



County Council

Minutes of the meeting held at County Hall, Colliton Park, Dorchester,
DT1 1XJ on Thursday, 26 April 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, Andy Canning, Graham Carr-Jones, Toni Coombs, Keith Day, Lesley Dedman, Jean Dunseith, Beryl Ezzard, Tony Ferrari, Spencer Flower, Katharine Garcia, Peter Hall, David Harris, Jill Haynes, Nick Ireland, Susan Jefferies, David Jones, Rebecca Knox, Jon Orrell, Mary Penfold, Margaret Phipps, Bill Pipe, Byron Quayle, Mark Roberts, Davis Shortell, Clare Sutton, Daryl Turner, William Trite, David Walsh, Peter Wharf and Kate Wheller.

Officers Attending: Debbie Ward (Chief Executive), Nick Jarman (Interim Corporate Director for Children's Services), Lee Gallagher (Democratic Services Manager) and Denise Hunt (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, 19 July 2018.**)

Chairman

24 **Resolved**

That Cllr Hilary Cox be elected Chairman for the year 2017/18.

Vice-Chairman

25 **Resolved**

That Cllr Andrew Parry be elected Vice-Chairman for the year 2017/18.

Apologies for Absence

26 Apologies for absence were received from Cllrs Andrew Cattaway, Deborah Croney, Janet Dover and Steven Lugg.

Minutes

27 The minutes of the meeting held on 15 February 2018 were confirmed and signed.

Code of Conduct

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

Chairman's Announcements

29 The Chairman reported on the deaths of the following former members of the County Council:-

- Cllr (Dr) Geoffrey Tapper, Hambledon division between 1988/89 and 2001.
- Cllr Jenny Kellaway, Oakdale division between 1984/85 and 1992/93.
- Cllr Roy Gainey, Westham division, between 1964 to 1993 and 1997 to 2001.
- Cllr (Lord) Digby, Dorchester Rural Division No 2 between 1966 to 1982, and as Vice Chairman of the County Council from 1977 to 1981.

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 that she had attended several citizenship ceremonies and other civic events, including the Dorset Guiding Ceremony the previous evening. The Vice-Chairman had also deputised for her at a variety of events.

Public Participation

30 Public Speaking

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

A public statement was received at the meeting in accordance with Standing Order 21(2). A copy of the statement is attached as an annexure to these minutes.

Petitions

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

Motions

31 Social Mobility in Weymouth and Portland

The Council considered a motion submitted by Cllr Clare Sutton regarding Social Mobility in Weymouth and Portland. The Chairman explained that she would allow the motion to be debated by the Council under her discretion.

Cllr Sutton introduced the motion, stating that the concentration of deprivation in Weymouth and Portland was a serious cause for concern that was borne out by the statistical indicators and reflected in wage levels, health, schools and homelessness. She highlighted that directing resources to address inequalities formed part of the Council's Corporate Plan and the Council could play a part in bringing skilled and well paid jobs back to Weymouth and Portland to help reverse the decline. She asked Councillors to also support part (d) of the motion so that this could form part of the consideration of council assets to accommodate a future workforce by the new Dorset Council.

Members were supportive of parts a, b and c of the motion and commented on using all of the available data to allow the new Council to allocate its resources in a different way, the pay differential between Weymouth and Portland and other areas for doing similar jobs and locating staff in places closest to where they needed to be. However, a majority of members did not feel able to support part (d) of the motion as it would not be appropriate for the County Council to influence the activity of a new authority. They considered this should be a consideration for the Shadow Dorset Council using shared evidence and data in order to make informed decisions about each of the deprived areas in the Dorset area and to build on existing partnerships with public and voluntary sector partners.

Cllr Jon Orrell, who seconded the motion, stated that the public sector could deliver what the private sector was unable to achieve in bringing skilled jobs back to Weymouth and Portland. He also highlighted the added benefit of reducing traffic emissions and congestion by moving jobs to where they were needed. He therefore considered this to be an opportune time to establish a guiding principle and to highlight Weymouth and Portland.

