



County Council

Minutes of the meeting held at County Hall, Colliton Park, Dorchester,
DT1 1XJ on Thursday, 15 February 2018.

Present:

Hilary Cox (Chairman)

Andrew Parry (Vice-Chairman)

Jon Andrews, Shane Bartlett, Pauline Batstone, Derek Beer, Richard Biggs, Kevin Brookes, Cherry Brooks, Ray Bryan, Steve Butler, Graham Carr-Jones, Andrew Cattaway, Toni Coombs, Deborah Croney, Jean Dunseith, Beryl Ezzard, Tony Ferrari, Spencer Flower, Katharine Garcia, Peter Hall, David Harris, Jill Haynes, Nick Ireland, Colin Jamieson, Susan Jefferies, David Jones, Rebecca Knox, Jon Orrell, Mary Penfold, Margaret Phipps, Byron Quayle, David Shortell, William Trite, Daryl Turner, David Walsh, Peter Wharf and Kate Wheller.

Officers Attending: Debbie Ward (Chief Executive), Richard Bates (Chief Financial Officer), Maxine Bodell (Economy, Planning and Transport Services Manager), Nick Jarman (Interim Director for Children's Services), Jonathan Mair (Head of Organisational Development - Monitoring Officer), Lee Gallagher (Democratic Services Manager) and Fiona King (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, 26 April 2018.**)

Apologies for Absence

- 1 Apologies for absence were received from Cllrs Andy Canning, Keith Day, Lesley Dedman, Janet Dover, Steven Lugg, Bill Pipe and Clare Sutton.

Code of Conduct

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

The Chairman clarified that there was a standing dispensation in place for all members, as residents of Dorset, to be able to discuss the County Council budget and set Council Tax.

Minutes

- 3 The minutes of the meeting held on 9 November 2017 were confirmed and signed.

Public Participation

4 Public Speaking

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

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

Petitions

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

Chairman's Announcements

5 The Chairman reported on a number of deaths of councillors who had served on the County Council, as detailed below:

- Gil Streets, Beaminster division between 1993 and 2005, and as Deputy Leader of the County Council from 1997 to 2001
- Peter Staples, Mudeford and Wingfield division between 1985 and 1993
- Basil Ratcliffe, Southbourne division between 1989 and 1997
- Ruth Bussey, Verwood division between 1989 and 2001
- June Payne, Christchurch Central division between 1981 and 1997
- Dr John Milward, West Southbourne/Southbourne division between 1981 and 1997
- Mervyn Jeffery, Shaftesbury division between 2009 and 2017

Members paid tribute to the dedication and commitment of the former members to Dorset and within their division. The County Council then stood in silent tribute.

The Chairman reported the following events since the last meeting which included a number of carol services prior to Christmas; citizenship ceremonies; and the election of the Members of Youth Parliament.

The Chairman also welcomed Cllr Nick Ireland in his new role as the Leader of the Liberal Democrat Group.

Leader's Announcements

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

County Council staff

The Leader referred to all staff and highlighted they were the council's most valuable asset. Collaborative working was providing an opportunity for staff to do a lot more working together both in the private and public sector. Investing in staff and their successes was very important and highlighted a few of the recent successes:

- Legal Services had been shortlisted in the recent MJ Awards for their innovation in legal services which was now providing a much more efficient and speedier service.
- Public Health, the County Council was leading in this area and there was some great work ongoing. They had recently received a poster award.
- Highways, had been shortlisted for an award at the Association of public Sector Excellence and Innovation Awards for their work with town and parish councils in respect of minor highway maintenance.

Leader of the Liberal Democrat Group

The Leader thanked the previous Leader of the Liberal Democrat Group, Ros Kayes, for her collaboration and working together approach for addressing some difficult issues. She then welcomed Cllr Nick Ireland as the new Leader of the Group.

Questions from County Councillors

7 A question was asked under Standing Order 20 by the County Councillor for Ferndown to the Cabinet Member for Natural and Built Environment in relation to a Joint Tree Planting Strategy. The question and answer are attached as an annexure to these minutes.

Meeting held on 6 December 2017

8 Resolved

That the report of the meeting held on 6 December 2017 be adopted.

Meeting held on 17 January 2018**9 Resolved**

That the report of the meeting held on 17 January 2018 be adopted.

