



County Council

Minutes of the meeting held at County Hall, Colliton Park, Dorchester,
DT1 1XJ on Thursday, 10 November 2016.

Present:

Andrew Cattaway (Chairman)

Hilary Cox (Vice-Chairman)

Pauline Batstone, Richard Biggs, Steve Butler, Mike Byatt, Andy Canning, Ronald Coatsworth, Robin Cook, Toni Coombs, 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, Ros Kayes, Paul Kimber, Rebecca Knox, Mike Lovell, Steven Lugg, David Mannings, 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), Helen Coombes (Interim Director for Adult and Community Services), Mike Harries (Director for Environment and the Economy), Jonathan Mair (Monitoring Officer), Jim McManus (Chief Accountant), Patrick Myers (Assistant Director - Design and Development) and Lee Gallagher (Democratic Services Manager).

(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, 26 January 2017.**)

Apologies for Absence

81 Apologies for absence were received from Barrie Cooper, Deborah Croney, Lesley Dedman and Mervyn Jeffery.

The Chairman welcomed Cllr Matt Hall (elected on 3 June 2016) and Cllr Steven Lugg (elected on 1 September 2016) to their first meetings of the Council. It was further noted that a by-election would be held on 1 December 2016 to fill a vacancy for the Ferndown Electoral Division following the resignation of Cllr Ian Smith on 3 October 2016.

Code of Conduct

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

Minutes

83 The minutes of the meeting held on 21 July 2016 were confirmed and signed.

Public Participation

84 Public Speaking

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

There was one public statement received at the meeting in accordance with Standing Order 21(2) from Mr Lester Taylor, a Dorset resident and member of the UK Independence Party, in relation to minute 88 regarding the Future of Local Government in Bournemouth, Dorset and Poole. The statement is attached to these minutes as an annexure.

Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

Chairman's Announcements

- 85 The Chairman reported on a number of events that had been attended by himself and the Vice-Chairman since the last meeting, which included four citizenship ceremonies; Civic Leaders' Event on 13 August hosted by the High Sheriff; President's Reception at the Gillingham and Shaftesbury Show; flight of the Red Duster for Merchant's Navy Day; Mayor of Wimborne's Civic Day; Rifles Freedom Parade in Blandford; Dorset Best Kept Village Awards evening; Lord Lieutenant's County of Dorset Annual Awards Ceremony; unveiling of the Queen Mother Statue in Poundbury by HRH the Queen, Duke of Edinburgh, Prince of Wales and Duchess of Cornwall; and the High Sheriff's Dorset Legal Church Service.

The Chairman also took the opportunity to remind members of the Council's remembrance service at County Hall on Friday 11 November 2016.

Leader's Announcements

- 86 The Leader of the Council raised the following matters facing the Council and achievements through transformation, and invited questions from all members:

Development of Dorset's Community Offer for Living and Learning

It was reported that initial funding of £24k had been secured from the One Public Estate initiative funded by the Cabinet Office Property Unit in partnership with the Local Government Association, to work towards a bid for admission to the full Programme in December 2016 and to receive funding of up to £500k. The Programme would promote sharing and collaboration initiatives between public sector partners to work together to facilitate services for the public.

Work with the NHS and production of the Sustainability Transformation Plan for Dorset

A five year 'forward view' was announced by the NHS in 2014 which outlined the scale of change facing the NHS by 2021. This included the development of Sustainability and Transformation Plans (STP) to address ambitious longer term challenges and apply national priorities across health organisations and local authorities. The Dorset STP was agreed by the Health and Wellbeing Board for submission to the NHS and had received positive comments nationally for its partner engagement. All members were encouraged to read the plan.

Programme of Syrian Refugee Resettlement

The Programme to provide secure accommodation and support for refugees was underway with partners and the voluntary sector, with the first two Syrian refugee families due to arrive in Dorset in November 2016. It was also noted that the Council supported the Race Equality Council in wider migrant events, with public and volunteers, to provide positive messages and to show that Dorset was playing a full role in welcoming refugees to the Country. Members recognised the successful event held in Weymouth and Portland on Saturday 5 November 2016.

