

## Cabinet

Minutes of a meeting held at County Hall,  
Colliton Park, Dorchester on 13 May 2015.

### Present:

Robert Gould (Chairman)

Robin Cook, 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:

Deborah Croney, County Councillor for Hambledon (Minutes 178-180)

Mervyn Jeffery, County Councillor for Shaftesbury (Minutes 178-180)

Daryl Turner, County Councillor for Marshwood Vale

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), Patrick Ellis (Assistant Chief Executive), Mike Harries (Director for Environment and the Economy), Jonathan Mair (Monitoring Officer), Sara Tough (Director for Children's Services), Fiona King (Public Relations Officer) and Lee Gallagher (Democratic Services Manager).

### For certain items, as appropriate

Phil Crowther (Solicitor), Ginny Daniels (Designated Safeguarding Manager), Bill Green (Project Engineer), Stephen Howard (Strategy and Community Liaison Officer), Tracy Long (Libraries Service Manager), Andrew Martin (Head of Highways), Sarah Meggs (Solicitor), Sally Northeast (Communications Manager) and Matthew Piles (Head of the Economy).

### Public Participation – Minutes 178-180

Paul Reynolds, local resident (Questions)

Paul Champagne, local resident (Statement and Petition)


Scott Norman, on behalf of the A350 Community Group (Statement)

Brian Hughes, Chairman of Melbury Abbas and Cann Group Parish Council (Statement)

Anne Kaile, local resident (Petition)

Sue Clifton, local resident (Petition)

(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: **14 April 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 **3 June 2015**.)

### **Apologies for Absence**

163. John Wilson, in his role as Chairman of the Council, apologised that he would withdraw from the meeting due to a memorial to be held at County Hall at 11:00am in relation to the battle of Kohima, in partnership with Dorchester Town Council, the Lord Lieutenant and the British Legion.

**Code of Conduct**

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

**Minutes**

165. The minutes of the meeting held on 8 April 2015 were confirmed and signed.

**Public Participation**Public Speaking

166.1 There was one public question received at the meeting in accordance with Standing Order 21(1). The question is referenced at minute 178.2 and attached to these minutes at Annexure 1.

166.2 There were two public statements received at the meeting in accordance with Standing Order 21(2). The statements are referenced at minute 178.3 and attached to these minutes at Annexure 2.

Petitions

167. There was one petition received in accordance with the County Council's petition scheme at this meeting. The petition is referenced at minute 178.4.

**Draft Cabinet Forward Plan**

168.1 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 3 June 2015. The draft plan was published on 5 May 2015.

168.2 The Leader of the Council identified that an item in relation to consultation on the Draft Local Plans for Waste and Mineral Sites would be considered in July 2015.

168.3 The Cabinet Member for Children and Young People confirmed that a previously suggested report in relation to Special Educational Needs transport would no longer be required as the issue related to the need to change in processes and procedures rather than policy.

**Resolved**

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

**Panels and Boards**

170. The minutes of the Executive Advisory Panel on the Care Act and Future Social Care Policy held on 17 March 2015 were submitted, which included two recommendations.

**Resolved**

171. That the minutes be received and that recommendations 17 and 23 be approved.

**Recommendation 17 - Market Shaping and Sustainable Purchasing of Adult Social Care**

17. That the Cabinet be advised to approve:

- the Directorates approach to market shaping which takes into account the duties described within the Care Act;

- *that the Directorate's approach to the commissioning of domiciliary care services continue to be part of the Better Together Programme to ensure there are consistent approaches to in the development of services which support growth in capacity to meet increasing demand; and,*
- *that the principal driver for the commissioning of domiciliary care design should be 'listening to people who provide and use domiciliary services'.*

Reason for Recommendation

18. *To support the County Council's vision of working together for a strong and successful Dorset and contribute to the area of focus of health, wellbeing and safeguarding.*

Recommendation 23 - Extra Care Housing Schemes – Charging Policy

23. *That the Cabinet be asked to approve that a consultation be carried out on:*

- *A proposal that from January 2016, subject to a financial assessment, new service users be charged the full cost of services at Extra Care housing schemes; and,*
- *The implications of charging existing service users the full cost of the service.*

Reason for Recommendation

24. *The current system was inequitable with service users in a similar financial position receiving different levels of subsidy. As a result the system was not Care Act 2014 compliant.*

### **Forward Together Update**

172.1 The Cabinet considered a report by the Cabinet Member for Corporate Development on the progress being made through the Forward Together programme across the Council.

172.2 The Cabinet Member for Corporate Development introduced the report and provided a summary in relation to progress of the Way We Work Programme which had seen a number of refurbished offices to enable flexible working; a recent successful member workshop; the Dorset Community Learning Network to look at different ways of working; and the revised reporting template to committees.

