



Cabinet

Minutes of a meeting held at County Hall, Colliton Park, Dorchester,
Dorset, DT1 1XJ on Wednesday, 27 March 2019.

Present:

Rebecca Knox	Leader of the Council
Jill Haynes	Deputy Leader and Cabinet Member for Health and Care
Steve Butler	Cabinet Member for Safeguarding
Andrew Parry	Cabinet Member for Economic Growth, Education, Learning and Skills
Tony Ferrari	Cabinet Member for Community and Resources
Daryl Turner	Cabinet Member for Natural and Built Environment

Members Attending:

Jon Andrews	County Councillor for Sherborne Town
Hilary Cox	Chairman of the Council and County Councillor for Winterborne
Nick Ireland	County Councillor for Linden Lea

Officers Attending:

Mike Harries (Chief Executive), Grace Evans (Monitoring Officer), Jim McManus (Acting Service Director Financial Services), Sarah Parker (Executive Director, People (Children)), Matthew Piles (Service Director of Environment, Infrastructure and Economy) and Lee Gallagher (Democratic Services Manager).

- (Notes:(1) In accordance with Rule 16(b) of the Overview and Scrutiny Procedure Rules the decisions set out in these minutes will come into force and may then be implemented on the expiry of five working days after the publication date.
Publication Date: **Wednesday, 27 March 2019.**
- (2) These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be presented to the County Council at its final meeting on 28 March 2019 and will be confirmed by the Chairman directly.)

Apologies for Absence

23 An apology for absence was received from Cllr Peter Wharf.

Code of Conduct

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

Minutes

25 The minutes of the meeting held on 6 March 2019 were confirmed and signed.

Public Participation

26 Public Speaking

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

There were no public statements 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.

Dorset Council Forward Plan

27 The Cabinet considered the draft Dorset Council Forward Plan, which identified key decisions to be taken by the Cabinet on or after its first meeting on 4 June 2019. The following changes were noted:

- The Lead Member names had been removed from the document as they would be populated following the Elections on 2 May 2019.
- It was noted that consultation information for the items in the plan would be added in due course.
- An item in relation to the Joint Archives would be considered by Dorset Council following a recommendation made by the Shadow Executive Committee on 25 March 2019.
- A review of public transport would need to be considered by Dorset Council in due course.
- The item relating to the safeguarding partnership arrangements on 4 June 2019 may move to a later meeting.

Noted

Additional Highways Maintenance Funding - Corporate and Department for Transport (DfT)

28 The Cabinet considered a report by the Cabinet Member for Natural and Built Environment on proposals to spend £1.4m of corporate funding on essential maintenance activities linked to drainage (including the £200,000 revenue element and £100,000 of capital) and the currently programmed patching and resurfacing work to be funded by £1.1m capital funding.

The report was considered by the Economic Growth Overview and Scrutiny Committee at its meeting held on 20 March 2019 and made the following recommendation:

'That having considered the recommendations made by the Policy Development Panel (PDP) in 2018, the Cabinet be requested to recommend that Dorset Council be asked to actively, and formally, consider reinstating essential highway maintenance activities in the future, requiring additional annual revenue funding equating to £3,733.960.'

The Cabinet welcomed the recommendation from the Committee and commended it for consideration by the Dorset Council.

Recommended

That Dorset Council be asked to actively, and formally, consider reinstating essential highway maintenance activities in the future, requiring additional annual revenue funding equating to £3,733.960.

Reasons for Recommendation

The recommendations made by the PDP were considered essential to address the backlog of issues associated with essential highway maintenance.

Panels and Boards

29 The Cabinet received the following minutes from Panels and Boards:

Joint Archives Advisory Panel - 1 March 2019

29a Cllr Hilary Cox, as the Vice-Chairman of the Joint Archives Advisory Board, highlighted the need to extend archive storage provision and that there was a very important conversation needed with Bournemouth, Christchurch and Poole Council after 1 April 2019. It was noted that there was a need for a strategic solution, but that it should not be solely at the cost of Dorset Council. Reference was also made to the need to explore income generating options as other organisations also required archiving services.

