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DORSET COUNCIL

MINUTES OF MEETING HELD ON THURSDAY 14 OCTOBER 2021

Present: Cllrs Tony Alford, Jon Andrews, Mike Barron, Richard Biggs, Cherry Brooks, Dave Bolwell, Alex Brenton, Piers Brown, Graham Carr-Jones, Simon Christopher, Kelvin Clayton, Robin Cook, Janet Dover, Jean Dunseith, Matthew Hall, Paul Harrison, Sherry Jespersen, Carole Jones, Stella Jones, Andrew Kerby, Nocturin Lacey-Clarke, Howard Legg, Robin Legg, Jon Orrell, Emma Parker, Andrew Parry, Mary Penfold, Byron Quayle, Molly Rennie, Maria Roe, Jane Somper, Clare Sutton, David Taylor, David Tooke, Daryl Turner, Kate Wheller, John Worth, Jill Haynes, Mike Dyer, Mike Parkes (Vice-Chairman), Ryan Hope, Rob Hughes, Tony Ferrari, Beryl Ezzard, Andrew Starr, Derek Beer, David Walsh, Cathy Lugg, Toni Coombs, Gill Taylor, Barry Goringe, Pete Barrow, Brian Heatley, Ryan Holloway, Pauline Batstone, Nick Ireland, Paul Kimber, Laura Miller, David Morgan, Louie O'Leary, Ray Bryan, Shane Bartlett, Val Potheary (Chairman), Belinda Ridout, Mark Roberts, Spencer Flower, David Shortell, Susan Cocking, Gary Suttle, Simon Gibson, Les Fry, Peter Wharf and Rod Adkins

Apologies: Cllrs Rebecca Knox, Bill Pipe, Sarah Williams, David Gray, Tim Cook, Andy Canning, Julie Robinson, Roland Tarr and Bill Trite

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

Susan Dallison (Democratic Services Team Leader), Aidan Dunn (Executive Director - Corporate Development S151), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer), Hayley Caves (Member Development and Support Officer), Kate Critchel (Senior Democratic Services Officer), Lindsey Watson (Senior Democratic Services Officer), Matthew Piles (Corporate Director - Economic Growth and Infrastructure), Jacqui Andrews (Service Manager for Democratic and Electoral Services), Grace Evans (Head of Legal Services and Deputy Monitoring Officer), Rebecca Forrester (Business Intelligence & Performance), Theresa Leavy (Executive Director of People - Children) and Elaine Tibble (Senior Democratic Services Officer)

33. Declarations of Interest

Cllr Ryan Holloway declared an interest in item 8 The Dorset Council Plan, as he had a business located on the Dorset Innovation Park. Cllr Holloway did not speak or vote on the item.

34. Chairman's Announcements

The Chairman advised that this was an informal meeting and the minutes of the July meeting would be on the agenda of the next Full Council meeting in December.

She reported the sad death of former County Councillor, John Peake MBE and invited Cllr Jill Haines to pay tribute to him.

35. Public Participation - Questions and Statements

Public questions, statements and the responses from the Leader of the Council and appropriate Portfolio Holder were set out in Appendix 1 attached to these minutes.

36. Public participation - petitions and deputations

There were no petitions or deputations.

37. Announcements and Reports from the Leader of Council and Cabinet Members

The Leader of the Council presented his Bulletin and highlighted the following two points:

Firstly, the budget pressures faced by the Council largely due to the number of older people living in the county which created a higher level of demand for adult social care services than many other areas in the country. He had continued to lobby ministers via the Dorset MPs on a range of issues, in particular the funding crises faced by Local Government in our health and social care system.

Secondly, Dorset's ambitions for children and young people and the £37.5m investment the Council had made in children's facilities.

Ofsted had just completed a three week inspection and he thanked those in children's services for all their hard work and input.

He also commented on the closure of the Blandford Group Medical Practice.

38. Questions from Councillors

Questions put by councillors to the Leader and relevant Portfolio Holders are attached to these minutes at Appendix 2, together with the responses.

39. Dorset Council Plan

Cllr Ryan Holloway had declared an interest in this item, he did not take part in the discussion or vote.

The Portfolio Holder for Corporate Development and Change and Deputy Leader presented the report which had been through Cabinet in June and reviewed by the two overview Committees in detail.