172.3 In relation to refurbishment at County Hall, members asked for clarification regarding Cabinet member offices, to which the Director for Environment and the Economy clarified that there were plans to transform the building which included member offices and meeting rooms. It was hoped that some of the work would be undertaken in the summer recess, but officers would be in contact with members soon. The focus for the Rotunda was mainly around refurbishing the less than ideal facilities, WCs, kitchens to cope with the larger workforce being brought into County Hall to provide a more modern and efficient environment within the building.

### **Resolved**

173.1 That the progress outlined in the report be noted.

173.2 That the revised reporting template be approved.

### **Reason for Decisions**

174. 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.

### **The Outcomes of the Consultation on Financial Policies to Implement the Care Act in Dorset**

175.1 The Cabinet considered a report by the Cabinet Member for Adult Social Care on the analysis of the outcomes of the consultation on the financial policies to implement the Care Act held between 13 February and 16 March 2015.

175.2 The Cabinet Member for Adult Social Care introduced the report and informed Cabinet that there had been 310 responses to the consultation. The consultation had led to two areas of change in relation to the Refunds Policy and the Carers' Short Break Service Policy. She also reported that the Executive Advisory Panel on the Care and Future Social Care Policy had considered the report at its meeting on 11 May 2015 and there had been general agreement to the proposed policies, and that the minutes of the meeting would be reported to the next Cabinet meeting.

175.3 Reference was made to a request at the last meeting (minute 133.2) by the Cabinet Member for Children and Young People to be included in the creation of the report due to the impact on young carers. The Cabinet Member for Adult Social Care confirmed that the charging policies applied no charges for people under 25 years old.

#### Resolved

176.1 That the public consultation at Appendix 1 of the Cabinet Member's report be received.

176.2 That the amendments made to the policies to reflect the outcome of the public consultation be approved.

#### Reason for Decisions

177. To help secure a sustainable approach to the County Council's corporate area of focus on 'health, wellbeing and safeguarding'.

### **C13 road closure Risk Comparison Analysis**

178.1 The Cabinet considered a report by the Cabinet Member for Environment regarding work recently undertaken to better understand and manage the risks associated with the decision to close the C13 at Melbury Abbas. A site visit for Cabinet members was also held on 12 May 2015.

178.2 Mr Paul Reynolds, Resident of Shaftesbury, asked a number of questions of the Cabinet Member for Environment in relation to the road closure at Melbury Abbas and received a written response. The questions and answers are attached to these minutes at Annexure 1.

178.3 Public statements were received from Mr Paul Champagne as a local resident of Melbury Abbas, Mr John Woolley on behalf of Maurice Flower & Son Ltd, Mr Scott Norman on behalf of the A350 Community Group, and Mr Brian Hughes as the Chairman of Melbury Abbas and Cann Group Parish Council. The statements are attached to these minutes at Annexure 2.

178.4 Ms Anne Kaile, resident of Shaftesbury, spoke to a petition received in relation to the road closure. She was supported by two other local residents. The petition comprised of 694 signatures and raised concerns in relation to consultations regarding the closure, tendering works, the main contractors, the number of solutions proposed and bio-engineering. The points raised in the petition were addressed within the Cabinet Members' report. However, a number of further concerns were raised at the meeting by the petitioners in relation to the ecology and environmental impact of potential remedial works at Melbury

Abbas, the Council's Rural Roads Policy, community impact, and their desire to reopen the C13 to light traffic only.

178.5 On a point of procedure, the Head of Legal and Democratic Services confirmed that although one of the public speakers made reference to members having land ownership interests in the A350 and C13 he was not aware that any Cabinet member had a Disclosable Pecuniary Interest to declare on this matter. All Cabinet members confirmed this and remained in the meeting and took part in the discussion and decision making.

178.6 The County Councillor for Shaftesbury, as a local member, referred to the site visit held on 12 May 2015 and suggested that the large mesh netting used in other places such as Cheddar Gorge should not interfere unduly with the ecology of the area.

178.7 The County Councillor for Hambledon, as a local member, addressed the meeting to explain the impact on local communities, increased traffic on the A350, road safety, road erosion, property damage and the impact on local businesses. She acknowledged the options available to the Cabinet to potentially reopen the C13 and felt that re-opening would be the most pragmatic solution and strongly opposed the option of opening the road to Heavy Goods Vehicles only.