Public Transportation Offer

The development and support of the public transportation offer was explained, following recent consideration by the Cabinet. The approach would aim to develop services and the supporting transport network that community transport offers would feed into. In addition there would be a Community Transport Grant of up to £5k available to support communities to set up schemes on a match-funded basis. Members noted that there was already some significant interest in the grant which would enable ICT, marketing, training of staff and volunteers, as well as other aspects of setting up of schemes for communities.

In relation to isolated communities, a question was asked about how the message was getting to the public so they could use the grant funding effectively. The Leader reminded members that in their roles they would need to be involved in giving the messages as they were best placed to identify local issues, identify key people and shape what would suit their communities.

Achievements

The Leader summarised a number of awards and achievements, which included:

- Dorset Countryside win National Awards for excellence for parks at Avon Heath, Blandford and Gillingham
- Dorset County Council and the Dorset Coast Forum have been successful in a £800,000 funding bid to the European Maritime and Fisheries Fund to support the fisheries sector to maximise local economic growth opportunities.
- Hardy's Birthplace Visitor Centre, Thorncombe Woods has won an International Green Apple Award for the Built Environment and Architectural Heritage 2016.
- Dorset AONB Team hosted by DCC has secured a share of up a £500m National Grid fund to put power lines underground and reduce the visual impact on Dorset landscape whilst boosting the local economy.
- Dorset Property – completion of critical summer projects in schools before the start of the new academic year in September 2016.
- Officers leading on the Council's Outcomes Based Accountability (OBA) approach, attended the OBA annual international conference in Belfast last month to present and run a workshop on work within Children's Services.
- A six-strong DCC team won the recent South West Local Authority Challenge, plus the individual award for 'best recovery plan'.

In relation to property projects in schools, Cllr Coombs, as the former Cabinet Member with responsibility for the Modernising Schools Programme, and Cllr Peter Hall as the local member, sought an update regarding a delay in the delivery of the new Marsh Lane School in Christchurch given the pressure for 30 new school places in the area. The Leader undertook to provide a written response, and confirmed that the Modernising Schools Programme Board would consider an update in the coming weeks, and that all would be done to deliver school places for young people in Christchurch.

In addition to the points raised above, Cllr Janet Dover, as the Leader of the Liberal Democrat Group, requested that the Leader's statement be provided for members routinely for Council meetings. The Leader confirmed that there was not a prepared note in advance of the meeting and the aim of the item was to provide a spontaneous and informal update on current issues.

Motions

87

Clause 21 of the Bus Bill

The Council considered a motion submitted by Councillor Ros Kayes regarding Parliament's consideration and content of Clause 21 of the Bus Bill.

Cllr Kayes introduced her motion, explained what it entailed, what it was designed to do and what the implications for the County Council would be if Clause 21 of the Bus Bill was enacted. She felt that the Bill did not support the principles of localism or encourage the investment in social enterprise and would have a detrimental effect on how passenger transport needs were met. She considered that the ability of local authorities to be able to continue to play their part in influencing how passenger transport arrangements were implemented to benefit the needs of its users would be severely compromised by this legislation. Given that the Bill was to be given a third reading in the House of Lords on 23 November 2016, she considered that there was an urgent need for the County Council to take the opportunity to have some input into

this. Cllr Kayes proposed that Standing Orders to be suspended to allow the Council to be able to debate and vote on the matter. Cllr Janet Dover seconded the proposal.

Clarification was sought about the protocol for acceding to this request, in light of there not having been any previous indication on the agenda that this would be the case. The Monitoring Officer confirmed that a motion to suspend Standing Orders could be voted upon without notice. On being put to the vote, the proposal to suspend Standing Orders was lost.

Whilst some members considered that the opportunity would be lost to influence the way in which the Bill was shaped, ways in which this motion could be considered expediently were suggested. It was considered that the best means would be for the Economic Growth Overview and Scrutiny Committee to consider the motion in January 2017 but the Overview and Scrutiny Management Board would receive a provisional briefing at its meeting on 11 November 2016.