Meeting held on 31 January 2018

10 In advance of the budget debate, the following issue was raised in relation to the minutes of the Cabinet on 31 January 2018:

Recommendation 18c - Asset Management Capital Priorities

Following a question regarding the demise of Carillion and the likelihood of the County Council receiving any return of funds, the Monitoring Officer explained that the position regarding the Queen Elizabeth School had been resolved a considerable time ago. A full and final settlement had been reached and therefore there was no impact on the Council because of the changes with Carillion. Communication to this effect had been sent to all members but would be recirculated outside of the meeting.

Resolved

That the report of the meeting held on 31 January 2018 be adopted.

Recommendation 18(a) - Medium Term Financial Plan (MTFP) and Budget 2018-19 to 2020-**21**

11 (Notes: 1. Members had been granted dispensations to take part and vote in relation to the budget and council tax setting items on the agenda following the elections held in 2013, and subsequent by-elections.
2. The Chairman highlighted that the Council was required to take a recorded vote following discussion of the budget.)

Cllr Rebecca Knox, the Leader of the Council, presented the budget for 2018/19 to 2020/21 (a copy of the Leader's speech is set out in an annexure to these minutes). She proposed the recommendations put forward by the Cabinet. The proposals were seconded by Tony Ferrari, Cabinet Member for Communities and Resources.

Cllr Tony Ferrari, as the Cabinet Member for Community and Resources, spoke about the 4 key pressures for the Council's expenditure. He highlighted the negotiation with employees which had produced a larger settlement than was forecast, and whilst he was pleased staff would receive an increase it reflected negatively on the overall budget position. To deliver the same services, the following year the Council would need to spend £10m more. He referred to several demographic pressures, including the number of children in care, which was currently 446, that the population rose at between 1-2% per annum and there was more end of life care for dementia sufferers needed. He then referred to some flexibility that was available in the number of areas that the Council had chosen to invest in and highlighted the £1m recruitment drive to attract more social workers to Dorset and the move of the Dorchester Learning Centre to a more suitable location. He also highlighted the finding in foster care placements and school building programmes. He concluded by noting that this was a good budget at difficult financial time.

Cllr Nick Ireland, Leader of the Liberal Democrat Group, then addressed the meeting and highlighted that it had been another year of financial blight and he felt that this budget only promised more cuts. He stated that borrowing was £30m up from the previous year and that the debt was over 77% of the Council's budget, with the interest alone being nearly £8m. The County Council was now in a position of raising the maximum council tax it could and referred to the cuts in bus services which forced more cars onto the road and children were on streets from youth club closures. He also noted a concern about losing good staff because of the forthcoming Local Government Reorganisation proposals. He urged the Council to do more to influence funding from Government.

Cllr Jon Orrell, Deputy Leader of the Green Group, addressed the meeting in the absence of the Leader of the Group. He felt that in respect of funding the County Council was being penalised for delivering well. In respect of dementia care, nationally this had been ducked and deserved a national solution to a national problem. He had sympathy with the Cabinet and officers and felt that a good job had been done, making the 'best of a bad hand'. He was concerned that the people paying the price of this were the poorest, this was a regressive situation that we now found ourselves in. The gap between the rich and poor was widening. He made reference to the cuts in adult social care and asked if anything could be done to stop them.

Cllr Kate Wheller, from the Labour Group, commended the Cabinet on achieving a balanced budget but felt it had been done at the cost of the most vulnerable people in the community. She was now seeing real hardship in her division which was a very deprived and vulnerable area of the County. She pleaded for the Government to do more.

Members took the opportunity to ask questions regarding the budget setting process and items within the budget, and Cabinet members responded to each of the individual points raised. Issues raised included the change in respect of POPPS to a service which would now improve lives for all and not be restricted to just those people over 50; the social care precept and that the full 3% in this financial year would be taken and was ringfenced for social care; the strong messages that needed to be sent to the Government and Dorset MPs regarding funding.

The Cabinet Member for Health and Care responded to a question regarding the 5% increase in fairer charging money and explained this had achieved cross party approval through the Executive Advisory Panel on Pathways to Independence. There had not been any rises for around 6 years and therefore charging was not fair. Research found that this increase affected very few people and made the Council compliant with the Care Act, and there was an eligibility assessment that was undertaken regarding the ability of services users to pay.

The Leader concluded that there was not enough spend to meet the demands of the electorate and that Dorset was part of a drive with Cornwall, Devon and Somerset to campaign the Government which was supported by all MPs across the South West.

