



County Council

Minutes of the meeting held at County Hall, Colliton Park, Dorchester,
DT1 1XJ on Thursday, 26 January 2017.

Present:

Hilary Cox (Chairman)

Pauline Batstone, Richard Biggs, Steve Butler, Andy Canning, Ronald Coatsworth, Robin Cook, Toni Coombs, Barrie Cooper, Deborah Croney, Lesley Dedman, Janet Dover, Fred Drane, Beryl Ezzard, Peter Finney, Spencer Flower, Ian Gardner, Robert Gould, Matt Hall, Peter Hall, David Harris, Jill Haynes, Colin Jamieson, Susan Jefferies, David Jones, Trevor Jones, Paul Kimber, Rebecca Knox, Mike Lovell, Steven Lugg, David Mannings, Andrew Parry, Margaret Phipps, Peter Richardson, Clare Sutton, Mark Tewkesbury, William Trite, Daryl Turner, David Walsh, Peter Wharf and Kate Wheller.

Officers Attending: Debbie Ward (Chief Executive), Richard Bates (Chief Financial Officer), Helen Coombes (Interim Director for Adult and Community Services), Mike Harries (Director for Environment and the Economy), Sara Tough (Director for Children's Services), Jonathan Mair (Monitoring Officer), Lee Gallagher (Democratic Services Manager) and Helen Whitby (Senior Democratic Services Officer).

(Note: 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 County Council to be held on **Thursday, 16 February 2017.**)

Apologies for Absence

100 Apologies for absence were received from Cllrs Mike Byatt, Andrew Cattaway, Mervyn Jeffery and Ros Kayes.

Code of Conduct

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

The Monitoring Officer confirmed that advice by Monitoring Officers for all Councils was that all dual members on the County Council and District/Borough Councils were fully entitled to take part at both meetings to debate, speak and vote in relation to the options for the future of Local Government in Poole, Bournemouth and Dorset.

Exploring Options for the future of Local Government in Poole, Bournemouth and Dorset

102 The Council considered a report by the Chief Executive on the future of Local Government in Poole, Bournemouth and Dorset, following reports to the Council on 10 March, 21 July and 10 November 2016. The Chief Executive provided an extensive summary of the transparent and open approach that the County Council has taken in reporting to Council meetings and providing presentations to members, together with the work of the Shaping Dorset's Future Board. The Case for Change, Financial Analysis and Public Consultation were explained as the three reports commissioned as part of the process of evaluating the opportunities for reorganisation across all nine authorities and in terms of the public engagement, and other factors such as devolution of powers to town and parish councils, the potential for service transformation, impact on economic growth and a test of financial assumptions. The previously agreed timetable was highlighted in respect of making a case to the Secretary of State and the ability to obtain consensus by councils to move forward with a recommended option which would see the formation of two unitary authorities

comprising i) Bournemouth, Christchurch and Poole, plus the services currently provided by Dorset County Council in the area, and ii) East Dorset, North Dorset, Purbeck, West Dorset, Weymouth and Portland, plus the services provided currently by Dorset County Council in this area. It was noted that all authorities would consider the same report (albeit with local covering reports) throughout January 2017.

In relation to the scrutiny of the report, the People and Communities Overview and Scrutiny Committee considered the same report on 11 January 2017 and made two recommendations for the Council to consider. One of the recommendations specifically related to the potential receipt of a request from Christchurch Borough Council to become part of a Dorset County Unitary Authority, and for the County Council to support their request. This contradicted the recommendations in the report and it was confirmed that this would create an unclear decision and potentially put the County Council in a position of needing a decision from another authority, have to consider a further report, and adversely impact on the timetable. An information note was circulated to members outside of the meeting by the Chief Executive to assist in providing the current position of Christchurch Borough Council which showed that so far scrutiny from its members had resulted in a resolution that the case for change had not been made, and also that no formal request had been received by the County Council. The second of the recommendations related to the ongoing need to consider and develop 'double devolution' of powers to town and parish councils. Cllr David Walsh, the Chairman of the Committee, introduced the draft minutes of the meeting and clarified that due to the update provided by the Chief Executive in relation to the current position of Christchurch Borough Council the recommendations would not be considered until later in the meeting, after the main recommendations within the report had been considered.