Resolved

- a. That the overall commitment to improving equality of opportunity within Dorset be reaffirmed;
- b. That the allocation of its resources can do much to assist this be recognised; and,
- c. That Weymouth and Portland faces particular challenges in the context of Dorset be acknowledged.

Electoral Arrangements

The Council considered a motion submitted by Cllr Susan Jefferies regarding electoral arrangements in 2019. The Chairman explained that she would allow the motion to be debated by the Council under her discretion.

Cllr Jefferies introduced her motion outlining the need for a system of proportional representation and that members elected in the outdated "first past the post" system had a vested interest in maintaining the status quo. She explained that proportional representation had worked well in Greater London, Wales, Ireland and other countries, resulting in greater public turnout and engagement and enhanced local democracy. The changes as a result of Local Government Reorganisation (LGR) provided an opportunity to do something different, and in so doing, increase voter participation, help to create a diverse council and put power back into the hands of the voters.

Cllr Nick Ireland, seconding the proposal, expressed his view that the proportional representation model was well understood, but had experienced a lack of traction due to risk aversion. Dorset was being seen as an exemplar for LGR that should not be accompanied by an outdated voting system.

Members expressed support for the existing voting arrangements and commented that these had worked well over a long period of time and offered clarity for the public. It was noted that a majority of the public had previously voted against a change to proportional representation, and that form of voting had resulted in weaker governments in Europe.

Views were also expressed in support of the motion as a way of introducing a fairer system that increased voter turnout that would also be favoured, in particular, by the younger generation.

Following the debate, the Monitoring Officer advised that the motion related to elections to the new Dorset Council which would take place one month after the abolition of the individual councils. Electoral arrangements had been delegated to the Dorset Area Joint Committee (DAJC) and thereafter the Shadow Dorset Council.

Upon being put to a vote, the motion was lost.

Leader's Announcements

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

Integrated Care System

The Leader advised that Dorset was one of 8 areas in the country chosen to conduct a pilot for an integrated care system which was a credit to the organisation, particularly in the context of Local Government Reorganisation (LGR) and the complexity of working relationships with public sector organisations such as the NHS and Clinical Commissioning Group (CCG). This served to demonstrate that collaboration and individual relationships at the right level mattered and could make a real difference and form a concrete basis on which to move forward.

She recognised the important level of community engagement in Dorset and the work achieved by the Health and Wellbeing Board in linking local democracy and communities that would also help to embed health and social care integration.

The Council awaited a potential change to the way funding came forward, working with national partners and speaking with MPs.

Corporate Parenting Board

The Leader had been delighted to see the Chairman and Vice-Chairman of the County Council reaching out in areas not often highlighted and noted that the Vice-Chairman had recently undertaken the role of Chairman of the Corporate Parenting Board for Dorset which was an important role with support for families needing greater visibility due to their requirements.

Workforce

The Leader paid tribute to staff who were essential in running the organisation whilst at the same time preparing to transfer services to a new Dorset Council. This work was not always visible and was asking a great deal from staff. She conveyed her utmost respect and appreciation for all the hard work that was taking place.

Local Government Reorganisation in Dorset, Bournemouth and Poole

33 The Council considered a report updating members on developments in relation to local government reorganisation (LGR).

The Chief Executive introduced the report which set out in summary the Structural Change Order (SCO) that would govern the transition to a new council. There remained uncertainty around the timing of meetings of the Shadow Dorset Council as this was dependent on when the SCO was agreed. The first meeting of the Council needed to be held within 14 days of the SCO being agreed and it was anticipated that this would take place before or on 20 June 2018.

In response to a question, the Leader explained that there would not be a requirement for political proportionality in making appointments to the Shadow Dorset Executive Committee, however, early indications suggested that appointments to a new Audit and Scrutiny Committee on this basis had been looked upon favourably.

