

## **DORSET COUNCIL - CABINET**

### **MINUTES OF MEETING HELD ON TUESDAY 3 SEPTEMBER 2019**

**Present:** Cllrs Spencer Flower (Chairman), Peter Wharf (Vice-Chairman), Tony Alford, Ray Bryan, Graham Carr-Jones, Tony Ferrari, Laura Miller, Andrew Parry and Gary Suttle

**Apologies:** Cllrs David Walsh

**Also present:** Cllr Jon Andrews, Cllr Jean Dunseith, Cllr Matthew Hall, Cllr Brian Heatley, Cllr Nick Ireland, Cllr Paul Kimber, Cllr Molly Rennie, Cllr Jane Somper, Cllr Daryl Turner, Cllr David Tooke and Cllr Rob Hughes

**Officers present (for all or part of the meeting):**

Matt Prosser (Chief Executive), Aidan Dunn (Executive Director - Corporate Development S151), Mathew Kendall (Executive Director of People - Adults), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer), Sarah Parker (Executive Director of People - Children), John Sellgren (Executive Director, Place), Kate Critchel (Senior Democratic Services Officer), Stuart Dawson (Head of Revenues and Benefit) and Dugald Lockhart (Senior Project Manager)

At the start of the meeting, the Leader of the Council advised that item 10 on the agenda on "Procurements over £5 million in respect of : Electricity and Gas" had been deferred following discussions with the Portfolio Holder and officers.

This was a important matter which required further work and research before the report was brought before the Cabinet for its decision.

**38. Minutes**

The minutes of the meeting held on 30 July 2019 were confirmed and signed by the Chairman.

**39. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

**40. Public Participation**

There were no public questions or statements to be received.

**41. Questions from Members**

There was one written question from Cllr N Ireland in relation to the "Procurements over £5 million in respect of Electricity and Gas" Report. Item 10 on the agenda

had been deferred and as such Cllr Ireland was content to also defer his question to a future date.

There were no further questions from members. But the Leader of the Council reminded those Councillors at the meeting, that if they wanted to speak on an agenda item in accordance with the Cabinet's Terms of Reference to indicate so that he could invite them to participate.

**42. Forward Plan**

The Forward Plan was received and noted.

**43. Children's Residential Provision**

The Portfolio Holder for Children Services reported that Dorset Council had high numbers of children in care, and faced a considerable overspend as a result. For children who were placed in residential care, there was a higher risk that they ended up in a placement distant from Dorset. This was because in Dorset there was a lack of appropriate children's homes to accommodate those who required this provision and Council had not attracted external providers to invest in Dorset or set up provision in the locality.

It was important that, where possible, children were placed with family members and when this was not appropriate children preferred to remain in a local setting.

The committee was further advised that during the last five years, the use of residential placement nationally had increased by over 8%. Within this increase there had been a reduction of children placed within the local authority boundary and in local authority run children's homes. There was also a substantial increase in children placed in nearby or distant placements run by "for profit" organisations. In the current financial year, a spend of £11,158,142 was forecast for residential care and secure accommodation. With the average annual cost per head of £242,575. At the time of the report being produced there were 178 children placed in external placements with 60% being placed with other authorities which bordered Dorset.

It was likely that there would continue to be a need for residential homes in Dorset and if Dorset Council was able to reduce its looked after children population to the target level of 395, there would still be a need for 30-40 places in children's homes required.

Members agreed that achieving this level would require a staged approach, be dependant on a reduction of total numbers in care and an increase in the number, range and quality of foster carers.

Members acknowledged that current arrangements should be improved to ensure that young people in the care of Dorset Council had the best possible start and the right outcomes. The proposal would also offer cost benefits for the Council. A reduction of the number of children looked after outside of the Dorset area would also reduce travel requirements and ensure that more Dorset Council expenditure was circulated in the local economy.

## Decision

- (i) That the Executive Director for People (Children) takes action, as outlined in the report to Cabinet of 3 September 2019, to increase the sufficiency of residential care for children in Dorset.
- (ii) Once options have been identified, the lead cabinet member for Children, Education and Early Help, in consultation with cabinet colleagues and corporate parenting board, be delegated powers to approve preferred sites.
- (iii) That consultation takes place with local residents and stakeholders about preferred sites.