178.8 The Cabinet Member for Environment introduced the report and explained that the matter for decision related to the situation at Dinah's Hollow prior to any rectification of the site and longer term improvements, which would be considered in the next few months. With a detailed explanation by the Director for Environment and the Economy, he also clarified that all information was based on a robust and sensible methodology for risk analysis and had taken account of advice from a range of professional specialisms (risk management, engineers, insurers and underwriters) in order to reach the proposals set out in the Cabinet Member's report.

178.9 On being questioned, the Head of Highways explained that the initial assessment considered light vehicles to be at highest risk as they could be engulfed by a slippage, but the level of risk had subsequently been reduced as a result of the more detailed analysis if mitigation measures were put in place. It was noted that the balance of risk therefore provided the option to reopen to all traffic and that a permanent solution would be a decision for a later stage.

178.10 The Cabinet expressed views in relation to the scenarios presented within the report noting that there had been a duty to act on the potential risks at the earlier stage of the process and reasons for the closure. The impact on the surrounding communities, road network and businesses was recognised and it was felt that the most appropriate option, based on the balance of risk, was to reopen the road to all traffic with the addition of mitigation works.

178.11 In relation to traffic volumes and types of vehicle, it was confirmed that there would be a signing strategy for the temporary re-opening, but there would also be further detailed consideration required as part of the economic assessment of the north-south transport corridors in Dorset.

178.12 The Leader of the Council clarified that the re-opening would be subject to the usual call-in process following the decision, and the Cabinet Member for Environment confirmed that the road would be opened in 2-3 weeks due to the need to order equipment.

**Resolved**

179. That the C13 be re-opened to all traffic, with mitigation works, prior to any stabilisation work taking place based on paragraph 3.4 of the Cabinet Member's report, and the Risk Comparison Analysis at Appendix 4 of the report. (Scenario 1)

**Reason for Decision**

180. To reduce the overall risk to the Council whilst a preferred option for the stabilisation works was agreed.

** Section 106 Obligations – delegation to officers**

181.1 The Cabinet considered a report by the Cabinet Member for Economy and Growth on the future arrangements for dealing with Section 106 obligations by officers, after consultation with the Cabinet Member for Economy and Growth, which would otherwise be key decisions.

181.2 The Cabinet Member for Economy and Growth explained that delegated authority to the Head of Economy after consultation with himself would provide a pragmatic approach to the consideration of Section 106 agreements. It was confirmed that relevant Cabinet Members would also be involved in the process together with local members as necessary.

181.3 It was also noted that a schedule of Section 106 agreements would be included in the Quarterly Asset Management report, at a frequency to be agreed, in order to monitor any outstanding schemes.

181.4 The Head of Legal and Democratic Services confirmed that the delegation of authority to officers instead of executive members was an outdated process which would be addressed in due course with the possibility of the introduction of delegated decision making by individual Cabinet members.

**Resolved**

182. That delegated authority be granted to the Head of Economy (as Head of Planning) to enter section 106 obligations which would otherwise be key decisions following consultation with the Cabinet Member for Economy and Growth.

**Reason for Decision**

183. To streamline the process for completing section 106 agreements and avoid Cabinet having to determine what is little more than an administrative issue.

**Update to Cabinet regarding Child Sexual Exploitation April 2015**

184.1 The Cabinet considered a report by the Cabinet Member for Children and Young People on the work in Dorset in respect of Child Sexual Exploitation (CSE).

184.2 The Cabinet Member for Children and Young People provided an extensive summary of the importance that members had a good understanding about the work, national context and details of further development work to ensure a robust approach from members, officers and partners regarding CSE. The summary is attached for information to these minutes as Annexure 3.

184.3 The Cabinet supported the need to enhance the understanding of CSE across the authority and with partners and asked for regular updates to be provided for Cabinet members. The Cabinet Member for Children and Young People highlighted that a key area was also the need to raise awareness with children and young people themselves.

184.4 Members acknowledged that a cross-authority event for elected members would be held on 24 June 2015 and include a performance of Alterego's 'Chelsea's Choice', to increase awareness and information sharing. It was suggested that town and parish councils should be included in the engagement and the event. The County Councillor for Hambledon explained the action taken by North Dorset District Council and highlighted the need to ensure the right network existed between authorities. She also commended extending the cross-authority event to Town and Parish Councils. It was agreed that this would be done.

184.5 It was recognised that the Dorset Safeguarding Children Board and the Dorset Community Safety Partnership would be key to information and network improvements. It was also noted that there was a dedicated police team in Dorset and that there may be further developments due to the escalation of CSE by Government to the serious crime team. It was also suggested that members should undertake safeguarding training to further enhance their understanding of CSE, as currently provided to governors of schools.