He thanked the Overview Committees for their input which included one of the key recommendations that climate and ecological change became a priority. A

number of additional changes had also been made following recommendations from the Overview Committees.

Members debated the report and made comments on the following points:-

Representation for suitable affordable housing to enable young people to stay in the county.

Suggestions for an Executive Director appointment to support the climate and ecological strategy.

Dorset's ageing population, the high adult social care budget together with the high housing costs for younger people presented unsustainable demographics.

The need to create a better and healthier lifestyle for our older people – prevention at scale.

Economic growth - focus on better skilled jobs and apprenticeships

Proposed by Cllr Peter Wharf

Seconded by Cllr Spencer Flower

Upon being put to the vote the “minded to” motion was carried.

The Executive Director for Corporate Development and Chief Finance Officer confirmed that he had listened to the debate and having taken into account that members were minded to support the recommendations in the report, confirmed his decision.

Decision:

- (a) That the updated Dorset Council plan, as set out in appendix I of the report to Cabinet 5 October 2021, be adopted.
- (b) That authority be delegated to the Portfolio Holder for Corporate Development and Change, in consultation with the Leader of the Council and the Chief Executive for the final design of the plan.

40. Return to In Person Full Council Meetings

The report was presented by the Leader of the Council who proposed the following recommendation:

Recommendation

That Full Council and all committees will return to ‘in person’ meetings from when the appropriate webcasting equipment has been installed and tested to the satisfaction of Group Leaders (anticipated to be by Mid November 2021). In the meantime Informal arrangements will continue as previously agreed by Full Council at the 4 May Annual Council and extended by the Chief Executive’.

Debate focussed on planned working arrangements, hybrid meetings and hybrid working. It was hoped to be webcasting hybrid meetings from mid-November, but patience was required to allow for training, setting up and testing

Some members felt that the committee rooms were not fit for purpose, were antiquated and did not fit with the image of a modern digital council.

References were made to safety, travel costs, carbon emissions, inclusivity and the need for a hybrid model.

Clarification was sought on explanations for the public on how the council planned to keep them safe and what mitigation measures would be in place.

In response to member concerns regarding suitable ventilation systems the Leader would ask the Portfolio Holder for Economic Growth, Assets and Property to send members a briefing note re: aspects of covid safety.

Proposed by Cllr Spencer Flower
Seconded by Cllr Les Fry

Upon being put to the vote the “minded to” motion was carried.

The Executive Director for Corporate Development and Chief Finance Officer confirmed that he had listened to the debate and having taken into account that members were minded to support the recommendations in the report, confirmed his decision.

Decision:

That Full Council and all committees would return to ‘in person’ meetings from when the appropriate webcasting equipment had been installed and tested to the satisfaction of Group Leaders (anticipated to be by Mid November 2021). In the meantime Informal arrangements would continue as previously agreed by Full Council at the 4 May Annual Council and extended by the Chief Executive’.

Reason for Decision:

To enable members to consider how best to ensure that democratic decision making is able to continue effectively and safely

41. Dispensation for non attendance at committee meetings

The report was presented and proposed by Cllr Spencer Flower.
Seconded by Cllr Clare Sutton.

Upon being put to the vote the “minded to” motion was carried.

The Executive Director for Corporate Development and Chief Finance Officer confirmed that he had listened to the debate and having taken into account that members were minded to support the recommendations in the report, confirmed his decision.

Decision:

That all members of council receive a dispensation in relation to Section 85 of the Local Government Act for the period up to and including 14 April 2022 for the reason that not all members may be able to attend an in person committee, Cabinet or Full Council meeting due to Coronavirus.

Reason for Decision:

To prevent members from being disqualified as a councillor whose health or personal circumstances may prevent them from attending in person committee meetings due to the health risks associated with Coronavirus.

42. Appointment of temporary members to Parish Councils

The report was presented by the Leader of the Council.

Due to a Parish Council finding itself inquorate, he explained that Dorset Council had a duty to deal with the matters of the day in the Parishes.

In response to a suggestion, that authority should be given to the Group Leaders after consultation with the Chief Executive, the Corporate Director for Legal and Democratic and Monitoring Officer explained that there was a legal and technical reason why it had to be done as recommended in the report.

