

Cabinet

Minutes of a meeting held at County Hall,
Colliton Park, Dorchester on 14 January 2015.

Present:

Robert Gould (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:


Mike Byatt, County Councillor for Weymouth Town
Paul Kimber, County Councillor for Portland Tophill

Officers Attending: Debbie Ward (Chief Executive), Richard Bates (Chief Financial Officer), Nicky Cleave (Assistant Director of Public Health), Catherine Driscoll (Director for Adult and Community Services), Mike Harries (Director for Environment and the Economy), Jonathan Mair (Monitoring Officer), Phil Minns (Head of Learning and Inclusion), Michael Carhartt-Harris (Public Relations Officer) and Lee Gallagher (Democratic Services Manager).

For certain items, as appropriate

Sam Fox Adams (Head of Policy, Partnerships and Communications) and Patrick Myers (Head of Business Development).

(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: **20 January 2015**.

(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 February 2015**.)

Apologies for Absence

1.1 Apologies for absence were received from Peter Finney and Sara Tough (Director of Children's Services). Phil Minns (Head of Learning and Inclusion) attended the meeting on behalf of Sara Tough.

1.2 Councillors welcomed Patrick Ellis as the new Assistant Chief Executive to his first meeting of the Cabinet.

Code of Conduct

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

Minutes

3. The minutes of the meeting held on 17 December 2014 were confirmed and signed.

Public ParticipationPublic Speaking

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

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

Petitions

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

Draft Cabinet Forward Plan

5.1 The Cabinet considered the Draft 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 on or following the Cabinet meeting on 25 February 2015. The draft plan would be published on 27 January 2015.

5.2 The Chairman of the Council sought clarification regarding items in relation to the Hurn Roundabout for March and July 2015. The Director for Environment and the Economy indicated that he would investigate this issue outside of the meeting.

(Note: Cabinet members were subsequently informed that the item on 18 March 2015 had been removed from the draft Plan.)

5.3 A request was made by the Cabinet Member for Adult Social Care to ensure that items for the Cabinet meeting on 2 February 2015 were also included on the Plan, which was agreed. She also mentioned that an item in relation to Bridport Hub would be added to the Plan on 18 March 2015.

Resolved

6. That the Forward Plan be updated following the comments outlined in the minute above.

Panels and Boards

7.1 The minutes of the following meetings were submitted:

- (a) Executive Advisory Panel on Pathways to Independence – 11 December 2014
- (b) Dorset Waste Partnership Joint Committee – 16 December 2014

7.2 In relation to recommendation 125.4 from the Dorset Waste Partnership (DWP) Joint Committee in relation to the Financial Report December 2014, the Leader of the Council outlined the budget approval process for 2015/16 which required approval by all partner councils.

7.3 In relation to recent developments with regard to the DWP, the Chief Executive clarified the role of the County Council as the host authority in supporting governance and acting as the employer of staff. She also summarised the current work being undertaken to review current support arrangements, provision of information and accountabilities. An additional review would also be undertaken by leaders and chief executives of the partner authorities in relation to the partnership model of delivery. It was noted that the outcomes from the reviews would be available by the end of January 2015, which would form an action plan. Any decisions regarding the operation and management of the DWP would be taken by the Joint Committee.

7.4 It was noted that the responsibility of reporting views of individual authorities in relation to these matters would be the role of the appointed executive councillors on the Joint Committee. The Cabinet also recognised that any actions to change the current arrangements would involve all partner councils through an existing inter-authority agreement.

7.5 Cabinet members recognised that although there had been concerns raised regarding Weymouth and Portland recently, the main delivery model had been successful in other areas of the County and as a new business the DWP had already achieved significant savings and improvements to the services provided. Views were expressed about the need for the relatively new business to mature which would inevitably involve adjustments to operations and service delivery of the partnership

7.6 The Leader of the Council praised the achievement of bringing partner councils together, and he expressed his confidence in the measures in place to deal with recent issues.

Resolved

8. That the minutes be received and that recommendation 125.4 of the Dorset Waste Partnership Joint Committee be approved, and the comments in the minute above be referred back to the Joint Committee.

