



County Council

Minutes of the meeting held at County Hall, Colliton Park, Dorchester,
DT1 1XJ on Thursday, 20 July 2017.

Present:

Hilary Cox (Chairman)

Andrew Parry (Vice-Chairman)

Jon Andrews, Shane Bartlett, Pauline Batstone, Richard Biggs, Cherry Brooks, Kevin Brookes, Ray Bryan, Steve Butler, Andy Canning, Graham Carr-Jones, Andrew Cattaway, Toni Coombs, Deborah Croney, Keith Day, Janet Dover, Jean Dunseith, Beryl Ezzard, Tony Ferrari, Spencer Flower, Katharine Garcia, David Harris, Jill Haynes, Susan Jefferies, Ros Kayes, Rebecca Knox, Steven Lugg, Jon Orrell, Mary Penfold, Bill Pipe, Margaret Phipps, Byron Quayle, David Shortell, Clare Sutton, William Trite, Daryl Turner, Peter Wharf and Kate Wheller.

Officers Attending: Debbie Ward (Chief Executive), Richard Bates (Chief Financial Officer), Mike Harries (Corporate Director for Environment and Economy), Sara Tough (Corporate Director for Children's, Adults and Community Services), Matthew Piles (Service Director - Economy) 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, 9 November 2017.**)

Apologies for Absence

41 Apologies for absence were received from Cllrs Derek Beer, Nick Ireland, David Jones and David Walsh.

Code of Conduct

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

With reference to minute 47, a general interest was declared by Cllr Graham Carr-Jones as he currently received Disability Living Allowance. As this was not a disclosable pecuniary interest, Cllr Carr-Jones remained in the meeting but indicated that he would not take part in the debate and not vote.

Minutes

43 The minutes of the meeting held on 18 May 2017 were confirmed and signed.

Public Participation

44 Public Speaking

There was one public question received at the meeting in accordance with Standing Order 21(1) from Cllr Andrew Kerby, North Dorset District Council, to the Cabinet Member for Safeguarding in relation to the Transfer of Youth Services to the Community in 2016. The question and answer are attached to these minutes as an annexure.

There was one public statement received at the meeting in accordance with Standing Order 21(2) from Ms Sally Maslin and Mr Andreas Scheffler, as residents of Weymouth in relation to the Recovery Hub at 22 Abbotsbury Rd, Weymouth. A petition was submitted as part of the statement submission. The Statement and petition are attached to these minutes as an annexure.

Noted**Petitions**

The Council considered a report by the Dorset Travel Service Manager regarding a petition 'Save our Bus Services and Save the No 18 and No 3 buses from cuts' in accordance with the County Council's Petition Scheme.

Cllr Andy Canning addressed the meeting as the lead petitioner and highlighted the feedback that he had received in completing the petition which reflected that the public were fed up with austerity and ongoing cuts. He drew attention to the Government's approach to austerity and the need to make more funding available to bring austerity to an end. The impact of cuts to subsidised bus services was described, especially for those facing hardship, and that there was a huge emotional and psychological impact on people. He urged the Council to take a new approach and save the services that were being cut.

Cllr Susan Jefferies, as a local member, also outlined bus service provision in Corfe Mullen, including a service which had been saved, but only due to extensive talks between the bus company and the Borough of Poole Council.

As the Cabinet Member for Natural and Built Environment, Cllr Daryl Turner, summarised the current position in relation to the provision of subsidised bus services and school transport services, and explained the decision making processes and consultations undertaken throughout 2015-2017, which linked with the savings required to meet the financial pressures across the Council. It was noted that new contracts for shared services for subsidised services and schools had been awarded, and encouraged the use of community transport schemes to further develop services.

Cllr Janet Dover raised an issue as a local member in relation to the forthcoming withdrawal of the well-used No. 88 service from the Wimborne area which provided a valuable link for residents in outlying areas of Colehill and Stapehill to access Wimborne Community Hospital. She strongly urged all to be done to retain the service.