The Corporate Director for Legal and Democratic and Monitoring Officer explained that these were temporary Parish Councillors who would be put in place by Dorset Council to enable Parish Councils to co-opt councillors for themselves.

Proposed by Cllr Spencer Flower
Seconded by Cllr Les Fry

Upon being put to the vote the “minded to” motion was carried.

The Corporate Director for Legal and Democratic and Monitoring Officer confirmed he had listened to the debate and having taken into account that members were minded to support the recommendations in the report confirmed his decision.

Decision:

That delegated authority is given to the Chief Executive, after consultation with Group Leaders and the local member, to enable the appointment of temporary parish councillors where a parish council would otherwise be inquorate.

Reason for Decision:

To avoid a situation where a parish council that has become inquorate is unable to function and can carry out necessary business.

43. Urgent items

There were no urgent items.

44. Exempt Business

There was no exempt business

Appendix 1

Appendix 2

Duration of meeting: 6.30 - 8.37 pm

Chairman

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Full Council 14 October 2021

Questions and Statements submitted for the Public Participation Period

Question 1 – submitted by Holt Parish Council

Holt Parish Council has seen in recent months a significant increase in breaches of planning law. The criteria on the Dorset Council website are vague and undefined to anyone looking for guidance.

This vagueness means that as a Parish Council we are unsupported when making reports to the Enforcement Team for investigation and in fulfilling our own duty to represent our electors.

We want Dorset Council to explain why it has set its own very vague criteria by which to investigate breaches making it unclear it is fulfilling its obligations for enforcement?

Response by Cllr David Walsh

Holt Parish Council state that they have seen a significant increase in breaches of planning law in recent months. The Council has also seen an increase in the number of enforcement cases across Dorset as a whole.

The planning enforcement page on the Council's website currently provides a brief overview of the range of possible unauthorised development types. It sets out how to report concerns, and what we will do when we receive information about an alleged breach of planning control. The page includes a link to the Council's Planning Enforcement Plan which sets out more detail as to how the Council will deal with notifications of alleged breaches and the steps taken during enforcement investigations. A link is also provided to the National Planning Practice Guidance on Enforcement.

The Council is currently reviewing its Planning Enforcement Plan, and as part of the review, we are aiming to include more detail on the options which are available to the Council to tackle breaches of planning control, and how decisions are taken as to whether or not it is expedient to take action in each case. This review of the Enforcement Plan will hopefully address the concerns raised by Holt Parish Council in regards to the level of information currently provided on the Council's website.

Question 2 – submitted by Hannah Kearns

I am writing to you as the head of the Public Committee for next Thursday 14th October 2021 public committee to ask if this question could be raised and discussed. Last week Wessex water was granted an emergency licence to dig up Portland Beach Road to attend a water leak. Traffic lights were put up causing considerable delays to traffic both on and off the island. Complaints were made and then Wessex Water manned the lights to improve traffic flow. One week later Wessex water start more works this time on Portland Road near the convenience store with 4 way traffic lights. The traffic lights this morning have yet again not been manned. I have spoken to Dorset county highways and my reference with them is 1179723 and have spoken in length the Wessex water to try and understand why we have had these issues again.

Wessex waters response;

“we did ask our subcontractors sun traffic signals ltd to man the lights between 7am and 7pm they have not fulfilled there side of the contract and they are looking into the situation. “ I asked why Wessex water were not more proactive in dealing with this earlier as the same problem happened only one week ago. “Wessex water couldn't answer that”

My question to Dorset Council is:

What protocols are placed on the utility companies when granted a licence to do dig up major roads, with limited access. What they need to do to mitigate traffic flow issues, and if protocols are in place what actions are taken by Dorset council if the utility companies do not comply? Do the utility companies get fined, and if they do how is the money distributed afterwards.

It has taken my daughter 3 hours to get to school this morning. Due to last week we knew there would be disruption's caused and allowed extra time for it, but 3 hours is ridiculous. We also run a local restaurant on the island and this traffic issues has caused staff to be late getting home and to work. The other side it has majorly impacted our business, which with the pandemic already has suffered. Will business be compensated for the failures of Wessex water?

Response by Cllr Ray Bryan

I am sorry for inconvenience that was caused to the residents of Portland and Weymouth due the works undertaken by Wessex Water recently on the A354.