Recommendation 125.4 - Financial Report December 2014

125.4 That the proposed revenue estimates for 2015/16 be referred to partner councils, for consideration and response by 19 January 2015.

Forward Together Update

9.1 The Cabinet considered a report by the Leader of the Council on the progress being made through the Forward Together Programme across the Council.

9.2 The Leader of the Council reinforced the importance of the Forward Together Programme in addressing the budget and transformation challenges ahead, which included budget workshops for senior officers, and a participative councillor workshop would be held following County Council on 12 February 2015. He explained that the format of the report had been updated and would be considered regularly by the Cabinet to provide visibility of progress. It was also essential to ensure proper communication of the messages from the Programme to the public and staff.

9.3 Cabinet members welcomed the reporting of the Programme to overview committees to ensure that all councillors were engaged with the process. It was also suggested that reports to overview committees should include the full Programme rather than relating to specific directorates. It was agreed that this would take place from the next round of meetings in March 2015, although it was also noted that other means of communication such as newsletters and briefing notes would continue to be used to communicate messages to councillors.

9.4 The County Councillor for Weymouth Town asked about the communication and governance arrangements for considering decisions in relation to the programme. The Chief Executive explained that there were a number of officer groups which sat behind the Forward Together Board, but any decision that would be required would be considered by the Board and then passed through the established decision making process of overview committees and then to Cabinet for final decision. In terms of communications, councillor newsletters would be issued on a monthly basis to address the holistic approach to Forward Together, and a directorate specific newsletter would also be circulated. It was noted that

councillors would not form part of the membership of the informal staff working groups as they did not form part of the formal governance structure.

9.5 The Leader of the Council highlighted that the proper governance arrangements were in place for decision making, and there was now more visibility and openness in the Programme.

9.6 A suggestion was made that a skills audit of councillors would be useful in order to tailor elements of the Programme and participation in order to utilise relevant knowledge and experience of councillors and that this could form part of the councillor review and development arrangements.

Resolved

10. That the progress outlined in the report be noted and the implementation of councillor workshops to maintain good communication with the wider council be supported.

Reason for Decision

11. To 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.

Medium Term Financial Plan (MTFP) update for Local Government Finance Settlement

12.1 The Cabinet considered a report by the Leader of the Council on the Medium Term Financial Plan following consideration by the Cabinet on 17 December and arising from the Local Government Finance Settlement.

12.2 The Leader of the Council reported that the broad forecast of overspend for 2014/15 remained at £4m which would need to be addressed by the end of the year, and the impact of the Chancellor's Autumn Statement did not significantly change the detail of the MTFP since the last meeting. It was noted that some further analysis would be provided for the Cabinet on 2 February 2015 to detail the latest forecast position for the year.

12.3 A question was asked about the impact of low inflation on the treasury management practices of the Council to which the Chief Financial Officer explained that a prudent approach with marginal increases had been taken by the Council for some time in line with treasury management advice and projections on interest rates. It was noted that an increase in interest rates would not now be expected until 2016/17.

12.4 The County Councillor for Weymouth Town acknowledged that it was necessary to understand the impact of the financial settlement but suggested that the information should be integrated with how the Council supported growth through income generation and manages its assets. The Leader indicated that this work was on-going and would be reflected in the future.

12.5 Clarification was sought in relation to the retention of council tax freeze grants. The Chief Financial Officer summarised the arrangements which would see previous freeze grants included in the baseline budget from 2015/16 except for the grant in 2012/13. It was also noted that the information in relation to the government's spending power calculation had included an assumption that the freeze grant would be accepted for 2015/16 although this would not be taken.

Noted

Highways Act Section 8 Agreement(s) for Highway Vegetation Management

13.1 The Cabinet considered a report by the Cabinet Member for Environment and the Economy on the County Council's policy on highway vegetation management following a review which recommended continuing the practice of local delivery of the service by District/Borough Councils in some areas. It was therefore necessary to authorise delegated authority to conclude Agreement(s) with individual District/Borough Councils under Section 8 of the Highways Act as the most cost-effective way of delivering the service.

13.2 The Director for Environment and the Economy explained that the decision would apply a principle which would be used to work more closely, react in a more timely way and engage better with all local councils, including town and parish councils which did not require agreements under the Highways Act, and as such these agreements would follow the same principles in the form of inter-authority agreements.