The Shadow Executive Committee considered the recommendation at its meeting on 25 March 2019, which made a recommendation to Dorset Council to take the matter forward in the early days of the new Council.

Noted

Health and Wellbeing Board - 13 March 2019

29b The minutes of the meeting were unfortunately not published in time for the meeting. However, members discussed the current work of the Health and Wellbeing Board and suggested that the membership of the Board be considered as part of a review of bodies by Dorset Council in due course.

The arrangements in place for locality groups were praised and it was recognised that effort should be made to continue to strengthen the effective working already in place.

Noted

Questions from County Councillors

30 A question was asked by Cllr Nick Ireland to the Cabinet Member for Safeguarding in relation to Looked After Children arrangements. The question and answer are attached to these minutes as an annexure.

The Executive Director, People (Children) provided some further context around the arrangements in place and welcomed a conversation with Cllr Ireland and confirmed that she was happy to meet with the family concerned. Cllr Steve Butler echoed the importance of contacting the Director to resolve concerns as early as possible. Cllr Andrew Parry also highlighted the importance of needing to constantly review lines of communication.

Exempt Business

31 **Resolved**

That in accordance with Section 100 A (4) of the Local Government Act 1972 to exclude the public from the meeting in relation to the business specified below as it was likely that if members of the public were present, there would be disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

Plot Sale at Dorset Innovation Park

32 The Cabinet considered a report by the Cabinet Member for Communities and Resources on a proposed sale of a plot of c 2.09 acres at Dorset Innovation Park.

Resolved

That the sale of a plot of c 2.09 acres at Dorset Innovation Park to Norco through the grant of a 999 year lease at £627,000 or such price which (subject to any further negotiation) satisfies the Council's statutory obligation to obtain best value for the sale of its property assets following the formal measurement of the plot, be approved.

Reasons for Decisions

To facilitate the first significant land sale on Dorset Innovation Park since the acquisition of the site by Dorset County Council bringing significant third-party investment to the park through the potential creation of a new high-tech engineering facility for a company satisfying the Park's wider occupation policy and the Council's economic development aims.

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Member Questions

Question from Cllr Nick Ireland to the Cabinet Member for Safeguarding

I have been approached by a family residing in the Dorset County Council area and been told that for the past four years DCC has incorrectly, and probably illegally, classified their child under the Looked After Children (LAC) Act without either the parents' consent or a court order.

Whilst an apology has been offered to the parents and possible reparations may be made, this mistake has caused great distress to them and has had a severe impact on both their child's and their own welfare over the past few years.

Will DCC's Child Services Director / Dorset Council's Executive Director for People (Children) undertake to ...

- Carry out a full inquiry into how this occurred and make the report publicly available (with redactions as necessary) within the next six months
- Report any breaches of statutory rules and regulations arising from this to the relevant authorities
- Instigate procedures and checks to ensure this can never happen again
- Investigate the circumstances of all other LACs as soon as possible, providing regular reports on progress, to make certain that no other children are in a similar incorrect position

Answer

Children's Services recently conducted a thorough review of all Section 20 (Children Act 1989) cases. That is to say where children/young people who are in the care of the local authority, but without a care order made by a court.

In the instant cases, this is provision of respite breaks for a child with disabilities. This is a common type of support offered by all local authorities to promote the welfare of children who are disabled and their families.

Short breaks which do not exceed 75 nights do not have to be considered as Section 20. It is discretionary and based in each instance, upon the need how best to promote the child's welfare.

In the instant case also, although there had been fewer than 75 nights. There had also been a child protection (Section 47 Children Act 1989) investigation and an initial child protection conference. This quite correctly, influenced consideration of applying Section 20.

The case has been the subject of regular LAC (Looked After Children) reviews which the parents attended.

We would encourage Cllr Ireland to speak with the Executive Director of People- Children directly on this to share further details and information.

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