#### **Resolved**

185.1 That the report and the need to demonstrate the robustness of the arrangements in place in Dorset to safeguard children at risk of sexual exploitation be supported.

186.2 That regular updates be provided for Cabinet members.

#### **Reason for Decisions**

186. Cabinet Members need to satisfy themselves that they are informed as to issues regarding Child Sexual Exploitation across Dorset.

#### **Refreshed Corporate Branding Guidance**

187.1 The Cabinet considered a report by the Cabinet Member for Corporate Development in relation to a review of the Council's corporate brand.

187.2 The Cabinet Member for Corporate Development thanked officers and the Cabinet Member for Children and Young People, in her former role as Cabinet Member for Education and Communications, for their efforts in developing the new branding guidance. It was explained that the new guidance would enhance the Council's professional presence to the public which was timely due to the extent of transformation in the way services were being delivered through a one council approach, but would be introduced in a phased way to minimise costs.

187.3 The Cabinet Member for Children and Young People acknowledged the extensive work undertaken to develop the new brand and thanked Hackney Council's Communications Team for working in partnership with the Council to produce the guidelines.

187.4 It was confirmed that member comments had been included in the formation of the guidelines. It was also noted that comments from the Leader of the Liberal Democrat Group, which were tabled at the meeting, would also be taken into account.

#### **Resolved**

188.1 That the refreshed Corporate Brand Guidelines for the County Council be approved.

188.2 That delegated authority be granted to the Chief Executive to make any necessary future changes, after consultation with the Cabinet Member for Corporate Development.

#### **Reason for Decisions**

189. To ensure that the Council's brand was represented clearly and consistently so that residents understood which services the Council provided.

**Recommendation from the Audit and Scrutiny Committee**

190. The Cabinet considered the following recommendations from the meeting of the Audit and Scrutiny Committee held on 19 March 2015:

**Recommendation 60 - Review of Community Transport**

191.1 The positive scrutiny exercise undertaken by the Committee was welcomed by the Cabinet Member for Communities, Health and Wellbeing as the originator of the request to investigate community transport. She confirmed that community transport matters were now included in the remit of the Holistic Transport Board and as a result there was increase interest by members in being involved in the Board.

191.2 The Cabinet discussed the recommendation to increase the size of the Board and considered the best way of including all members in the review. It was clarified that there was wider engagement work, workshops and specific groups that could facilitate member engagement in community transport matters. This issue would be discussed at the Forward Together Workshop on Holistic Transport which would be held soon as the scheduled date of 29 May 2015 needed to be rearranged due to member and officer availability. Members would be informed of the new date in due course.

191.3 The Cabinet Member for Economy and Growth suggested that one of the main thrusts of the Workshop should be on the economy, particularly access to jobs, skills and learning.

**Resolved**

192.1 That the amended key recommendations of the review be agreed and be adopted and implemented by the Holistic Transport Review.

192.2 That whilst the principle of minute 58.6 of the Audit and Scrutiny Committee be supported, wider member engagement with the Board was needed. The forthcoming Forward Together Workshop would identify the key issues and the way in which all members could help to address them.

**Reason for Decisions**

193. To support the Holistic Transport Review and Cabinet in the successful implementation of community transport schemes, which was an important element of the Council's work.

**Recommendation 69 - Phoenix House, Lessons Learned**

194. The Leader of the Council drew attention to the premise of the recommendation regarding external challenge to business cases. It was confirmed that following the business case for Phoenix House extensive work had been undertaken to strengthen the business case model, which included over 70 staff being trained by CIPFA on producing better business cases. The involvement of the South West Audit Partnership had also been used for the Tricuro business case recently. It was felt that the improved practice provided confidence in developing strong business cases for future capital investment and further external challenge was unnecessary.

**Resolved**

195.1 That the recommendation to consider whether future capital projects above a certain threshold be considered for external challenge to ensure robustness be noted.

195.2 That the work to underpin a stronger business case model for the Council be supported.



Reason for Decisions

196. To consider the application of lessons learned from Phoenix House to decision making for other capital schemes.

Recommendation 72 - Quarterly Asset Management ReportResolved

197. That the recommendation from the Committee regarding the possible external validation of the Business Case for the Bridport Hub be noted in accordance with minute 194 above.

**Questions from Members of the Council**

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

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

199. 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 200-209 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 2 and 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.

 **Contract for a replacement Library Management System (LMS) software application for use by Dorset Library Service (Paragraph 3)**

200.1 The Cabinet considered a joint exempt report by the Cabinet Member for Economy and Growth and the Cabinet Member for Corporate Development regarding a replacement Library Management System (LMS) software application for use by the Dorset Library Service. 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). Appendix 2 to the Cabinet Member's report, marked to follow on the agenda, was circulated prior to the meeting.