13.3 Councillors felt that the change would enable councils to deliver a higher quality service in a more cost effective way by working closer with communities, and it would promote more awareness of local sensitivities regarding vegetation management.

13.4 One Councillor indicated that the arrangement, as a principle, was currently undergoing consultation with town and parish councils and it had not been as clear as it could have been in terms of the associated costs that towns and parishes would incur. The Director noted the comment and indicated that this would be addressed.

13.5 A question was asked about the implications on the capital provision, although the change was largely revenue related, regarding the equipment used to deal with highway vegetation such as the effect on grass cutting equipment if grass was left longer between cuts. The Director explained that where appropriate both revenue and capital elements of cost were factored into the County Council's model, which included the replacement of equipment when required. How other councils managed this would be at their discretion. He also clarified that the agreements would set out expectations for delivery, accountability and cost.

13.6 A concern was raised that although the agreements were for other councils, the proposals did not include other community organisations such as Housing Associations which undertook a large amount of ground work in localities. It was agreed that whilst the Section 8 powers could not be used, the same principle should be applied to other organisations in order to maximise the benefits to communities. The Cabinet felt that this was a practical sensible way forward to reduce cost and be more reactive to the needs of communities.

Resolved

14.1 That the development of Agreement(s) (initially envisaged with East Dorset District Council and Christchurch Borough Council) under Section 8 of the Highways Act with other District/Borough Councils for highway vegetation management on terms to be agreed by the Director for Environment and the Economy in consultation with the Portfolio Holder for Environment and the Economy, be approved.

14.2 That the principle of the agreements be applied to other organisations where possible to maximise the benefits to communities.

Reason for Decisions

15. To ensure that the County Council's highway vegetation management service could be delivered in a legally compliant, timely and cost effective way. In doing so, to support corporate plan aims on enabling economic growth, specifically the commitments to manage and maintain highway infrastructure, and to ensure good management of our environmental and heritage assets.

Recommendation from the Regulatory Committee

16.1 The Cabinet considered the following recommendation from the meeting of the Regulatory Committee held on 18 December 2014:

Recommendation 64 – Contra-flow cycle lane scheme - Westham Road, Weymouth

16.2 The Director for Environment and the Economy summarised the consideration of the Regulatory Committee in respect of the recommendation to reject the order in relation to the Contra-flow cycle lane scheme at Westham Road, Weymouth on safety grounds and associated risks. He also explained that the Scheme was identified as the 'last leg' in a plan to deliver a cycling route to Weymouth Town Centre which had so far increased cycling by 51% with a resultant £700k health benefit per annum.

16.3 It was suggested by the Director that if the Cabinet was minded to agree with the recommendation of the Regulatory Committee, that officers could be asked to investigate the necessary mitigations to address the Committee's concerns and resubmit the Scheme back to the Committee.

16.4 The County Councillor for Weymouth Town, as the local member, addressed the Cabinet to highlight the need to achieve an integrated and safe cycle route to serve the Town Centre, which had been the subject of a number of options, alternatives and consultations which had generally been considered positively, including local businesses. He encouraged the Cabinet to agree to the original proposal which could be delivered with appropriate signage. Concern was expressed about the impact if the scheme could not progress to include Westham Road as the existing arrangements and other options were not safe or satisfactory.

16.5 It was felt that it was appropriate to follow the conclusions of the Regulatory Committee, as it had considered the scheme and representations by local people in detail, and that the Cabinet would only overturn a recommendation in exceptional circumstances. However, it was agreed that officers would be welcome to reconsider the scheme and submit a revised application which addressed the earlier concerns for consideration by the Regulatory Committee at a future meeting.

Resolved

17.1 That the Order be rejected on the grounds that the Regulatory Committee were not satisfied that road safety would not be compromised by the scheme being implemented as proposed.

17.2 That officers be asked to investigate the necessary mitigations and resubmit the Scheme back to the Regulatory Committee.

Reason for Decision

18. On the grounds of road safety.

Questions from Members of the Council

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

Meeting Duration: 10.00am – 11.30am