## Reason for Decision

For Dorset Council to make the best use of resources and securing the best outcomes, for children in care who require residential care.

### 44. **Looked After Children Reduction Case for Change**

The Cabinet considered a report which reviewed current research on the rise in numbers of looked after children in England and Wales. There were several reasons why it was important to have a strategy that would focus on the need to reduce the size of the population of children in care in the Dorset area.

The Executive Director for People (Children) stated that it was important to safe guard risk and look at ways in that the organisation currently worked with young people, to review the whole system including schools, health partners and neighbouring authorities. In response to questions, the Executive Director for People (Children) confirmed that the timeframe for change would take time to achieve, however there would be significant impact and notable changes in costs involved and outcomes for the young people in care.

The Cabinet welcomed the report and its recommendations. It was acknowledged that this was a substantial and complex piece of work that would not be completed quickly. However the benefits of a long-term strategy would support the future provision of care and prevention in order to improve the outcomes for looked after children across the Dorset Council area.

Members were also advised that a further report would be brought to Cabinet at its meeting in December.

## Decision

- (i) That the Executive Director for People (Children) will develop a strategy and detailed roadmap to reduce the number of children in care, taking a rights-based approach, which develops services to support children to be able to grow up in a family setting.
- (ii) That a further report be present to Cabinet in December 2019.

**Reason for the Decision:** The reduction of the number of children in care in Dorset would:-

1. Promote the rights of children
2. Improve the outcomes for children
3. Enable services to be sustainable

**45. Procurements over £5 million in respect of: Highways Contractor Resource**

The Portfolio Holder for Finance, Commercial and Assets and the Portfolio Holder for Highways, Transport and Environment reported that Dorset Highways Construction Delivery Team had and continued to have, a requirement to procure additional labour resources to operate as part of its mixed economy delivery model.

This model provided suitable resilience and business continuity to ensure that Dorset Council could continue to meet its statutory highway duties ensuring that works were completed within the required timeframe. Failure to re-procure the Dorset Highways Contractor Resource Framework would put the service under extreme pressures to deliver the vital and critical highways functions of maintenance and improvements.

In response to questions and concerns raised by non-executive members, the Portfolio Holder for Highways, Travel and Environment confirmed that wherever possible in-house and local resources would be utilised, but where appropriate there were a variety of technical experts and specialists that could be called upon. The Top-Up Labour Framework would ensure flexibility, capacity and efficiency of service.

In respect of an individual matter raised by a local member, the Portfolio Holder agreed to discuss the details with the member concerned outside of the meeting.

Decision

That the procurement and award of a Dorset Highways Contractor Resource (Labour Top-Up) Framework (re-procurement exercise) be approved.

**Reason for the Decision**

Cabinet is required to approve all key decisions with a financial consequence of £500k or more, and procurements over £5m are subject to individual reports (Cabinet 04-06-19 refers).

The technical summary for reasons for the recommendation is as follows:

- The pre-agreed rates and contract conditions allows Dorset Highways to respond to changing demands / circumstances quickly and efficiently.

- The quick procured method - call off, is far quicker than the traditional quote, tender and mini-competition methods of procurement. This reduces administration and back office costs
- The multi supplier lots provide resilience if the preferred supplier cannot fulfil the call-off
- The multi supplier lots provide technical expertise in a variety of specialist areas
- The multi-supplier framework has worked for the last eight years.
- The organisation risk is LOW

**46. Procurements over £5 million in respect of: Electricity and Gas**

Decision

Defer

**Reason for the Decision**

To allow further detailed consideration and investigation on this important matter prior to a formal decision being made by Cabinet.

**47. Policy for the awarding of discretionary Rates Relief to charities and not for profit organisations**

The Portfolio Holder for Finance, Commercial and Assets advised members that councils have the discretion to award up to 100% rate relief to ratepayers. The former Dorset district and borough councils all adopted schemes which looked to provide support to charities and “not for profit” organisations.

