fire Authority, acknowledged how the arrangements would need to develop over time, but the overarching importance was the real opportunity to connect with communities and build local resilience.

187.10 It was recognised that the Adult and Community Services Overview Committee had amended the recommendation at 188.4 to make specific reference to the final decision making.

Resolved

188.1 That having regard to the County Council's past contribution to emergency planning and its commitment to multi-agency working through the Local Resilience Forum, the Council be fully engaged in any new approach to civil contingencies and emergency planning in Bournemouth, Dorset and Poole;

188.2 That further work be carried out to clarify annual revenue costs, transitional costs and details in relation to human resources considerations;

188.3 That further work be carried out to ensure that all parties have a clear view of the detail of changes proposed in the transition between services currently provided for district councils by the County Council and the CCU;

188.4 That if necessary and unavoidable, the Chief Executive, after consultation with the Leader of the Council, be granted delegated authority for final decision-making.

Reasons for Decisions

189. The proposal relates to the County Council vision and both aims:

- Vision - Working together for a strong and successful Dorset.
- Aims - Growing our local economy, and Enhancing health, well being and safeguarding.

Local Government Boundary Commission for England – Periodic Electoral Review

190. The Cabinet considered a joint report by the Leader of the Council and the Cabinet Member for Corporate Resources on the Periodic Electoral Review of Dorset County Council by the Local Government Boundary Commission for England (LGBCE). The report followed a presentation to all members at the County Council on 24 April 2014.

Resolved

191.1 That the arrangements for the Boundary Commissions Periodic Electoral Review in 2014/15 be noted.

191.2 That an Executive Advisory Panel be established to oversee and co-ordinate the review with a membership of seven comprising members with a spread across the whole County, to be named after consultation with Group Leaders.

Reason for Decisions

192. To align with Aims 1 and 5 of the Corporate Plan to 'help to build strong and healthy communities for all' and 'provide innovative and value for money services'.

Updated Protocols for Managing Media Relations and the Production of Your Dorset

193.1 The Cabinet considered a report by the Cabinet Member for Education and Communications following a Local Government Association Peer Review of communications in March 2014.

193.2 The Cabinet Member for Education and Communications reported that as part of a review of communications arising from the LGA Peer Review a range of protocols would be considered by the Cabinet, which started with the protocols for Managing Media Relations and the Production of Your Dorset. Peter Holt, Communications Consultant, had been commissioned to contribute to the review.

193.3 It was noted that some minor amendments were required to the media protocol, but asked for delegated authority to be granted to ensure that the work could be

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progressed quickly rather than revisit the protocol at a future meeting. Members agreed with this pragmatic approach.

193.4 The Cabinet recognised that there had been an ambition to raise income through public notices in Your Dorset, but unfortunately this was not possible. It was therefore suggested that investment be agreed to produce Your Dorset three times per year instead of the current annual production. The Cabinet recognised the importance of communicating with the wider Dorset area and involving communities as this was the main way that people found out about the Council.

193.5 It was clarified that £54k had been removed from the budget as savings and that the reinstatement of £50k to provide additional productions could be addressed through a carry over of £25k in the current year but the remainder would still need to be secured. It was also reported that the budget would also have to be identified for future years.

193.6 The Cabinet Member for Education and Communications highlighted the ongoing review and development of a digital communications strategy which would progress alongside the production of hardcopy documents. It was also explained that this would develop rapidly over the coming years with the introduction of Superfast Broadband across rural areas of Dorset.

193.7 The Cabinet was informed that all members had been contacted a number of times about the possibility of using local publications as a further opportunity to communicate with residents, and that a reminder would be sent again after the meeting.

Resolved

194.1 That the Managing Media Protocol be approved, and that delegated authority be granted to the Director for Corporate Resources after consultation with the Cabinet Member for Education and Communications to make minor amendments.

194.2 That the Your Dorset Protocol be approved.

194.3 That reinvestment in the production of three issues of Your Dorset per year in 2014/15 be agreed.

Reason for Decision

195. To ensure that the Council responds to recommendations by the peer review team and improves the way it uses all available channels to communicate with local people and partners.

Recommendations from the Adult and Community Services Overview Committee

196. The Cabinet considered the following recommendations from the meeting of the Adult and Community Services Overview Committee held on 16 April 2014:

Recommendation 47 – Pathways to Independence Programme – Update

197. The Cabinet Member for Adult Social Care welcomed the establishment of a time limited Executive Advisory Panel which would seek to complete its work programme by the end of the financial year.

Resolved

198. That an Executive Advisory Panel be established to determine the direction of travel in relation to the Pathways to Independence Programme.