In accordance with Standing Order 44, the votes for and against Recommendation 18a.1(a) were recorded as follows:

For (28): Pauline Batstone, Kevin Brookes, Cherry Brooks, Ray Bryan, Steve Butler, Graham Carr-Jones, Andrew Cattaway, Toni Coombs, Hilary Cox, Deborah Croney, Jean Dunseith, Tony Ferrari, Spencer Flower, Katharine Garcia, Peter Hall, Jill Haynes, Colin Jamieson, David Jones, Rebecca Knox, Andrew Parry, Mary Penfold, Margaret Phipps, Byron Quayle, David Shortell, William Trite, Daryl Turner, David Walsh and Peter Wharf.

Against (0)

Abstain (10): Jon Andrews, Shane Bartlett, Derek Beer, Richard Biggs, Beryl Ezzard, David Harris, Nick Ireland, Susan Jefferies, Jon Orrell and Kate Wheller.

In accordance with Standing Order 44, the votes for and against Recommendation 18a (b, c) and 18a.2 were recorded as follows:

For (38): Jon Andrews, Shane Bartlett, Pauline Batstone, Derek Beer, Richard Biggs, Kevin Brookes, Cherry Brooks, Ray Bryan, Steve Butler, Graham Carr-Jones, Andrew Cattaway, Toni Coombs, Hilary Cox, Deborah Croney, Jean Dunseith, Beryl Ezzard, Tony Ferrari, Katharine Garcia, Peter Hall, David Harris, Jill Haynes, Nick Ireland, Colin Jamieson, Susan Jefferies, David Jones, Rebecca Knox, Jon Orrell, Andrew Parry, Mary Penfold, Margaret Phipps, Byron Quayle, David Shortell, William Trite, David Walsh, Peter Wharf and Kate Wheller.

Against (0)

Abstain (0)

In accordance with Standing Order 44, the votes for and against Recommendation 18a.3 were recorded as follows:

For (29): Pauline Batstone, Kevin Brookes, Cherry Brooks, Ray Bryan, Steve Butler, Graham Carr-Jones, Andrew Cattaway, Toni Coombs, Hilary Cox, Deborah Croney, Jean Dunseith, Tony Ferrari, Spencer Flower, Katharine Garcia, Peter Hall, Jill Haynes, Colin Jamieson, David Jones, Rebecca Knox, Andrew Parry, Mary Penfold, Margaret Phipps, Byron Quayle, David Shortell, William Trite, Daryl Turner, David Walsh, Peter Wharf and Kate Wheller.

Against (9): Jon Andrews, Shane Bartlett, Derek Beer, Richard Biggs, Beryl Ezzard, David Harris, Nick Ireland, Susan Jefferies and Jon Orrell.

Abstain (0)

Resolved

That recommendation 18a from the meeting held on 31 January 2018 be approved.

Recommendation 18(a) – Medium Term Financial Plan (MTFP) and Budget 2018-19 to 2020-21

1. *That the County Council be recommended to approve:*

- a) *The revenue budget strategy for 2018-19 to 2020-21;*
- b) *The budget requirement and precept for 2018-19; and,*
- c) *The position on general balances and reserves.*

2. *That the Chief Financial Officer present to the County Council a schedule setting out the Council Tax for each category of dwelling and the precepts on each of the Dorset Councils for 2018-19.*

3. *That the proposal to increase fees and charges for non-residential adult social care services by 5% in 2018-19 be approved.*

Reason for Recommendations

To approve the Council Tax increase for 2018-19 and to enable work to continue to refine and manage the County Council's budget strategy for the remaining MTFP period.

Recommendation 18(b) - Treasury Management Strategy Statement and Prudential Indicators for 2018/19

12 In accordance with Standing Order 44, the votes for and against Recommendation 18b were recorded as follows:

For (38): Jon Andrews, Shane Bartlett, Pauline Batstone, Derek Beer, Richard Biggs, Kevin Brookes, Cherry Brooks, Ray Bryan, Steve Butler, Graham Carr-Jones, Andrew Cattaway, Toni Coombs, Hilary Cox, Deborah Croney, Jean Dunseith, Beryl Ezzard, Tony Ferrari, Spencer Flower, Katharine Garcia, Peter Hall, David Harris, Jill Haynes, Nick Ireland, Colin Jamieson, Susan Jefferies, David Jones, Rebecca Knox, Jon Orrell, Andrew Parry, Mary Penfold, Margaret Phipps, Byron Quayle, David Shortell, William Trite, Daryl Turner, David Walsh, Peter Wharf and Kate Wheller.