In January 2020 Dorset Council established the [Dorset Council Permit Scheme](#) under Part 3 of the Traffic Management Act 2004 (TMA) and the Traffic Management Permit Scheme (England) Regulations 2007 (the Permit Regulations). The scheme gives Dorset Council the ability to manage and coordinate works and events on Dorset's highway network. When a permit is issued to allow works to take place a number of conditions will be attached to it. These conditions relate to what activities the works promotor looking to perform and where on the network they are proposed

to take place. In the case of the permit issued to Wessex Water for the emergency repair of a water leak at Ferry Bridge, A354, Weymouth, the following conditions were applied:

1. Manual control between 0700 and 1900
2. Remove signals once works complete

As part of the application process the works promotor will need to submit traffic management proposals to Dorset Council for consideration. Depending on the likely impact of the work this may also be accompanied by a joint site visit with the works promotor, this took place in August with members of the Dorset Council Traffic team. Once the work is underway, the impact of the traffic management can be monitored through remote sensing, traffic flow telemetry and site inspections from our Highway Inspectors. If a works promotor is found to be in breach of any of the condition of the permit, the Dorset Council Permit Scheme sets out a number of penalty actions which can be taken, including the issuing of Fixed Penalty Notices (FPN's). In this instance 2 FPN's will be issued to Wessex Water.

The revenue generated as a result of issuing FPN's are initially used to cover the cost of running the Dorset Council Permit Scheme, with any surplus generated being reinvested back into Dorset's Highway network in the form of maintenance activities. The scheme is primarily funded through the levying of permit fees which are set at a level to allow the scheme to operate in a cost neutral manner to Dorset Council.

Question 3 – submitted by Sandra Reeve

I noticed that last week (Oct 27) there were only 2 days between the posting of the Agenda for the Cabinet Committee and the cut-off time for public questions. This seemed very short. Please could you clarify whether at Dorset Council there is an agreed minimum time between the posting of a committee's agenda online and the deadline given for questions from the public? If so, how many days is it? Thank you.

Response by Cllr Spencer Flower

Thank you for asking a question on public participation, we welcome members of the public to ask questions at our Cabinet, committee and Full Council meetings. Dorset Council is required to publish agenda papers 5 working days prior to the meeting, so in the case of the last Cabinet meeting the agenda was published on Monday 27 October to meet this statutory deadline. Members of the public can submit questions or statements, either relating to specific items on the agenda or on items that relate to the business of the particular meeting, the deadline for submission is 3 working days prior to the meeting, providing 2 full days for the submission of questions.

Question 4 – submitted by Sandra Reeve

In Somerset all garden waste is composted within the county and turned into Revive – a high quality recycled compost through a contractor called BIFFA. They produce two grades of high-quality organic compost /soil conditioner (0-15mm & 0-30mm) that are suitable for commercial and domestic use. Does Dorset Council plan to initiate a similar scheme in Dorset, so that local people can have access to bags of organic compost at their local recycling centres or bulk quantities directly from the contractor?

Response by Cllr Jill Haynes

Thank you for your question. Dorset Council's garden waste is recycled by our contractor, Eco Sustainable Solution. They produce a range of compost products made from the garden waste, which is available for home delivery, commercial collection or via a wide range of local garden centres. Full details of these can be viewed via the links below.

https://www.thisiseco.co.uk/Eco_Landscaping.html

[Country Care Products](#) (scroll down for list of locations)

In the past this service had been provided at household recycling centres. However, with the need to increase waste separation for improved reuse and recycling opportunities within the centres, which required us to provide additional containers on the sites meant that the sale of compost from the sites was stopped. This separation, reuse and recycling of so many different items is one of the reasons that Dorset Council has one of the highest recycling rates in the country.

Question 5 – submitted by Rosemary Lunt

Dorset's Climate and Ecological Emergency Strategy and Action Plan were adopted on 15 July 2021 at a meeting of the full council. Three months after having been adopted, the up to date Ecological and Emergency Strategy and Action Plan are still not available on the Dorset Council website. As I write, on 8 October, the website still has the original draft Strategy which is dated 15 July 2020 and the accompanying Action Plan. When will the updated and official versions of the Strategy and Action Plans be made available and, given that they are supposed to be living documents, what is the forward schedule for further updates?