Resolved

That the motion be referred to the Economic Growth Overview and Scrutiny Committee, and for a provisional briefing to be received by the Overview and Scrutiny Management Board on 11 November 2016.

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

88 The Council considered a report by the Chief Executive to inform members on the progress of the exploration of options for the future of Local Government in Bournemouth, Dorset and Poole.

The Chief Executive introduced the report and summarised the progress in relation to potential local government reorganisation following consideration at Council meetings held in March, April and July 2016. An update on the work of the Shaping Dorset's Future Group and the detail of the timetable leading to a county wide decision making period in January 2017 were also provided. It was reported that the evidence to inform the decision making process would be shared with all members on 5 December and agendas would be published on 23 December 2016 for the People and Communities Overview and Scrutiny Committee on 11 January and Council meeting on 26 January 2017.

In relation to earlier consideration of the election arrangements for 2017, the Chief Executive confirmed that the election must be held as planned on 4 May 2017. Guidance had been given from the Secretary of State, the Department for Communities and Local Government and separate specialist legal advice had been sought as there was no reason to justify making an application. Due to the timetable for Local Government Reorganisation, no decision would be made and could not be made before January 2017. Any application to delay the election made in November 2016 would be considered as predetermination.

Members were shown a video to provide information in relation to the response rates of the consultation. This did not include the results of the consultation.

One public statement was received at the meeting under minute 84 in accordance with Standing Order 21(2) from Mr Lester Taylor, a Dorset resident and member of the UK Independence Party. The statement is attached to these minutes as an annexure.

Members discussed in detail the approach towards decision making in January 2017 which would include consideration by the Leaders of all nine Councils to explore whether agreement could be reached on a proposal to be presented to all councils. Some concerns were raised in relation to the arrangement and how the process

would work if agreement could not be achieved. The Chief Executive explained that the ambition was to achieve unanimous agreement on a proposal but this was not a requirement and that a consensus would be sufficient. The Chief Executive reminded members that although Leaders would make recommendations the decision making would be the responsibility of each of the individual sovereign authorities. Contrary to local views expressed outside of the meeting the Chief Executive also confirmed that the law allowed for a case for change to be submitted to the Secretary of State without unanimous agreement of the nine principal local authorities..

In relation to concerns raised in respect of whether a directly elected mayor would be imposed on any new council(s), it was clarified that this was a consideration in relation to any proposed devolution of enhanced powers to local government. It was not though a consideration in terms of the future of local government structures in Dorset which councils had recently consulted upon. Although the matter was closely aligned with Local Government reform, consideration of directly elected mayors would be a part of separate council decisions about any potential devolution arrangement with Government. The Leader referred to what he believed to be widespread opposition across rural counties in England to the introduction of directly elected mayor. It was noted that Group Leaders would also consider the matter in January 2017 together with the Shaping Dorset's Future Group.

A question was asked in relation to the process for forming town councils in any new arrangements, to which the Chief Executive clarified that primarily this would be a consideration for the relevant district or borough council.

A number of concerns were shared at the meeting in relation to the scale, content and cost of the consultation exercise. The Chief Executive explained that the responses provided a statistically valid response rate, that views on the content had been shared with the external company running the consultation to ensure appropriate challenge to the process, and that the cost was shared between all councils through transformation funding received from Government to support work on the Councils' Combined Authority review. It was noted that a financial summary would be circulated after the meeting.

The Leader confirmed that the County Council approach to decision making would be as open and transparent as possible. He also confirmed that information would be shared with members at the appropriate stages, providing that there was content to share, as it would not be possible to share verbatim verbal updates given to leaders.

Thanks were passed to officers for the hard work, commitment and effort shown to date, irrespective of the outcome of the consultation in due course. It was noted that the consultation continued a good track record of public engagement.