200.2 The Cabinet Member for Economy and Growth summarised the procurement which started 18 months ago, and the approach agreed by the Cabinet in 2014 to join a consortium arrangement to provide the system. He highlighted that the project was to be delivered with a saving on the capital and revenue budgets. The contractual position for Bournemouth Borough Council was also explained who would not be joining the consortium at this stage.

Resolved

201.1 That the contract for the supply of a Library Management System (LMS) be awarded to the preferred supplier that represents best value to the County Council over the life of the contract arrangement as identified in Appendix 2 to the Cabinet Members' report.

201.2 That subject to further due diligence, the decision whether Dorset Libraries undertake a joint implementation of a shared LMS by becoming a Libraries West consortium partner member or to proceed with a separate contract award, be delegated to the Director for Adult and Community Services, the Chief Financial Officer and the Monitoring Officer, after consultation with appropriate Cabinet Members.

201.3 That a cost effective LMS solution for the School Library Service be provided following more detailed discussions with the preferred supplier to understand their solution for a School Library Service and the costs involved. If the preferred supplier is unable to provide a cost effective LMS for the School Library Service, approval is given

to procure a standalone LMS suitable for use in a School Library Service. The value of any such contract is estimated to be low and not require any formal tendering process. This would be funded from the project budget to replace the existing LMS.

#### Reasons for Decisions

202.1 To help secure a sustainable approach to the County Council's corporate area of focus on "health, wellbeing and safeguarding".

202.2 To ensure that the County Council was operating legally.

202.3 To ensure compliance with the County Council's Constitution and Contract Procedure Rules.

202.4 To provide innovative and value for money services by delivering a cost efficient and effective service for the management and delivery of the LMS.

#### **Funding requirement for Local Bus Service 40 (Bridport – Yeovil College) (Paragraph 3)**

203.1 The Cabinet considered a joint exempt report by the Cabinet Member for Economy and Growth and Cabinet Member for Communities, Health and Wellbeing in relation to funding for Local Bus Service 40. 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).

203.2 The Cabinet Member for Economy and Growth summarised the proposed approach to continue subsidy for the bus route for a further period, subject to match funding by Somerset County Council and Yeovil College. It was hoped that the investment would lead to the route becoming commercial due to its increased use by local people and students, and the marketing efforts of the bus company.

203.3 The Cabinet Member for Communities and Public Health, as a local member, confirmed that there had been increased use and future commercialisation was promising as the service was also being used during off peak times and in school holidays. She hoped that by 2016 the service would pay for itself.

203.4 It was noted that this was a good example of partnership working to generate community transport initiatives, and to pump prime investment to start up commercial transport services.

#### Resolved

205. That the continued operation of the term-time peak journeys for the 2015/16 academic year and up to July 2018 be supported, subject to continuing partnership working with Somerset County Council and Yeovil College, by providing up to an additional £13,750 each year which, in conjunction with the subsidies agreed by Somerset County Council and Yeovil College will amount to the £40,000 total subsidy requirement identified by the bus provider.

#### Reason for Decision

206. To work together with other funding partners to maintain the link between Bridport and Yeovil and Yeovil College for the benefit of students and workers.

#### **Highways Act 1980: Section 205 – The Private Street Works Code: Springfield Road (Part), Verwood (Paragraphs 2 and 3)**

207.1 The Cabinet considered an exempt report by the Cabinet Member for Environment in relation to the Scheme Plan, Specification, Estimate and Provisional Apportionment of road charges for the improvement of Springfield Road (Part), Verwood to an adoptable standard under the Private Street Works Code. The report contained exempt information in accordance with paragraph 2, relating to information which is likely to reveal the

identity of an individual; and paragraph 3, relating to the financial or business affairs of any particular person (including the authority holding that information).

207.2 The Cabinet Member for Environment explained that the previously approved scheme details had been approved by the Cabinet on 4 June 2014 but the details had changed following extended consultation with frontagers which required formal approval of the revised scheme.

207.3 The Cabinet received support from the Cabinet Member for Children and Young People, as a local member, and written support was also received from the other County Councillor for Verwood and Three Legged Cross.

**Resolved**

208. That pursuant to Section 205(3) of the Highways Act 1980, the Scheme Plan, Specification, Estimate and Provisional Apportionment of the estimated road charges for the private street works in Springfield Road (Part), Verwood be approved, including re-affirmation of the previous resolution to pay the road charges on behalf of all the other residents (previously estimated at £294,500.00 - now £249,599.03) as the developer of the proposed new upper school at Margards Lane.