Against (0)

Abstain (0)

Resolved

That recommendation 18b from the meeting held on 31 January 2018 be approved.

Recommendation 18(b) – Treasury Management Strategy Statement and Prudential Indicators for 2018-19

That the County Council be recommended to approve:-

1. *The Prudential Indicators and Limits for 2018/19 to 2020/21.*
2. *The Minimum Revenue Provision (MRP) Statement.*
3. *The Treasury Management Strategy.*
4. *The Investment Strategy.*
5. *Delegation to the Chief Financial Officer to determine the most appropriate means of funding the Capital Programme.*

Reasons for Recommendations

1. *The Prudential Code provided a framework under which the Council's capital finance decisions were carried out. It required the Council to demonstrate that its capital expenditure plans were affordable, external borrowing was within prudent and sustainable levels and treasury management decisions were taken in accordance with professional good practice. Adherence to the Prudential Code was mandatory as set out in the Local Government Act 2003.*

2. *This report recommended the indicators to be applied by the Council for the financial years 2018/19 to 2020/21. The successful implementation of the code would assist in our objective of developing 'public services fit for the future'.*

Recommendation 18(c) - Asset Management Capital Priorities

13 In accordance with Standing Order 44, the votes for and against Recommendation 18c were recorded as follows:

For (38): Jon Andrews, Shane Bartlett, Pauline Batstone, Derek Beer, Richard Biggs, Kevin Brookes, Cherry Brooks, Ray Bryan, Steve Butler, Graham Carr-Jones, Andrew Cattaway, Toni Coombs, Hilary Cox, Deborah Croney, Jean Dunseith, Beryl Ezzard, Tony Ferrari, Spencer Flower, Katharine Garcia, Peter Hall, David Harris, Jill Haynes, Nick Ireland, Colin Jamieson, Susan Jefferies, David Jones, Rebecca Knox, Jon Orrell, Andrew Parry, Mary Penfold, Margaret Phipps, Byron Quayle, David Shortell, William Trite, Daryl Turner, David Walsh, Peter Wharf and Kate Wheller.

Against (0)

Abstain (0)

Resolved

That recommendation 18c from the meeting held on 31 January 2018 be approved.

Recommendation 18(c) – Asset Management Capital Priorities

That the County Council be recommended to approve the capital programme for 2018/19 to 2020/21.

Reason for Recommendation

The available resources after taking account of committed projects were sufficient to meet the current capital programme.

People and Communities Overview and Scrutiny Committee - Meeting held on 10 January 2018

14 The following matters were raised in relation to the report of the meeting:

Minute 6 - Admission Arrangements 2019-20 and Transport Policy 2018-19

One member asked for justification for the rise in the cost of surplus seats for school transport and felt it was quite inhibiting especially in respect of the amount that had to be paid, on those parents with more than one child, and the times of year when it had to be paid. Cllr Deborah Croney, as the Cabinet Member for Economy, Education, Learning and Skills, advised that the decision had not yet been made as additional enquiries were being made for further information around comparators and expansion of Post 16 Transport before the Cabinet was scheduled to reconsider the matter on 7 March 2018. A conscious decision had been made several years ago to move to cost recovery and this increase was not about profiteering but ensuring the County Council could provide a cost neutral service which had not yet been achieved. The Chairman referred to the Integrated Transport Enquiry Day scheduled for Monday 26 February 2018 which would be a useful session for all members to attend.

Resolved

That the report of the meeting held on 10 January 2018 be adopted.

Economic Growth Overview and Scrutiny Committee - Meeting held on 24 January 2018

15 Resolved

That the report of the meeting held on 24 January 2018 be adopted.

Safeguarding Overview and Scrutiny Committee - Meeting held on 30 January 201816 **Resolved**

That the report of the meeting held on 30 January 2018 be adopted.

Dorset Health Scrutiny Committee - Meeting held on 13 November 201717 **Resolved**

That the report of the meeting held on 13 November 2018 be adopted.

Dorset Health Scrutiny Committee - Meeting held on 20 December 2017

18 The following matters were raised in relation to the report of the meeting:

Cllr Nick Ireland advised members that the Committee had met only to review the decision that had been made at the previous meeting on 13 November 2017 to make a referral to the Secretary of State for Health regarding the outcome of the Clinical Services Review. It had been a well-attended meeting with representatives from the Clinical Commissioning Group (CCG) and Ambulance Trust and several presentations were given.