Resolved

1. That the progress of the Shaping Dorset's Future Programme, and the 'Working Together' Programme with Parish and Town Councils be noted.
2. That the details of the public consultation on local government reform presented at the meeting be noted.
3. That the timeline and process through to a potential submission to the Secretary of State in February 2017 be noted.
4. That the Leader's authority after consultation with the Chief Executive and Shaping Dorset's Future Board to seek a consensus position with the eight other principal councils, as requested by government, be confirmed.
5. That the position with regard to the 2017 County Council elections be noted.

Reason for Decisions

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

Questions from County Councillors

89 The following questions were asked under Standing Order 20:

1. Cllr Susan Jefferies and Cllr Kate Wheller asked the Cabinet Member for Adult Health, Care and Independence questions in relation to Tricuro.
2. Cllr Susan Jefferies asked the Cabinet Member for Health and Wellbeing and Children's Safeguarding in relation to Serious Case Reviews.
3. Cllr Kate Wheller asked the Cabinet Member for Learning and Skills and Cabinet member for Organisational Development and Transformation a question in relation to Living and Learning Centres.
3. Cllr Paul Kimber asked the Cabinet Member for Learning and Skills a question in relation to IPACA.
4. Cllr Kate Wheller asked the Cabinet Member for Environment, Infrastructure and Highways a question in relation to Highways Adverts.

The questions and answers are attached to these minutes as Annexure 1.

Reports of the Cabinet

The reports of the Cabinet meetings held on 7 September, 28 September, 10 October and 26 October 2016 were presented for adoption, together with recommendation from the meeting held on 28 September 2016 for approval.

Meeting held on 7 September 2016

90 Tricuro Executive Shareholder Group – 24 June 2016

In relation to minute 121a, Cllr Janet Dover expressed concern and disappointment that the company's original arrangement was not to make changes to terms and conditions within five years, which appeared to now be happening. The Cabinet Member for Adult Health, Care and Independence responded to the question to echo the response given under member questions earlier in the meeting, indicated that terms and conditions of staff was an sensitive operational issue for Tricuro, and clarified that the changes were not due to the county reducing its budget contribution. However, it was confirmed that changes would be due to Tricuro reviewing its competitiveness in market, and that the Executive Shareholder Group had considered the changes to terms and conditions in January and March 2016 prior to agreement as a reserved matter by all partner councils.

Resolved

That the report of the Cabinet on 7 September 2016 be adopted.

Meeting held on 28 September 2016

91 Dorset County Council Environmental performance, policies and greenhouse gas emissions 2015/16

In relation to minute 137, Cllr Trevor Jones asked about the progress of a Transport and Movement Study in relation to the impact of parking arrangements across Dorchester as a local member, and highlighted the damage to the quality of life of people living in Dorchester. It was reported that the Council was working with the Dorset Councils Partnership and the Local Enterprise Partnership in order to determine the parking requirements for Dorchester, and that the report would not be completed until early 2017. Liaison with local members regarding the completion of the review would continue with the Cabinet Member for Environment, Infrastructure and Highways.

Syrian Resettlement Programme

In relation to minute 136, a question was raised in relation to the placement of unaccompanied refugee children by the Council into out of county placements, and the commitment of members as corporate parents to ensure the quality of care packages for the children. The Cabinet Member for Health, Wellbeing and Children's Safeguarding confirmed that the Council was doing as much as it could to place children with suitable foster carers, but the situation was very fluid as the numbers changed frequently. The Cabinet Member undertook to raise the issue with the lead Cabinet Member for Learning and Skills and to encourage wider updates with elected members as corporate parents, especially with local members, and to provide a briefing.

Attention was also drawn to information from officers to appeal for household items to aid the settlement programme.

Queen Elizabeth's School, Wimborne – Position Statement

A number of members raised questions regarding minute 143, to explore the outcome of the school replacement project to a conclusion, together with the provision of the detail relating to the matter. Confirmation was given that the Cabinet had taken careful advice on the matter which had brought the project to the end of a long and difficult period with the best possible resolution, the details of which were highly confidential and had been shared with members by email and through an invitation to attend the Cabinet meeting at the time. It was noted that information was available from the Monitoring Officer on request.

Resolved

That the report of the Cabinet on 28 September 2016 be adopted and Recommendation 138 be approved.