Response by Cllr Ray Bryan

At the time the strategy and action plans were adopted we were in the middle of changing website software and migrating website content. This work has now been completed, and [The latest version of the strategy is now available](#) online at the climate emergency webpages www.dorsetcouncil.gov.uk/climate-strategy. Related

changes to the webpages, action plans and technical papers are coming very soon, but those who can access the strategy PDF file will have everything they need.

As noted the strategy and action plans will be living documents that will be updated as progress is made. We have committed to produce a bi-annual progress report, the first of which will be reported to the council's Place and Resources Scrutiny Committee on 16th November. It is envisaged that future published updates to the strategy and action plans will align with these reports.

Question 6 – submitted by Helen Sumbler

Referencing Agenda item 8, the Dorset Council Plan, the Economic Growth priority section states Dorset Council will “Improve rail services, public transport and reliability of journey times by working with providers, lobbying Government and focussing on schemes to ease congestion “. In light of this, and bearing in mind the lack of a current Implementation Plan for LTP3, could I ask what the progress is with the development of the revised, joint with BCP, Local Transport Plan? At the Cabinet Meeting on 2nd March 2021, the draft timetable showed this Plan would be consulted on in Autumn 2021, ahead of formal adoption in Winter 21/22.

Response by Cllr Ray Bryan

Due to further alignment of Local Plan timescales between the two authorities, conflicting demands on resource and changing guidance, including the recently published transport decarbonisation plan, the work on the revised Local Transport Plan has been delayed. Officers at both authorities have drawn up a revised timeline which moves through various stages of scoping, consultation and development during 2022 before being adopted in Spring / Summer 2023 to align with both Local Plans. In the meantime officers and members continue to seek the enhancements referred to through local schemes, the Bus Service Improvement Plan and subsequent Enhanced Partnership, Network Rail line review processes and other channels such as the Sub National Transport Body.

Question 7 – submitted by Joe Doak

The Draft Local Plan is currently missing a number of important reports and studies which are necessary for the proper planning of the Council area. These are listed on the Local Plan Web page, although the Dorchester Civic Society is of the view that the Plan also lacks an effective transport strategy and up-to-date Strategic Market Housing Assessment and (strategic) Sustainability Appraisal. Without these documents it can be argued that the current draft is unsound and that the Local Plan process should be restarted. The hurry to proceed with the draft local plan before an adequate and up-to-date evidence base has been established undermines the credibility of the whole Plan.

The Dorchester Civic Society would like to know the detailed timings for the publication of these missing reports (and any other Local Plan research reports

currently underway) bearing in mind that their findings will require sufficient time to be properly evaluated.

Response by Cllr David Walsh

A number of evidence studies are currently in progress and officers will send details of the studies and their anticipated completion dates to the questioner directly. The sustainability appraisal is an iterative document that helps inform the local plan throughout its preparation: the next published version will be produced alongside the local plan but it will be amended again as the plan makes its way through the examination process.

**Full Council
14 October 2021
Questions from Councillors**

Question 1 submitted by Cllr Kate Wheller

In the general scheme of the matters you will be addressing this evening this question will seem trivial, but I have received a number of messages from residents to whom it is a concern.

At the outset I want to make it clear that I am a great supporter of the Ironman Competition, and indeed regret that we are unable to host the full event.

The problem is the schedule of events. It was always the case that promoters would submit their plans and a schedule was agreed so that there were no undue clashes, as far as possible. Of course, this can be difficult, so many events and a finite number of weekends.

- The Battle of Britain is remembered across the country on the first Sunday after the 15th of September. This year the service was unable to take place because the Iron Man was also taking place on that weekend and access for those wishing to attend was considered far too difficult. This was distressing for many people for whom this memorial is significant.
- I don't know who or what department deals with event scheduling these days, or if anyone has oversight of such scheduling? My question is could we try a little harder to ensure that events that might be low key but still important are not eased out of our calendars because higher earner events are taking place. Thank you

Response from Cllr Ray Bryan

The traffic team administer approximately 200 event closures and 900 road closures (relating to street works) that take place on the highway each year. The scheduling of events is always difficult due to the number of events that happen across Dorset.