The discretionary rate relief policy set out at appendix 3 to the report of Cabinet 3 September 2019, had been developed having a regard to the previous schemes and ensured that a consistent approach would be taken.

In response to questions regarding any negative impact on the organisations already in receipt of support, members were advised that the policy looked to target support to those organisation which make a maximum contribution towards the community. It was anticipated that the majority of existing recipients would continue to receive discretionary rate relief and that the cost of awards would be in line with budget provision.

The Portfolio Holder further suggested that the policy should be reviewed after 12 months to ensure that it was fit for purpose.

Decision

That the discretionary rate relief policy, as set out at Appendix 3 of the report of 3 September 2019, be adopted.

**Reason for the Decision**

To ensure that a consistent approach is taken in relation to the award of discretionary rates relief.

**48. Superfast Broadband - To invest funds, made up from grant from the Department of Food and Rural Affairs (DEFRA) and contract outturns**

The Cabinet considered a report on the universal provision of superfast broadband which was critical to the future economic and social prosperity of the county of Dorset. Members were advised that the Superfast Dorset (SFD) programme aimed to deliver the most appropriate superfast broadband solution for communities.

The Portfolio Holder for Corporate Development and Change presented a short PowerPoint presentation highlighting key facts and figures relating to the proposal. This included that additional coverage for a further 2066 premises predominately in rural areas. This improvement would be welcomed by rural business that currently found it difficult to expand and grow because of poor network connection.

It was acknowledged that Openreach had been late in their delivery of previous programmes, but there was little interest in alternative providers bidding on contract of this nature. The council also had a proven working relationship with Openreach and would be able to hold robust conversations with the provider.

Responding to questions the Programme Manager advised that additional funding for the project was being provided by external resources including grant award from DEFRA (RPA) and existing capital underspends in the programme.

The Cabinet agreed that it was essential that Dorset Council continue to lobby for fast delivery of broadband across these additional areas to support economic growth in rural Dorset.

Decision

Decision

- (i) That authority be delegated to the lead member for Economic Growth & Skills in consultation with the lead member of Corporate Development & Change and the Executive Directors for Place and Corporate Development to approve Change Control(s) under the Superfast Dorset Phase 3 Ultrafast contract to incorporate funding derived from the DEFRA Rural Broadband Infrastructure grant award, released from in life contractual changes and from current programme underspends into the existing contract, to the contracted maximum public funding contribution of £8.9m
- (ii) Note that the Change Control process requires that the proposal(s) from BT (Openreach) described above would be subject to central government assurance (Building Digital UK and Rural Payments Agency for DEFRA) and Dorset Council's own assurance (to include Superfast Dorset, Finance and Legal consultation) prior to seeking to enter into contract.

- (iii) Notes that the values presented within the report to Cabinet on 3 September 2019 were subject to finalisation within the contractual limits specified under recommendation (i) above.

### **Reason for the Decision**

To further the Council's corporate plan focus on Enabling Economic Growth through maximising the level of external funding drawn into Dorset to extend the provision of superfast broadband services to rural areas.

Central government commissioned research suggests that a £1 investment in NGA broadband returns a £20 increase in GVA for the local economy.

#### **49. Climate Change Executive Advisory Panel Update**

The Portfolio Holder for Highways, Travel and Environment updated the Cabinet on the work carried out to date. He confirmed that a group of experience officers and members had been brought together to consider this matter and that Dorset Council took the Climate Change Emergency very seriously. However it was important for officers to gathered all the appropriate information before the panel could consider Dorset Council's priorities going forward.

The next meeting of the Climate Change Executive Advisory Panel would be receive a presentation from Extinction Rebellion and the meeting dates for the remainder of the year had now been set.

The next meeting of the Advisory Panel was scheduled for 13 September 2019.

#### **50. Urgent items**

There were no urgent items considered at the meeting.

#### **51. Exempt Business**

#### **52. Exempt Business Appendix - Superfast Dorset Phase 3 Ultra Contract Expansion**

The exempt appendix was received without discussion in connection with min 48 above.

**Duration of meeting:** 10.00 - 11.05 am

**Chairman**

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