Recommendation 138 – Food and Feed Service Plan for Trading Standards Service Delivery 2016-17

1. *That the County Council be recommended to approve the Food Service Plan and Feed Service Plan for 2016-17 for delivery by the Trading Standards Service.*
2. *That the County Council be recommended to change the corporate Scheme of Delegation 2013 such that the reference in its appendix 3 to the Food Law Enforcement Service Plan is removed, thus allowing future Food Service Plans, Feed Service Plans or any service delivery plans relating to food law enforcement service delivery to be approved in the same manner as any other matter delegated to the responsible senior manager relating to the plans or work of the Trading Standards Service.*

Reasons for Recommendations

1. *The plans set out specific areas of service delivery for the Trading Standards team in a brief and publicly available format. The approach set out would meet statutory requirements for service provision, and the need to produce plans to accord with the FSA Framework Agreement. This work also contributed to the Council's corporate outcomes of a healthy Dorset through maintaining food and feed composition and labelling standards and a prosperous Dorset, through fair trading and compliant businesses.*
2. *The changes would support the general drive of the Localism Act 2011 and the Council's Scheme of Delegation to increase flexibility and freedoms and reduce unnecessary bureaucracy through appropriate delegated power to the relevant senior manager, with appropriate means for consultation with the relevant Cabinet member lead.*

Meeting held on 10 October 2016

92

Resolved

That the report of the Cabinet on 10 October 2016 be adopted.

Meeting held on 26 October 2016**93 Resolved**

That the report of the Cabinet on 26 October 2016 be adopted.

Safeguarding Overview and Scrutiny Committee - Meeting held on 5 October 2016

94 The report of the Safeguarding Overview and Scrutiny Committee held on 5 October 2016 were presented.

Looked After Children

In relation to minute 16, Cllr Pauline Batstone, as the Chairman of the Committee, emphasised the Authority's commitment to accommodating the needs of children in care and the importance this was given. Whilst the merits of foster care within the County was acknowledged, it was recognised that there was a need to look outside County for some placements as this was insufficient supply to meet that demand. How youth workers engaged with children in care and what part they played in their wellbeing was also discussed.

Reference was made to the Task and Finish Group for Looked after Children which had been established to ensure there was a specific focus on this important matter. Members felt that consideration should be given to what social workers were able to offer these vulnerable children and how they might be engaged, wherever possible, in the first instance in preference to agency staff.

The Cabinet Member for Health, Wellbeing and Children's Safeguarding considered that, whilst still challenging, there were improvements to be seen in how children in care were accommodated and she was confident that measures were in place to ensure this was sustainable and their needs were met.

Resolved

That the report be adopted.

People and Communities Overview and Scrutiny Committee - Meeting held on 11 October 2016

95 The report of the People and Communities Overview and Scrutiny Committee held on 11 October 2016 were presented.

Motions referred from Council on Racism and Xenophobia

Cllr David Walsh, as the Chairman of the Committee, explained how the Committee was being developed and in relation to minute 17, how the motion on hate crime and xenophobia was considered and what actions arose from this. Concerns had been raised over the prospect of an increase in hate crime following the decision for the UK to leave the EU but that, as yet, evidence to suggest this had not been analysed. The Committee was committed to monitoring what was being done to manage any escalation and had felt that any similar reaction to other vulnerable groups would benefit from scrutiny too.

Registration Services

In relation to minute 19, Cllr Colin Jamieson, as the Cabinet Member for Economic Growth, asked what opportunity there was for member involvement in the work being done on the consolidation of the Registration Service estate. Cllr William Trite, as the Chairman of the Policy Development Panel, explained that some degree of rationalisation of registration locations was necessary in order to meet savings requirements. He invited members to participate in the final meeting of the Panel on 2 December 2016 before recommendations were made back to the Committee in January 2017.

Resolved

That the report be adopted.