Cllr Gould, as Leader of the Council, proposed the recommendations in the report, and was seconded by Cllr Rebecca Knox. He highlighted that consideration of the report was an important milestone that would provide a momentous opportunity for the future of new and distinctive authorities serving Dorset in the best interests of the residents of the County and to join up services in a more efficient and effective way despite the strong financial challenges facing all nine councils. The open and inclusive approach with district and borough councils, and full engagement with town and parish councils regarding the future were commended. He acknowledged the continued need to promote and ensure devolution was achieved to the lowest possible level for local communities to make decisions. Cllr Gould also proposed that all votes be taken as recorded votes in relation to the item, which was seconded by Cllr Janet Dover. On being put to the vote it was agreed that all votes would be recorded in accordance with Standing Order 44.

An amendment to the recommendations was proposed by Cllr David Jones, and seconded by Cllr Colin Jamieson as an additional two recommendations, as detailed below:

(A) The Council takes note of the concerns of Christchurch Borough Council over the process and consequences of the implementation of option 2(b).

(B) Council resolves that should the Christchurch Borough Council express at a later date, either before a submission to the Secretary of State or during the Secretary's consideration of the submission indicate a wish to become part of a Shire Unitary Authority this Council would support such a request.

In relation to the amendment, a number of members made statements. The following issues were raised in favour of the amendments:

- Christchurch Borough Council had at no point been asked which unitary authority in the consultation it would prefer to be part of, and the matter was only being considered due to the pressure of back bench members. In contrast to the process followed by the County Council.
- The amendment was proposed as a loop hole pending consideration by

Christchurch Borough Council of the same report on Tuesday 31 January 2017

- Local residents did not want change, and felt that there was no case made for change.
- There was opposition to joining Poole and Bournemouth, although Christchurch Borough Council had expressed that the case had not been made.
- There was a presumption of a new town council being formed in place of the Borough Council which would cost residents an extra £150 in Council Tax per year and Bournemouth and Poole residents would pay less as part of Council tax equalisation.
- There may be access to £25m transitional grant from Government, although the Chief Executive clarified that there was no formal agreement yet but this was being pursued.
- That Christchurch Borough Council contributed historic funding to Dorset through the library and other services.
- The consultation questionnaire was flawed, misleading and biased towards the preferred authorities i) and ii) detailed above.
- Only 459 residents replied to the postal questionnaire which was less than 1% of the population of Christchurch.
- Bournemouth and Poole needed land which was available in Christchurch.
- Concern that timing and process would take priority over democracy.
- That not all parish council responses had been included in the consultation report, which was clarified later in the meeting as being summarised within the report.
- Local consultations outside of the main consultation had shown strong objection to change in the St. Leonards and St. Ives division.

The following issues were raised against the amendments:

- Concern was expressed that Christchurch Borough Council had not submitted a request to the County Council in relation to a preference, and specifically had not done so since the People and Communities Overview and Scrutiny Committee held on 11 January 2017. Clarification was provided by a member who indicated that only the Borough Council meeting could make the decision and it was not due to meet until 31 January 2017, but acknowledged that no request or indication of a request had been received by the County Council to date.
- That the consultation was reliable and would stand up to judicial review, with a meaningful level of responses.
- That there was support for reorganisation from residents in Christchurch.
- The option shown at i) and ii) above was the most financially viable option.
- The substantial risk associated with the timing of a submission to the Secretary of State prior to the County Council elections to enable Parliamentary consideration.
- A robust approach had been followed.

Members considered the points in favour and against the amendments, and that noting the concerns of Christchurch Borough Council was supported, but agreeing to the second amendment would risk delay in the process. The Monitoring Officer clarified that legally there was no criticism of the process by noting the concerns of Christchurch Borough Council.

In accordance with Standing Order 44, the votes for and against Amendment A were recorded as follows:-

For (23): Pauline Batstone, Ronald Coatsworth, Robin Cook, Toni Coombs, Deborah Croney, Lesley Dedman, Peter Finney, Ian Gardner, Robert Gould, Peter Hall, Colin Jamieson, David Jones, Paul Kimber, Rebecca Knox, Mike Lovell, Steven Lugg, Andrew Parry, Margaret Phipps, Peter Richardson, Clare Sutton, Mark Tewkesbury, William Trite and Kate Wheller.