Cllr Kayes, as the Liberal Democrat Group Leader, expressed concern regarding the Council's arrangements for community transport schemes as she was aware of a potential technical issue in relation to EU procurement legislation, and a Judicial Review challenge by the Bus and Coaches Association regarding its use of section 19 permits and use of minibuses. She felt that some school contracts and proposed community transport schemes could be impossible to set up because of the issue. Cllr Kayes therefore encouraged the suspension of any further cuts pending consideration of the issues. The Corporate Director for Environment and Economy clarified that the Council was entitled to be a service operator under section 19 and he was unaware of any Judicial Review challenge. It was also mentioned that the consultants referred to by Cllr Kayes were the Council's own consultants used to develop transport schemes and contracts. It was noted that the issue would be discussed outside of the meeting.

The Chairman indicated that the matter had been through committee processes over the past two years and there were many instances of officers working with communities and operators to deliver schemes. It was noted that a written response would be sent to the petition organisers setting out the views of the Council, and to provide a fuller explanation of provision available.

Resolved

That the Council write to the petition organisers with the outcome of the meeting and to provide a fuller explanation of provision available

Reason for Decision

In order to comply with the County Council's published scheme for responding to petitions and so as to enable local people to connect with local elected decision makers.

Chairman's Announcements

- 45 The Chairman reported the following civic events since the last meeting, which included events during Armed Forces week, a community event at Blandford Camp, the National Farmers Union Open Day in Weymouth, the County Farms Estate Open Day, long service award ceremonies, and a number of citizenship ceremonies.

Leader's Announcements

- 46 The Leader of the Council reported on the following issues facing the Council, and invited questions from all members:

Cabinet

It was reported that Cllr Jill Haynes had been appointed as Deputy Leader of the Council and that Cllr Steve Butler had been appointed to the role of Cabinet Member for Safeguarding. Although it was not an executive role, the Leader also took the opportunity to welcome the recent appointment of Cllr Bill Pipe as the Chairman of the Dorset Health Scrutiny Committee.

Member Champions

The Leader explained the need for a review of the current Member Champion roles, and welcomed the participation of Group Leaders.

Grenfell Tower Disaster

Condolences were expressed to all involved in the recent Grenfell Tower fire. It was noted that various information had been shared with councillors on the extent of work being undertaken by the Council and other public sector partners to provide assurance to communities.

Health and Wellbeing Partnership Working

Attention was drawn to successful partnership working led by the Health and Wellbeing Board, and the significant work it was doing to address traditional health partnerships as well as develop new more localised Health and Wellbeing Boards. Reference was also made to the most recent Your Dorset which focussed on "feeling good in the natural outdoors". It was noted that a councillor engagement session would be held after the meeting which would expand on the areas of development.

In relation to councillor engagement sessions, a member asked whether sessions could be held at times to suit councillors who had full time employment, and if information could be summarised and sent to those not able to attend. It was clarified by the Leader that it was intended to develop the way the Council provided engagement sessions and to widen invitations to councillors from other councils. This would be done by running sessions in the day and evening. It was also indicated that the outcomes of meetings would be reported more quickly by the use of summaries of what had happened at meetings rather than having to wait several months to discuss the minutes of meetings. There was also the possibility of using technology to provide the opportunity for councillors to participate in events virtually, and to watch meetings if they were unable to attend.

Noted

Motions

47 Personal Independence Payments (PIP)

The Council considered a motion submitted by Cllr Pauline Batstone regarding Personal Independence Payments(PIP).

The Chairman explained that she would allow the motion to be debated by the Council under her discretion as the matter had already been considered by the Safeguarding Overview and Scrutiny Committee on 19 January and 6 July 2017.

Cllr Batstone introduced her motion and reminded members that PIP was a financial benefit which helped people with an illness, disability mental health condition or terminal illness to cope with everyday life. This benefit had replaced the Disability Living Allowance (DLA) and anyone in receipt of DLA had now to apply for PIP and this could be refused. The change could have a significant impact on the Council's Adult Care Services.