The Battle of Britain service is not an event that we have received notification from an organiser in the past or for this year. We do contact event organisers at the beginning of the calendar year that applied for a road closure or traffic management for their event in the previous calendar year to enable us to gain a 'schedule' of events for the next year however there are limitations to this. As above this will be only those events that have a direct impact on the highway. If an event does not have highway impact, we are unlikely to be made aware of it. These for example could be events held on private property etc.

With specific reference to the Ironman, the event date is determined by a number of factors relating to the event and is agreed as a fixed date within the calendar as part of our host venue agreement for the next 3 years. If there are specific events, Ironman or not, that experience clashes (not limited to events, roadworks can also cause clash), we can work with the event organisers to see if there is a solution to mitigate the impact and discuss access arrangements and ultimately work so that events can co-exist, where possible.

Question 2 submitted by Cllr Maria Roe

One of the good news stories which came out of the Conservative Party conference was that the Prime Minister pledges no homes to be built on green fields. He also promised the same thing when he was the London Mayor to the people of London. These promises are like music to my ears and it is very re-assuring news.

Can people in my ward (where every single new house in the Local Plan is to be built on green belt), celebrate this wonderful news?

Response by Cllr D Walsh

Despite the recent statements, national policy has not changed and still expects local planning authorities to plan to meet the housing needs of their areas. Dorset is a rural area with limited brownfield land and if no greenfield development were to take place, we would be unable to meet our housing requirements and there would be significant adverse effects on the local economy and housing affordability.

Not all greenfield land is green belt. The council is considering the release of some green belt land for development, but this can only take place in exceptional circumstances and will be fully tested through the plan making process.

Should national planning policy change, this would be taken into account in the local plan.

Question 3 submitted by Cllr K Clayton

A recent report from the House of Commons Environmental Audit Committee concludes:

“The scale of the challenge to retrofit existing homes to tackle the climate crisis is enormous. Energy efficiency is a precursor to the transition to low carbon heat, so action must be taken in the 2020s to set homes on a decarbonisation trajectory to meet our net zero targets.”¹ In Bridport, and other parts of Dorset, many of these existing homes have had requests to install energy efficiency measures, including the installation of double glazing, refused by our planning system because they are listed buildings. These listed buildings are nothing grand. Many are simple terraced houses that have been occupied by generations of working families, and the installation of double glazing would “lead to less than substantial harm” to their significance as a heritage asset. Could I have an assurance that the new Dorset Local Plan will take a different attitude to listed building consent and positively encourage the retrofitting of energy efficiency measures?

¹ ‘Energy Efficiency of Existing Homes’, House of Commons Environmental Audit Committee (22 March 2021)

Response by Cllr D Walsh

The local plan must be in accordance with national policy, which includes the protection of listed buildings as well as on energy efficiency. The planning White Paper included the suggestion that national policy on this matter might be changed to give increased priority to energy concerns, and if this happens it will be followed in the local plan. In the meantime, the plan will seek to maximise the opportunities for energy efficiency measures while continuing to protect the area's heritage.

Question 4 submitted by Cllr K Clayton

I have been contacted by more than one professional involved in submitting planning applications expressing their concern with the planning process within Dorset since we became a unitary authority. Of particular concern are the timescales involved in simply acknowledging applications, let alone in processing them. I understand that the increase in people working from home has led to an increase in applications and that the amalgamation of various planning systems into one has been a challenge, but I need to be able to reassure people who are getting increasingly frustrated by the delays, and I need to be able to reassure those small business owners whose business development plans are being held up by the delays. When can residents and business owners expect acknowledging and processing times to return to normal?

Response by Cllr D Walsh

Following recent recruitment to a number of posts in our technical support teams, we now no-longer have a validation backlog in our Southern and Western committee area. The teams are also working hard to clear the validation backlogs in the Eastern and Northern committee areas, with the aim of all validation backlogs being cleared by the end of this year. This will mean that planning applications will be validated promptly. It will take longer to clear the 'decision' backlogs and achieve our aim of determining most planning applications within the statutory timeframes (usually 8 or 13 weeks). We are aiming to make significant progress on clearing the decision backlogs by April 2022, but applicants and agents should start to see improvements sooner than this, given the positive progress on reducing validation timescales.

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