Cllr David Jones set out his understanding that the Secretary of State did not have the power to make the Modification Orders, the reasons for which had been set out in a memorandum to Christchurch Borough Councillors. He proposed the following amendment to the first recommendation that was seconded by Cllr Margaret Phipps:-

"Delete Recommendation(1) and insert

- 1a) notes the steps taken but regrets the Secretary of State's ultra vires actions in laying the Modification Regulations.*
- 1b) notes the impending private application for Judicial Review of the Secretary of State's actions and resolves to take a neutral stance in any hearing."*

In seconding the amendment, Cllr Phipps expressed her view that to lay modification regulations with an SCO was outside of normal practice and that this Council should take a stance should there be a legal challenge.

Members were advised that the Monitoring Officers for the sovereign councils had received advice from the advisors to the Secretary of State who did not accept this view. Officers were yet to see papers in respect of any Judicial Review proceedings and were therefore not in a position to advise on the stance to be taken in respect of such proceedings. Delegated authority had already been given by the Council for the Monitoring Officer to provide this after consultation with the Leader and Chief Executive.

Upon being put to a vote the amendment was lost.

During the debate that followed, Cllr Jones noted that abstentions had not been requested during the vote on the above amendment. The Chairman apologised for the oversight and a show of hands was requested in order to record the number of abstentions as being 7 members.

Members debated the report recommendations, commenting on the high number of county councillors on the Shadow Dorset Executive Committee as well as its potential political make-up. Members were advised that the number of County Councillor representatives had been specified as a late change by the Secretary of State in the SCO and had not been sought by the County Council. The governance arrangements were due to be discussed on 15 May 2018 and representatives from all political groups in the governance working group would be welcomed.

Resolved

1. That the steps being taken in preparation for the formation of two new councils for Dorset, Bournemouth and Poole be noted;
2. That the Leader be given delegated authority to appoint the 10 County Councillors to serve as members of the Dorset Shadow Executive Committee; and
3. That the Chief Executive and the Monitoring Officer be given delegated authority, after consultation with the Leader, to respond to consultations on the content of consequential orders in connection with local government reorganisation.

Reason for Decisions

To enable the County Council to consider the steps being taken in preparation for LGR, to ensure that the appropriate delegations are in place to enable appointments to be made to the Shadow Dorset Executive Committee and to authorise officers to respond to consultations.

Questions from County Councillors

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

Appointments to Committees

- 35 The Council considered a report by the Chief Executive on the appointments to committees of the County Council, Joint Committees and the Dorset and Wiltshire Fire and Rescue Authority 2018/19. A supplementary paper had been published prior to the meeting which provided details of the nominations by Group Leaders.

Resolved

1. That seats and appointments on committees of the County Council, joint committees and the Dorset and Wiltshire Fire and Rescue Authority be allocated for 2018/19, as nominated by Group Leaders and as set out in the Annexure to these minutes.
2. That the Leader be asked to confirm appointments to the Dorset Waste Partnership Joint Committee, Public Health Joint Board and the Dorset Health and Wellbeing Board as set out in the Annexure to these minutes.
3. That members be appointed to serve on other organisations for the year 2018/19 as nominated by Group Leaders.
4. That delegated authority be granted to Group Leaders to make in-year changes to appointments; and
5. That members be appointed as Member Champions for the year 2018/19 in accordance with delegated authority to the Leader of the Council after consultation with Group Leaders.

Reason for Decisions

To comply with the County Council's Procedure Rules (Standing Orders).

Appointment of Chairmen and Vice-Chairmen of Committees

- 36 The Council considered a report by the Chief Executive on the appointment of Chairmen and Vice-Chairmen of Committees for the year 2018/19.