Locally the Department of Work and Pensions (DWP) contracted ATOS to undertake PIP assessments. The Citizens' Advice Bureau (CAB) report had been considered by the Safeguarding Overview and Scrutiny Committee and the key findings were that: the test for PIP was more difficult than that for DLA and refusal meant that claimants lost their cars, their independence and their ability to socialise; that there were long delays in the process which led to payments being delayed; there were problems with medical assessments; claimants had to travel long distances for assessments; assessors were inadequately trained, did not listen and had an uncaring and punitive attitude; the process for mandatory reconsideration did not appear to be working effectively; additional medical evidence was being ignored; claimants were having to take their cases to tribunals which was costly in time and money; the majority of cases involving the CAB were successful with the difference between the initial assessment and the appeal judgement being significant; and the DWP were now increasing staff training but this was to improve performance in defeating appeals.

Cllr Batstone asked the Council to consider her six recommendations that the DWP:- should review the criteria for receiving the mobility element of the PIP; should ensure that there were enough trained staff to process PIP applications in a reasonable timescale; should have clearly stated service standards for all stages of the process and these adhered to; should ensure that ATPS used health care professionals who were appropriately trained; that ATOS provided sufficient assessment centres and, where necessary, undertook home visits; should review its procedure for Mandatory Reconsiderations and took more account of medical evidence provided. She asked the Council to support the motion that the Secretary of State be asked urgently to review the process to ensure improved outcomes for all residents.

Many members then spoke in support of the motion. Comments included reference to the consequences of PIP decisions not being realised; councillors' role to ensure that people's views were heard; councillors were having to become experts in the process in order to support their residents; the need for the new contract to be better managed; delays in processing applications, particularly for those with terminal illnesses, could have a profound effect on their limited life expectancy; the wording of the motion should be strengthened; increased administration and the lengthy process could be seen as a means of making fewer awards to reduce costs; the impact on claimants quality of life; that assessment centres should be more accessible; some claimants were so ill they could not cope with the assessment process; and that the CAB were supporting claimants whilst their funding was reducing.

In view of the level of concern raised, the Chairman suggested that a strongly worded letter be sent to the Secretary of State from Group Leaders and herself to sign, with copies being sent to all Dorset MPs and elected members. The matter would also be reviewed in October 2017. On being put to the vote this was agreed unanimously.

Resolved (unanimously)

1. That a strongly worded letter be sent to the Secretary of State to reflect the Council's views.
2. That the letter be signed by the Group Leaders and Chairman of the Council and be copied to Dorset MPs and elected members.
3. That the matter be followed up in October 2017.

Questions from County Councillors

- 48 There were no questions received at the meeting in accordance with Standing Order 20.

Meeting held on 7 June 201749 **Western Dorset Growth Strategy Action Plan**

In relation to minute 68, Cllr Sutton sought assurance that information she provided for the Cabinet meeting in relation to air pollution levels at Boot Hill, Weymouth, and associated monitoring had been taken account of, and had been attached to the minutes as stated. In relation to pollution and monitoring it was explained that schemes within the action plan were due to go through a prioritisation process and any further information would be gratefully received outside of the meeting. The Chairman also indicated that the information had been included in the full version of the minutes.

In relation to the wider membership of the Western Dorset Growth Strategy Members Board, it was confirmed that a meeting was scheduled to take place in the coming week to consider wider membership and member engagement.

Quarterly Asset Management Report

In relation to minute 66, clarification was sought regarding the consultation process with local members and parish councils for property disposals following concerns raised on the Monkton Park disposal. It was confirmed that the Parish Council had been consulted, but unfortunately the local member had not due to a misunderstanding over the divisional boundary. The Corporate Director for Environment and Economy apologised for the error and indicated that officers had been instructed to double check which local member needed to be engaged.

Resolved

That the report of the meeting held on 7 June 2017 be adopted.