**Reason for Decision**

209. The improvement of Springfield Road (Part), Verwood to an adoptable standard was essential to complete the Springfield Distributor Road. Completion of the Springfield Distributor Road was a condition of bringing the proposed new upper school at Margards Lane into use.

Meeting Duration: 10:00am – 12:10pm

**ANNEXURE 1****Public questions in relation to items to be considered at the meeting**

Questions from Mr Paul Reynolds, resident of Shaftesbury to the Cabinet Member for Environment in relation to the road closure at Melbury Abbas

Questions

Will the Cabinet please detail:-

1. The expenditure of £2.1 M in 'add-on costs' to the works at Melbury Abbas?
2. Why these costs were merited?
3. Why such over engineering was initially merited?
4. Why and how these costs were expedited?
5. How that expenditure of £2.1 M was within the directive detailed in the minutes of the Cabinet Meeting cited below? see attachment overleaf
6. Where the council will find the funds for these works?

Answers

1. £2.1 m has not been spent it is an estimate. See budget estimate on the following page.
2. The add-on costs are an unavoidable part of any project list. See on costs attached.
3. Not over engineered initially. The solution is the same but instructions were given to PB to reduce extents and accept more risk. Not now expecting design to completely stop all landslips but by lowering the top line of soil nailing and mesh and reducing the extent towards the north (shallower) end of the hollow we expect to save more trees. We accept that material may still slip. But compared to doing nothing it reduces the potential volume of slipped material such that the consequences are much less severe and not a threat to life.
1. Need to survey topography, ground condition, natural environment (trees, flora, fauna). Need to have geotechnical design. All are precursors to gaining consents (principally the TPO and agreement of landowners. So far have used design and delivery partners – PB, ESG, and in house resources (engineers, environmentalists, arboricultural, valuers) and have commissioned specialist landscape architects.
2. Expenditure approved by Cabinet budget allocation of £4m.
3. Already found from corporate capital funds.

**Dinah's Hollow Budget Estimate****29/10/2014**

<b>Construction estimate (PB email 28/10) including 35% optimism bias</b>	£2,600,000
<b>Land and legal (Beaminster £88k)</b>	
To date	£4,000
Additional estimate to complete	£85,000
<b>Consultant Fees (Beaminster £118k)</b>	
To date including commitment	£55,000
Additional Detailed design (allow 5% of construction)	£130,000
Soil testing	£40,000
<b>DCC Costs (Beaminster fees £122k Diversion restoration £20k)</b>	
Design Fees to date	£29,000
Additional Estimated fees to complete	£80,000
Operations costs to date	£73,000
Additional Estimate to maintain diversion to end	£100,000
Estimated cost restoration to diversion at end	£200,000
Miscellaneous cost to date	£30,000
Additional Estimated Miscellaneous to end	£45,000
Total	<b>£3,471,000</b>

**Melbury Church Budget Estimate****Construction Cost Church Slope( include 35% optimism bias)****£47,000****Land and legal (Beaminster £88k)**

To date	£0
Additional estimate to complete	£5,000
<b>Consultant Fees (Beaminster £118k)</b>	
To date including commitment	£6,000
Additional Detailed design (allow 10% of construction)	£5,000
Soil testing	
<b>DCC Costs (Beaminster fees £122k Diversion restoration £20k)</b>	
Design Fees to date	£4,000
Additional Estimated fees to complete	£4,000
Operations costs to date	£7,000
Additional Estimate to maintain diversion to end	
Estimated cost restoration to diversion at end	
Miscellaneous cost to date	
Additional Estimated Miscellaneous to end	£5,000

Total **£83,000****Grand Total (Church and Hollow together) £3,554,000****Costs and Allocations**