Resolved

- 1a That the Chairmen and Vice-Chairmen of Committees of the County Council for the year 2018/19 be appointed as follows, to reflect the nominations of the Group Leaders; and
- 1b That the election of Vice-Chairman be delegated to the relevant Committee where two nominations have been received.

<u>Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
Audit and Governance	David Harris	Clare Sutton
Children's and Adult Services Appeals	Lesley Dedman	Susan Jeffries or Steven Lugg (to be determined)
Economic Growth Overview and Scrutiny	Ray Bryan	Cherry Brooks or Jon Andrews (to be determined)
People and Communities Overview and Scrutiny	David Walsh	Shane Bartlett or Mary Penfold (to be determined)
Regulatory	David Jones	Margaret Phipps
Safeguarding Overview and Scrutiny	Pauline Batstone	Derek Beer or Katharine Garcia (to be determined)
Staffing	Peter Wharf	Andy Canning or Hilary Cox (to be determined)

Reason for Decision

To comply with the County Council's Procedure Rules (Standing Orders).

Meeting held on 7 March 2018**37 County Farms Estate Management Plan Update**

In relation to minute 30, assurance was sought on whether the County Council was satisfied that true economic impact of closure of 6 farms was justified.

It was confirmed that the farms that had been identified were surplus to requirements and would have minimal economic impact. A decision had been made due to the need to balance the conflicting demands for the Council's assets, however, work would continue to investigate further the economic and social wellbeing of the County Farms estate.

Resolved

That the report of the meeting held on 7 March 2018 be adopted.

Meeting held on 4 April 2018**38 Residential Homes Options Consultation and the Future Use of Maumbury House, Dorchester**

In relation to minute 43, assurance was sought that the Corporate Parenting Board would continue to receive reports concerning the children that were moved into independent homes following the closure of Maumbury House. It was confirmed that the Board would continue to scrutinise the wellbeing and safety of children under its care and was in the process of creating a new format where the voice of the children could be heard.

Disposal of Former Brackenbury Infant School Site, Fortuneswell, Portland

In relation to minute 44, there was recognition for the award the authority had received for its work to create modular school buildings and its progress in moving away from bespoke architectural designs which was to be congratulated.

Future of Wareham Foot Crossing

In relation to minute 42, Cllr Ezzard, as the Local Member, stated that the local community did not accept that there was no other option than a ramped bridge at Wareham railway station and that further research of the alternatives should be undertaken. She welcomed the decision to hold the Regulatory Committee in June in Wareham.

Members were advised that the recommendation had been proposed as a result of consultation with the relevant organisations and that it was the view of Network Rail that no alternative would be considered..

Resolved

That the report of the meeting held on 4 April 2018 be adopted.

Safeguarding Overview and Scrutiny Committee - Meeting held on 13 March 2018

39 Early Intervention and Prevention

In relation to minute 18, the early assessment of the impact of the Family Partnership Zones in May 2018 was questioned as being premature in light of the anticipated return on investment after 15 months. However, it was considered that continuous assessment and evaluation would be of benefit.

It was suggested that the impact that health visitors could have on the Family Partnership Zones should be further investigated as well as early intervention in developing parenting skills during pregnancy. It was confirmed that the Committee would scrutinise these areas in future.

Resolved

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

Economic Growth Overview and Scrutiny Committee - Meeting held on 26 March 2018

40 **Resolved**

That the report of the meeting held on 26 March 2018 be adopted.

People and Communities Overview and Scrutiny Committee - Meeting held on 21 March 2018

41 Outcomes Focussed Monitoring Report, March 2018

In relation to minute 16, it was confirmed that it was not in the Council's remit to provide befriending services, however, it was acknowledged that work would be necessary to support communities in meeting the needs of people who were socially isolated.

Resolved

That the report of the meeting held on 21 March 2018 be adopted.

Dorset Health Scrutiny Committee - Meeting held on 8 March 2018

42 **Resolved**

That the report of the meeting held on 8 March 2018 be adopted.