Meeting held on 28 June 201750 **Medium Term Financial Plan (MTFP) update**

In relation to minute 82, concern was expressed in relation to forecasted overspends, particularly in relation to social care aspects of the Council's statutory responsibilities, and the need to challenge the Government regarding local authority funding in the strongest terms possible. The Leader responded to acknowledge the serious issue and that the Cabinet was aware of increased pressure on budgets, together with increasing demands and cost. It was further explained that weekly updates were being held regarding the budget position in the high priority areas of social care. There was also frequent dialogue with MPs about issues including the need for an increase in funding nationally. Further work was needed to ensure that adequate systems were in place to deliver services to meet the needs of the most vulnerable.

Frustration was expressed by a number of councillors about the timescales to complete Traffic Regulation Orders, due to the impact of budgetary constraints. It was clarified that the advertisement costs of orders was high and this was a barrier to the speed of completion. The Corporate Director for Environment and Economy and the Monitoring Officer explained the advertising element of the orders, and that it was currently law to require authorities to advertise in local newspapers.

In respect of financial contributions to enable TROs to be dealt with sooner, it was noted that priority orders were based only on health and safety grounds and that it was possible to provide financial contributions to speed up the process of dealing with orders that had no safety issues. It was recognised that representations could be made to increase pressure on the need for alternatives, to which councillors welcomed investigations to find an alternative solution.

Cabinet Forward Plan

In relation to minute 79, and the planning of items to be considered by overview and scrutiny committees prior to Cabinet consideration, councillors were notified that a meeting between Cabinet members and Overview and Scrutiny Committee Chairmen was due to be arranged following the Overview and Scrutiny Management Board on 21 July 2017.

Corporate Plan - Draft Refresh 2017-18 and Outcomes Focused Monitoring Report, May 2017

In relation to recommendation 81, reservations were expressed regarding the need for an indicator to be included in the Corporate Plan to reflect benchmarking and monitoring of air pollution and air quality, especially as deaths related to pollution were the equivalent of 10 per day nationally totalling 44,000 per year. It was clarified that the Joint Public Health Board was leading a review of air quality and monitoring across Dorset which considered factors including the climate, urban and rural impacts, and also coastal impact. Once information was understood and the direction of travel was established this area would be considered as an indicator within the Corporate Plan.

It was also explained that there were a range of indicators that were shared with public sector partners, and some were shaped by communities. It was important to use information to show the impact on Dorset's population.

Resolved

That the report of the meeting held on 28 June 2017 be adopted and recommendation 81 be approved.

Recommendation 81 - Corporate Plan - Draft Refresh 2017-18 and Outcomes Focused Monitoring Report, May 2017

That the County Council be recommended to approve the draft Corporate Plan at Appendix A of the Leader's report.

Reason for Recommendation

The 2017-18 Corporate Plan provided an overarching strategic framework for monitoring progress towards good outcomes for Dorset. The outcome indicators summarised in the report provided enhanced evidence to the Cabinet, The Audit and Governance Committee and the three Overview and Scrutiny committees so that progress against the corporate plan could be monitored effectively.

People and Communities Overview and Scrutiny Committee - Meeting held on 26 June 2017

51 Cllr Mary Penfold, as the Vice-Chairman, summarised the work of the Committee which included reference to Local Government Reform and the Council's Corporate Plan.

Local Government Reform

The Chief Executive introduced recommendation 30 and summarised the progress to date in relation to the formation of two joint committees as the forerunner to the potential creation of new authorities as an agreement between councils in Dorset. The County Council would be entitled to representation on both joint committees.

Questions were asked about the membership of the joint committees and particularly whether places would be allocated based on geography. It was explained by the Leader of the Council that appointments would be made outside of the meeting by Group Leaders. It was also indicated that there would be ongoing liaison with leaders of other councils in Dorset and the need to find the right spread of experience and talent. However, it was also explained that there were likely to be workstreams which other members would be able to contribute to in due course.