Reason for Decision

199. Pathways to Independence would ensure the Forward Together Programme was fully implemented to secure both the organisational benefits and financial savings necessary to deliver a balanced budget up to and beyond 2016/17.

Recommendation 52 – Trading Standards Service Delivery Plan 2014/15

200. The Cabinet Member for Public Health and Communities clarified that the Tobacco Control Alliance and the Drug and Alcohol Action Team operated on a Pan-Dorset basis.

Resolved

201.1 That, subject to any amendments by members, the draft Trading Standards Service Delivery Plan (incorporating a revised Enforcement Policy, a specific Food and Feed Service Plan, and the Age Restricted Sales Enforcement Programme), for 2014/15 be approved; and

201.2 That the participation by Trading Standards Service in any limited company or corporate structure required to enable more effective collaborative working on operational trading standards activity (subject to consideration of any business case by the Directors for Adult and Community Services and for Corporate Resources after consultation with their Cabinet Portfolio Holders) be approved in principle.

Reasons for Decisions

202.1 The Plan showed how the Service would address its statutory duties, local demands, central government department priorities and contribution to the County Council's aims and performance measurement. A revised Enforcement Policy was included to meet the needs of a new Regulators' Code and to underline a commitment to supporting businesses through advice and guidance where appropriate.

202.2 To accord with the requirement of the Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement that the Food Service Plans for food enforcement authorities be produced and approved by Councils.

202.3 A planned programme of enforcement activity for dealing with the illegal sale of age-restricted products helps protect young people and their communities from the adverse and possible addictive effects of these products.

202.4 It contributed to the new aim of growing our local economy.

Questions from Members of the Council

203. No questions were asked by members under Standing Order 20.

Exempt Business**Exclusion of the Public****Resolved**

204. 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 205-210 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 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.

End User Computing (EUC) and Enterprise Information and Assurance (EIAA) Framework Award (Paragraph 3)

205.1 The Cabinet considered an exempt report by the Cabinet Member for Corporate Resources regarding the award of a contract in respect of end user computing. 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).

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205.2 The Cabinet Member for Corporate Resources explained the importance of the arrangements for end user computing which was at the heart of the Forward Together Programme, and would provide the framework for the delivery of ICT solutions to progress efficiencies in services, support the wider assets and work-styles programme, and to deliver property rationalisation.

205.3 On considering the tender result it was confirmed that appropriate mitigation of risks had been included within the contract arrangements to ensure that the approval of the preferred bidder would provide a viable and value for money decision.

205.4 The Cabinet recognised that the introduction of new ways of working would include the roll out of SharePoint as a solution regarding information management. It was also noted that Government information security standards would also be met.

205.5 In relation to the cost of delivery, the project was included within the Capital Programme, but the Cabinet Member for Corporate Resources confirmed that an ongoing risk would be the associated revenue costs of the project, but this would be addressed through future budget setting.

205.6 He also took the opportunity to welcome the recent mobile computing event held at the end of April, which was attended by over 200 people including members. The event introduced new technical solutions to support changes to services, and to enable the achievement of tangible benefits. It was anticipated that the ongoing revenue costs of providing ICT should result in a reduction as the needs of users would change due to increased mobile working, and the framework would enable flexibility.

Resolved

206.1 That the EUC Framework Agreement be awarded to Fordway Solution Limited.

206.2 That delegated authority be granted to the Information Strategy Group (ISG) to approve individual expenditure in line with the Framework Agreement.

Reason for Decisions

207. The favoured bid was credible, demonstrating that the supplier had the experience and expertise to deliver the authority's requirements.

Queen Elizabeth's School, Wimborne – Position Statement (Paragraph 3 and 5)

208.1 The Cabinet considered a joint exempt report by the Cabinet Members for Corporate Resources, Education and Communications, and Environment and the Economy in relation the Queen Elizabeth's School, Wimborne. 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 information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

208.2 The Cabinet Member for Corporate Resources introduced the report and drew attention to the work to prepare for claims in relation to the Queen Elizabeth's School and the progress so far. It was reported that more work was required and there was a significant cost involved. He then explained that a report would be considered by the Cabinet on 2 July 2014 to decide on how to move forward.

208.3 Members discussed the impact on Legal Services and the challenges faced regarding the volume of work required, and asked that the next report include detail of the risks and an analysis of the outcome probability of the claims. Officers clarified that further information would be included in the report.

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Resolved

- 209.1 That the steps set out in the Cabinet Members' report be approved.
209.2 That an update on progress be submitted to the Cabinet meeting on 2 July 2014.

Reason for Decision

210. Approval of the recommendation would enable the Cabinet to make an informed decision at a later meeting about how best to proceed.

Meeting Duration: 10.00am – 11.10am