Against (15): Richard Biggs, Steve Butler, Andy Canning, Barrie Cooper, Janet Dover, Fred Drane, Beryl Ezzard, Matt Hall, Jill Haynes, Susan Jefferies, Trevor Jones, David Mannings, Daryl Turner, David Walsh and Peter Wharf.

Abstain (3): Hilary Cox, Spencer Flower and David Harris

On being put to the vote the amendment was approved and added to the resolution below as resolution 3.

In accordance with Standing Order 44, the votes for and against Amendment B were recorded as follows:-

For (9): Ronald Coatsworth, Lesley Dedman, Peter Hall, Colin Jamieson, David Jones, Steven Lugg, Andrew Parry, Margaret Phipps, William Trite.

Against (31): Pauline Batstone, Richard Biggs, Steve Butler, Andy Canning, Robin Cook, Toni Coombs, Barrie Cooper, Hilary Cox, Deborah Croney, Janet Dover, Fred Drane, Beryl Ezzard, Peter Finney, Spencer Flower, Ian Gardner, Robert Gould, Matt Hall, David Harris, Jill Haynes, Susan Jefferies, Trevor Jones, Paul Kimber, Rebecca Knox, Mike Lovell, David Mannings, Peter Richardson, Mark Tewkesbury, Daryl Turner, David Walsh, Peter Wharf and Kate Wheller.

Abstain (1): Clare Sutton

On being put to the vote, the amendment was lost.

The Council debated the substantive motion, with the addition of the amendment above. The following issues were raised in favour of the recommendations:

- A member had been elected to the Council with the ambition to reorganise and redefine Councils in Dorset to reduce duplication, improve efficiency and promote a unitary upper council tier above town and parish councils.
- Strategic Partnership between all Dorset authorities had worked, together with many partnerships, but the introduction of unitary authorities would make this role more efficient and effective.
- Need to listen to the will of residents in Dorset as their preferred choice, firstly that there was a need for change, and secondly the clear support for the proposed composition of the future unitary authorities.
- 'Double Devolution' was already an area being considered and progressed by the Shaping Dorset's Future Group, and this approach would continue to be advocated, but it would be for the new authorities to determine their approach in due course.
- This was the third opportunity to streamline local government for the councils involved, and there may not be further chances to be the architects of our own future.
- The introduction of Unitary councils, including reference to rural areas, was not new as this was a model used widely for some time across the UK.
- The impact of the financial climate was a major contributory factor, but it had moved all nine councils forward to shape their own future, and there was a need for a 'leap of faith' into a tried and tested model.
- The current model devalued the view of town and parish councils as many wished to move forward and progress devolution.
- The overriding ambition of the reorganisation was for services ahead of organisations, and putting the residents of Dorset first, in new organisations.
- It was the role of all members to make selfless decisions in a democratic way.
- It was the responsibility of members to take the presentation on Local Government Reorganisation to their communities and parishes to enable full engagement in the process.
- Shaping Dorset's Future Board meetings were open to all members and provided all of the information about the reorganisation exercise.
- The formation of town councils to replace former borough councils was a matter for the council concerned, although the double devolution work already in place would recognise the need for new town councils as necessary.
- The transition of other Councils to unitary status went well, but there were hurdles. The use of Area Boards was cited as a successful model of democratic decision

making and accountability.

- The Council should not depend on the Government solving the pressures related to funding for Adult Social Care.
- There was a need to remove the degrees of separation between authorities in order to become more efficient and transactional.
- The use of technology and use of data to support new authorities was much better than ever before.
- Changes would better support the prevention agenda across the public sector.