In relation to the importance of engagement with Town and Parish Councils, concerns were expressed that the Dorset Association of Towns and Parish Councils had a lack of sense of urgency regarding LGR, and if workstreams would be added regarding work with Town and Parish Councils there would be a series of issues to consider. The comments were noted, and it was highlighted that engagement with Town and Parish Councils needed to be as effective as possible, and there was also an important role for local members to play.

It was understood that Councils that opposed the submission to the Secretary of State to form new unitary councils were able to continue their opposition, but join the committees based on the ambition of closer cooperation and inclusiveness. East Dorset District Council and Purbeck District Council had committed to take part in the joint committees, but other councils were still to consider the report in the coming weeks.

Following a request, it was agreed that the joint committees' minutes would be presented directly to County Council to ensure transparency of each committee with members.

Special Educational Needs Budget

Cllr Kayes expressed concern about the addition of items to the Cabinet Forward Plan at short notice which meant that they could not be scrutinised by overview and scrutiny committees. She then referred to minute 32 where it had been agreed to set up a half day review of the Special Educational Needs (SEN) budget. However, within a week of this she had received a letter from a headteacher about a current consultation on SEN funding. This had not been referred to at the meeting, even though officers would have known it was planned. She asked why this had not been considered by a Committee and whether the consultation could be suspended until after the review had taken place..

It was noted that there had been conversations with the Department for Education on the higher needs block and the need to consult with schools on the SEN budget. Members were reminded by the Corporate Director for Children, Adults and Communities that this was national funding which had not increased over a number of years even though demand had. There was no intention to cut funding but it did need to be spent more wisely according to criteria. The national funding had been increased by £1.3 billion although Dorset's share was as yet unknown. She assured members that no decisions had been taken and that the matter would be referred to the People and Communities Overview and Scrutiny Committee. The Director indicated that she was happy to discuss this further outside the meeting.

Dorset Education Performance 2016: Self Evaluation

In relation to minute 31, Cllr Kayes reported that she had been contacted by concerned parents about the proposal to cut or alter online services for young people, particularly those with mental health issues. She was also aware of an online petition about the subject and asked for an update on the situation. The Leader explained that a review of the service was being undertaken and that the seventeen families currently using the service had been sent letters the previous day. These explained that each young person would have a personal transition plan which would provide a

better value for money service which would provide the best education for them. More information was to be sent to parents and members would receive a copy too.

Resolved (Unanimous)

That the report be adopted and Recommendation 30 be approved.

Recommendation 30 - Local Government Reform

1. That the proposal to establish two Joint Committees with other Councils across Dorset to support the development of the Future Dorset proposal for Local Government Reorganisation, aiming to deliver sustainable services across Dorset for the future be supported.
2. That the membership of the proposed Joint Committees with the County Council's seats being capped at six, irrespective of the number of councils that could join at a later date be supported.
3. That delegated authority be granted to Group Leaders to appoint councillors to the Joint Committees.

Reason for Recommendation

To enable Dorset County Council to form part of the governance arrangements that would support the progress of local government reform in Bournemouth, Dorset and Poole as part of the Future Dorset Submission made to the Secretary of State for Communities and Local Government in February 2017.

Safeguarding Overview and Scrutiny Committee - Meeting held on 6 July 2017

- 52 The Chairman of the Committee introduced the minutes of the meeting and highlighted in particular consideration of emergency planning arrangements across the Council in the light of the recent Grenfell Tower disaster; the formation of the task and finish group to scrutinise road traffic collisions; planning for a domestic abuse inquiry day; and consideration of the Youth Justice Plan.

Resolved

That the report be adopted.

Appointments to Committees

- 53 The following changes to appointments to committees were reported at the meeting:

- Cllr Ray Bryan to serve on the Economic Growth Overview and Scrutiny Committee.
- Cllr Nick Ireland to replace Cllr Beryl Ezzard on the Children's and Adult Services Appeals Committee.

Resolved

That the changes to appointments be approved.

Meeting Duration: 10.00 am - 12.05 pm