	Actuals (2015)	Spend Date (2016)	To Commitments	Total Original Budget	Supplement/ Returns	Total Spend To Date	Overall Budget Remaining
	£	£	£	£	£	£	£
Room Bookings	0.00					0.00	0.00
Legal Costs/Statutory Notices etc	0.00					0.00	0.00
Building/Construction Works	0.00					0.00	0.00
Infrastructure Works	0.00					0.00	0.00
Fees	0.00					0.00	0.00
Furniture and Equipment	0.00					0.00	0.00
Consultants Fees	0.00	21,041.86				21,041.86	-21,041.86
Testing & Inspection	0.00					0.00	0.00
Materials	0.00					0.00	0.00
Labour Hire	0.00					0.00	0.00
Plant & Equipment Hire	0.00					0.00	0.00
DHO Construction Time	0.00					0.00	0.00
DHO Design Time	0.00					0.00	0.00
<b>Result</b>	<b>0.00</b>	<b>21,041.86</b>				<b>21,041.86</b>	<b>-21,041.86</b>
1000/Not assigned				-3,900,000.00	3,900,000.00		
Room Bookings	0.00					0.00	0.00
Legal Costs/Statutory Notices etc	4,576.00					4,576.00	-4,576.00
Building/Construction Works	1,435.20					1,435.20	-1,435.20
Infrastructure Works	6,929.72	3.45				6,933.17	-6,933.17
Fees	55,053.10	6,729.00				61,782.10	-61,782.10
Furniture and Equipment	5,741.48	50.40	490.00			5,791.88	-6,281.88
Consultants Fees	96,794.78	-39,514.37	44,314.37			57,280.41	-101,594.78
Testing & Inspection	39,807.58	-2,704.35	2,704.35			37,103.23	-39,807.58
Materials	2,903.58	-534.71	484.60			2,368.87	-2,853.47
Labour Hire	74,651.33	6,162.03	602.68			80,813.36	-81,416.04
Plant & Equipment Hire	20,212.83	468.44	340.00			20,681.27	-21,021.27
DHO Construction Time	34,485.00					34,485.00	-34,485.00
DHO Design Time	570.00					570.00	-570.00
<b>Result</b>	<b>343,160.60</b>	<b>-29,340.11</b>	<b>48,936.00</b>	<b>-3,900,000.00</b>	<b>3,900,000.00</b>	<b>313,820.49</b>	<b>-362,756.49</b>
<b>Result</b>	<b>343,160.60</b>	<b>-8,298.25</b>	<b>48,936.00</b>	<b>-3,900,000.00</b>	<b>3,900,000.00</b>	<b>334,862.35</b>	<b>-383,798.35</b>

## ANNEXURE 2

### Public Statements

#### **Item 9 - C13 road closure Risk Comparison Analysis**

Paul Champagne - Resident of Melbury Abbas

For years Dorset County Council has been accused of incompetence or partisanship regarding North/South route policy. This stems from a reluctance to publish impartial, professional risk/benefit analyses concerning its decisions. It has divided communities. At last, a risk analysis is disclosed as justification for prematurely reopening Dinah's Hollow to lorries only. Unfortunately, it also reveals that the methodology used is neither objective nor quantitative, gives the same weight to DCC's reputation as to any possible loss of life, and disregards all environmental risks. Further, the analysis ignores the role of lorries in destabilising the Hollow. Nobody can trust its conclusions.

#### **Item 9 - C13 road closure Risk Comparison Analysis**

John Woolley - on behalf of Maurice Flower & Son Ltd

Dear Mr Harries

As you know, I act on behalf of Maurice Flower & Son Ltd, the owners and occupiers of Higher Barn Farm, Cann Common. We are in constant discussion with your representatives with regard to the C13 and Dinah's Hollow in particular. I know you have a Cabinet meeting shortly and we note the agenda and report you have prepared for their consideration.

There is a lot of detail in there which we would comment upon, but I do not think that is perhaps relevant or helpful to your Cabinet. What is disappointing to read however, is the implication that landowners are obstructing progress. At all times landowners are, in my view, being entirely cooperative. Similarly, the community of Melbury Abbas are positive and wish to resolve this matter to the best possible effect. Therefore, to read phrases like 'in the face of opposition from the landowners', does not assist this cooperative spirit. It implies that we are obstructing the Council in their intentions. We are not.

It would therefore be most helpful if the Cabinet could be advised of the cooperation that the public and all interested parties are giving to this serious subject, in order to get an acceptable solution. There have been times when there has been an indication that it is the Council who are obstructing the community in their wishes, rather than the other way round.

I am now waiting to hear from Ben Lancaster (council valuer) and Simon Arscott (engineer) with further details. Hopefully these will have overcome any current matters of concern. I trust you are aware of this progress.

#### **Item 9 - C13 road closure Risk Comparison Analysis**

Scott Norman – on behalf of the A350 Community Group

The A350 Community Group on behalf of the parishes and communities along the Shaftesbury-Blandford corridor wrote to DCC, on the 6 March, asking for the C13 to be re-opened.

We urge the Cabinet to make that decision today and re-open Dinah's Hollow to **ALL** traffic with the short term traffic control measures to mitigate its passage through Melbury Abbas.

The Group also asks you to acknowledge that your decision today only addresses the here and now; it is not the solution for the future economic and environmental well-being of North Dorset's communities.