The following issues were raised against the recommendations:

- The increased population across Bournemouth, Christchurch and Poole in the next 15 years would be 61k. There was minimal open space in Bournemouth and Poole, therefore resulting in land being required in Christchurch for housing.
- There was a democratic deficit in reducing the number of councillors across Dorset, and particular reference was made to Bournemouth, Christchurch and Poole, with 1 in 8 representing Christchurch.
- Population of smaller unitary councils across the Country were well below the 350k threshold given as advice by the Department for Communities and Local Government.
- There was a need to stand back and take more time to get the right solution.
- Rural areas of the Country were characterised by two tiers of Local Government.
- The consultation was unsound and case for change had not been made, with bias and leading questions. The consultation was constructed to achieve a desired result, and did not consider alternative authority models that could have been included, such as a single Dorset unitary, or including Purbeck in the model with Poole and Bournemouth.
- Proposals would transfer power upwards and away from communities and be more remote, and therefore less responsive and sensitive to local needs. Decisions should be taken as close to communities as possible.
- It would be harder for communities to oppose unwanted proposals such as large developments and cuts to services and facilities.
- A position on double devolution to town and parish councils should be clear before proceeding to reorganise local government in Poole, Bournemouth and Dorset.
- Financial forecasts could be inaccurate.
- Christchurch Borough Council's finances were still in a good position.
- The position for mayoralty not costed and tested in Bournemouth and Poole, but had been in Christchurch.
- Harmonisation of Council Tax had not been sufficiently tested.
- The future of unitary authorities in terms of sustainability depended on the work already underway within councils to be a success, particularly the need for community resilience.
- A greater explanation of the impact on services for residents would have been welcomed.
- An anticipated difficult transition over the next few years, and increased cost for consultants for unexpected issues.
- Reorganisation was a County Council take over.
- The end of East Dorset District Council and Christchurch Borough Council as a joint authority would be a shame as it was still in its infancy.
- Adult Social Care pressures would continue in a new reorganised Dorset, and Government may provide a solution which would prevent the need for change of councils.
- The new arrangements would be politically undeliverable, with the biggest change being culture for any new organisation.
- How could changes be made when the technology and connectivity supporting existing councils was not good enough.
- The existing Councils needed to be funded properly and we should 'shout louder'.
- Residents do not want change.

- The democratic mandate was not sufficient to make any changes.

Thanks were passed to all officers and members involved in the work to support the consideration of Local Government Reorganisation across Poole, Bournemouth and Dorset.

In accordance with Standing Order 44, the votes for and against the substantive motion (Recommendations 1 and 2 from the report and the addition of Amendment A - shown at resolution 3) were recorded as follows:-

For (30): Pauline Batstone, Richard Biggs, Steve Butler, Andy Canning, Ronald Coatsworth, Robin Cook, Toni Coombs, Barrie Cooper, Hilary Cox, Deborah Croney, Janet Dover, Fred Drane, Beryl Ezzard, Peter Finney, Spencer Flower, Ian Gardner, Robert Gould, Matt Hall, David Harris, Jill Haynes, Susan Jefferies, Trevor Jones, Paul Kimber, Rebecca Knox, David Mannings, Mark Tewkesbury, Daryl Turner, David Walsh, Peter Wharf and Kate Wheller.

Against (11): Lesley Dedman, Peter Hall, Colin Jamieson, David Jones, Mike Lovell, Steven Lugg, Andrew Parry, Margaret Phipps, Peter Richardson, Clare Sutton and William Trite.

Abstain (0)

Given the earlier vote in respect of Amendment B, it was noted that Recommendation 1 from the People and Communities Overview and Scrutiny Committee was no longer valid, and no vote was taken on this recommendation.

In relation to Recommendation 2 from the People and Communities Overview and Scrutiny Committee this was put to the vote and was agreed unanimously (shown at resolution 4).

The Council therefore made the following decisions.

Resolved

1. That the recommendations outlined in the report attached at Appendix A be approved.
2. That, subject to the agreement of Recommendations 4 and 5 in the report attached at Appendix A, the Chief Executive and the Leader consult with the Shaping Dorset's Future Board:
 - i) when working with other Dorset Councils to agree the wording of the submission to the Secretary of State.
 - ii) when working with the other Dorset Councils to develop and implement plans and allocate resource to progress any agreed change.
3. The Council takes note of the concerns of Christchurch Borough Council over the process and consequences of the implementation of option 2(b).
4. That the preparatory work with Town and Parish Councils begun by the Shaping Dorset's Future Group is further developed to enable a clear process by which downward devolution of powers to third tier authorities can be timetabled and managed.

Reason for Decisions

To ensure local government services were sustainable and residents, businesses and communities were supported by the most effective local government arrangements.