Cllr Jill Haynes, as the Cabinet Member for Health and Care, advised members that this item had been presented to the Joint Health Scrutiny Committee who had declined to support the referral to the Secretary of State. There had been a considerable amount of attention paid to concerns regarding which hospital people from areas, particularly in Purbeck, would be attending and the CCG and Ambulance Trust had explained this at the meeting and a decision had been taken by the Committee to not progress with the referral.

Resolved

That the report of the meeting held on 20 December 2018 be adopted.

Recommendation - Delegation of Powers: A338 Wessex Way to provide a link to the Wessex Fields Business Park and the Royal Bournemouth Hospital19 **Recommended**

That County Council supported and endorsed the proposal to delegate to Bournemouth Borough Council the determination of the planning application for a new road junction on the A338 at Wessex Fields and the Royal Bournemouth Hospital to Bournemouth Borough Council.

Reason for Decision

To avoid duplication of work and to reduce the potential risk of a legal challenge arising from two different planning authorities interpreting and carrying out planning procedures in a slightly different way.

Recommendation - Constitutional Changes

20 It was highlighted that the Regulatory Committee had a lot of work to do in the coming months and had sometimes found themselves inquorate. However, there was full support for a reduced membership with substitutes in place across all groups. Following a question about only those members attending site visits being able to make decisions, Cllr David Jones, as the Chairman of the Regulatory Committee, explained this would be kept under review and if necessary would come back to County Council with any further changes if required.

Cllr Kate Wheller made reference to whether there was any possibility for ungrouped members being invited to join the committee. It was confirmed that political proportionality applied in this instance, but there were options regarding involvement that could be used.

Resolved

That the following constitutional changes as amended by the Audit and Governance Committee be approved:

1. County Councils Petition Scheme (including Petition Panels comprising a minimum of 3 members – the local member(s) should be given first choice and the relevant Cabinet Member should be expected to be involved).
2. Regulatory Committee Membership – 10 members (in accordance with political proportionality) plus one substitute for each political party; and
3. Pension Fund Committee Membership to include a maximum of 2 Cabinet Members.

Reason for Decision

To contribute to the County Council's Corporate Plan 'Working Together for a Strong and Successful Dorset'.

Recommendation - Pay Policy Statement 2018/1921 **Resolved**

That the Pay Policy Statement for 2017/18 be approved.

Reason for Decision

The Staffing Committee oversaw matters relating to staff terms and conditions.

Recommendation - Senior Management Roles and Responsibilities - Interim Arrangements - Review and Proposals22 **Resolved**

That the County Council approve:-

1. That the Chief Executive retains the statutory role of the Director for Adult Social Services on an interim basis.
2. That options for the discharge of the DASS role be confirmed within the new structure of Adult and Community Services and that discussions proceed with the Clinical Commissioning Group to consider a Joint Director post and resources to progress the Accountable Care System/Partnership development be agreed.
3. That delegated authority to develop these options be granted to the Chief Executive, after consultation with the Chairman of the Committee and Leader of the Council, Chair of the Health and Well-being Board and Cabinet Member for Health and Care.
4. That the changes, when approved by the County Council, be subject to Article 12 of the Council's Constitution, subject to the recommendations of the Audit and Governance Committee.
5. That the Interim Director for Children's Services appointment be extended for a 6 month period, to expire in October 2018, be agreed.
6. That the Adult & Community Services Directorate Scheme of Delegation from Senior Managers be amended accordingly.

Reason for Decisions

To ensure the continued delivery of the County Council's statutory responsibilities and effective management.

Appointments to Committees

23 The following changes to appointments and committees were reported at the meeting:

- Cllr Rebecca Knox confirmed that Cllr Steve Butler would replace Cllr Tony Ferrari on the Joint Public Health Board.
- Cllr Nick Ireland made the following changes to fill Liberal Democrat vacancies on several Committees:
 - People and Communities Overview and Scrutiny Committee – Cllr Beryl Ezzard
 - Dorset Health Scrutiny Committee – Cllr Beryl Ezzard
 - Joint Health Scrutiny Committee – Clinical Services Review – Cllr Nick Ireland

- Children's and Adult Services Appeals Committee – Cllr Derek Beer

Resolved

That the changes to appointments be approved.

Meeting Duration: 10.00 am - 12.10 pm