*This statement is on behalf of*

Scott Norman, Chairman, Stourpaine PC (*Who will speak to this at the Cabinet*)

Sylvia Holdeman, Chairman, Child Okeford PC

Nick Reid, Chairman, Compton Abbas PC

Mark Taylor, Chair, Durweston PC

Howard Horsted, Chairman, Fontmell Magma PC

James Gibson- Flemming, Chairman, Iwerne Courtney PC

John Hooper, Chairman, Iwerne Minster PC

Mike Burt, Chairman, Okeford Fitzpaine PC

Malcolm Webberley, Chairman, Shillingstone PC

Iain McNeil, Chairman, Sutton Waldron PC

### **Item 9 - C13 road closure Risk Comparison Analysis**

Brian Hughes - Chairman of Melbury Abbas and Cann Group Parish Council

Andrew Martin promised that decisions relating to works in Melbury Abbas would be based on fact. The report is subjective and lacks verifiable evidence. The North and North East Dorset Transport Study 2010 and the Traffic Flow data have been ignored. The pinch point flow figures given also included average road widths. Both counts show the C13 to be most unsuitable road in the corridor. Having highlighted the congestion in Melbury Abbas and the cause the members are offered no solution. The problems and damage are caused by HGVs and the scenario solving that issue, banning them, is not offered!



### ANNEXURE 3

#### CSE Report to Cabinet – Summary

##### Toni Coombs, Cabinet Member for Children and Young People

CSE has a devastating impact on children, young people and their families. It should be a concern for everyone. CSE is largely a hidden crime, and raising awareness of this type of abuse is essential to preventing it and stopping it early when it does happen. We have to assume it happens everywhere, even in beautiful places like Dorset.

**Definition:** Sexual exploitation of children and young people under 18 involves exploitation of situations and relationships where young people (or a third person or persons) receive 'something' (eg food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, or having performed on them, sexual activities.

Child sexual exploitation can happen via technology without the child's immediate recognition, for example being persuaded to post sexual images on the internet or mobile phones without immediate payment or gain. In all cases, it is by people with power over children and young people by age, gender, intellect, physical strength and/or economic or other resources.

Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised mainly, but not restricted to, the child or young person's limited availability of choice resulting from their social, economic and/or emotional vulnerability.

DCC plays a crucial, statutory role in safeguarding children, including tackling child sexual exploitation. However, we cannot do this alone and need the cooperation of the wider community and our partner agencies. Councils must use our links with police, schools, health professionals, and community and faith groups to highlight the signs and ensure people know where to turn if they have concerns. We know child sexual exploitation is a difficult and unpleasant subject to discuss, but having these conversations is crucial to stamping it out.

The statutory responsibilities of local agencies, including councils, include:

- identification and monitoring cases of CSE
- CSE is assumed to be present, and is prioritised if believed to be a significant issue
- preventative activity should be put in place, helping those being exploited and targeting perpetrators
- LSCB's should have a specific local CSE strategy
- LSCB sub-groups should be established to lead on CSE, with close links to other groups (eg trafficking, missing children)
- LSCB's should ensure there is a lead person in each organisation to implement guidance
- children and young people should be involved in the drafting of CSE strategies
- assess and identify patterns of exploitation reflecting the local picture
- training which includes warning signs of CSE, how to report concerns, how to safeguard and how to prevent and advice on evidence gathering
- awareness-raising activities should be aimed at young people and the general public, including where to obtain help and how to report
- arrangements should be in place for either a dedicated coordinator or co-located team
- arrangements should be in place for cross border working across neighbouring local authority areas
- there should be periodic audits of multi- agency safeguarding arrangements.

This report has been helpful and gives a clear idea of the current understanding of CSE in Dorset, and the work and collaboration between partners including the LA and Police over a number of years as well as more recent activity.

Draw your attention to section 12 onwards, which highlights trends, awareness raising, the complexities of the work and accountability.

Appendix 2 is the benchmarking of where Dorset is in relation to the Ofsted Thematic Audit. We have done a lot of work but there is still more to be done. We also have the work plan for 2014/15 of the DSCB as appendix 3.

The experiences of Rotherham go to demonstrate the key role that the leader, lead member, overview and audit & scrutiny committees and all councillors have in questioning and challenging responses to CSE in Dorset.

Therefore there will be a workshop event on 24<sup>th</sup> June to reflect on these roles in light of the Casey report into the events in Rotherham; and will include the Alter Ego production of 'Chelsea's Choice'. We will also be looking in greater detail on how members can challenge and hold the authority and partners to account on their effectiveness. This workshop will be extended to members of our six district and borough councils.

We cannot be complacent and must continue to be vigilant and challenge behaviour and concerns and develop a relentless desire to improve knowledge and skills in this complex area. But in doing so we must not lose sight of the other causes of abuse to children and young people including neglect and emotional abuse.