Economic Growth Overview and Scrutiny Committee - Meeting held on 12 October 2016

96 The report of the Economic Growth Overview and Scrutiny Committee held on 12 October 2016 were presented.

Local Enterprise Partnership (LEP) and Growth Board

Cllr Daryl Turner, as the Chairman of the Committee, referred to how the Committee had developed its understanding of the role of the Dorset LEP and what relationship the County Council was able to have with it as part of minute 16. The Committee was able to see how working in partnership with the LEP could bring mutual benefits.

Cllr Mike Byatt asked for clarification on the status of the Weymouth Western Relief Road, as referred to in minute 16. Clarification was provided that the minute reflected the personal view of the Vice-Chairman of the LEP Board, Mr James Weld, on this matter.

Resolved

That the report be adopted.

Dorset Health Scrutiny Committee - Meeting held on 6 September 2016

97 The report of the Dorset Health Scrutiny Committee held on 6 September 2016 were presented.

NHS Dorset CCG - Changes to GP Commissioning and Locality Working

In respect of minute 37, concern was expressed at the limited opportunity for consultation on changes to GP commissioning and locality working and the detrimental impact this could have on patients' choice of and access to surgeries. The Chairman of the Committee explained that there would be a sufficient opportunity for input from the public as a part of an engagement exercise with local communities to take place between October 2016 and March 2017. There was acknowledgment that this could have been given greater publicity.

Given the concerns expressed, it was agreed that this issue would be added as an urgent item to the committee meeting to be held on 14 November 2016.

Matters for Potential Joint Health Scrutiny Committees: South Western Ambulance Service NHS Foundation Trust (Independent Review and CQC Inspections) and Community Dental Services in East Dorset

In relation to minute 40, Cllr Kate Wheller expressed concern over how the ambulance service was being managed over weekend evenings, considering that too few were available and that this needed to be addressed.

In addition, she also indicated that she had specific experience in relation to dental services and offered to be involved in any review. The Chairman acknowledged the offer.

Resolved

That the report be adopted.

Dorset and Wiltshire Fire and Rescue Authority

98 The minutes of the Dorset and Wiltshire Fire and Rescue Authority held on 23 June and 14 September 2016 were presented.

Water Sprinklers in Schools

Cllr Rebecca Knox, as the Chairman of the Dorset and Wiltshire Fire Authority, emphasised the importance of water sprinklers in schools and all County Council new builds. She had been reassured by the Director for Environment and the Economy that, wherever practicable, the installation of systems would be pursued. The Council

was pleased to hear about how sprinkler systems were to be incorporated in new build, considering this to be vital.

Retirement of the Chief Fire Officer

Cllr Knox announced that the Chief Fire Officer (CFO), Darran Gunter, was due to retire from the fire service at the end of November 2016 after 34 years of service, 11 of which were as the CFO. She considered the County was indebted to him for what he had achieved in his time as CFO, in how he had lead the Service into a successful merger with Wiltshire and the savings this brought, together with the emphasis put on prevention and the initiatives that had been realised, such as SafeWise. The following tributes were also presented:

- Cllr Spencer Flower highlighted the progress made by Dorset under the leadership of Mr Gunter as an exemplar in resilience and prevention.
- Cllr Toni Coombs felt that the initiatives he had developed in working with disadvantaged was highly commendable and noteworthy.
- Cllr David Harris, as Vice-Chairman of the SafeWise Trust wished his particular gratitude to be recorded for all Mr Gunter had done.

Members wished Mr Gunter well in his retirement and asked the Chairman to write to him to express their appreciation for all he had done to improve the safety for Dorset residents.

Resolved

That the minutes of the Dorset and Wiltshire Fire and Rescue Authority be noted.

Appointments to Committees

99 The following changes to committee appointments were reported to the meeting:

- Regulatory Committee: Cllr Lugg to replace Cllr Butler
- Children's and Adult Services Appeals Committee: Cllr Lugg to replace Cllr Batstone

In addition to the changes above, it was announced that Cllr Kate Wheller would replace Cllr Mike Byatt as the Deputy Group Leader for the Labour Group.

Resolved

That the changes to committee appointments outlined in the minute above be agreed.

Meeting Duration: 10.00 am - 1.15 pm