

DORSET COUNCIL - CABINET

MINUTES OF MEETING HELD ON TUESDAY 5 NOVEMBER 2019

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

Apologies: Cllrs Laura Miller

Also present: Cllr Jon Andrews, Cllr Shane Bartlett, Cllr Pauline Batstone, Cllr Piers Brown, Cllr Simon Christopher, Cllr Beryl Ezzard, Cllr Les Fry, Cllr David Gray, Cllr Matthew Hall, Cllr Brian Heatley, Cllr Nick Ireland, Cllr Andrew Kerby, Cllr Val Pothecary, Cllr Molly Rennie, Cllr David Taylor, Cllr Daryl Turner and Cllr John Worth

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

Matt Prosser (Chief Executive), Aidan Dunn (Executive Director - Corporate Development S151), 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), Ann-Marie Barlow (Head of Organisational Development), Sarah Longdon (Head of Transformation Team) and David McIntosh (Corporate Director (HR & OD))

Cllr Les Ames

The Leader of the Council invited all present to observe a minute's silence in honour of former Councillor Les Ames who had died on 4 November 2019.

70. Minutes

The minutes of the meeting held on 1 October 2019 were confirmed and signed by the Chairman.

71. Declarations of Interest

There were no declarations of interest to report.

Statement By The Chairman

Prior to the item on public participation, the Chairman advised that there had been five questions/statements in relation to agenda item 16 "Grants to Voluntary and Community Sector". Cabinet would listen to the various points raised, but were not in a position to answer the specific questions about how much money would be allocated to the sector at this stage. However, he advised that members welcomed all feedback through the consultation process.

Subject to Cabinet agreeing the recommendation before them, the Council would commence a period of consultation on the draft proposals. The Chairman assured all those present that all of the concerns, comments and questions would be addressed during and after the consultation and the outcome of the consultation would be brought back to the Cabinet at a future meeting.

Given the interest expressed, item 16 on the agenda would be brought forward to after public and councillor questions.

72. Public Participation

A question was received from Claire Hodgson in relation to the Item 16 on the agenda "Grants to the Voluntary and Community Sector" In the absence of the public speaker the question and response was read out by the Chairman.

Public Statements were received from the following members of the public in relation to item 14 "Dorset Council's response to the Landscapes Review Final Report (Glover Review)" and item 16 "Grants to the Voluntary and Community Sector":- Richard Brown, Yvonne Gallimore, Sarah James, Mark Tattersall, Dougie Scarfe and Michael Dower.

A copy of the Questions, Statements and responses are attached to these minutes as appendix A.

73. Questions from Members

Three questions were received from members. The questions and answers are attached to these minutes as an appendix B.

74. Forward Plan

The Cabinet Forward Plan was received and noted.

The following item was brought forward on the agenda given the public interest in the matter.

75. Grants to the Voluntary and Community Sector

The Portfolio Holder for Customer, Community and Regulatory Services presented a report setting out proposed consultation on the amalgamation of a range of existing funds into three categories; Earmarked funds, Revenue Grant Scheme and Capital Grant Scheme. He confirmed that the comments made by representatives would form part of the consultation. The proposed approach for Dorset Council was to aim to deliver a fair apportionment of spend across the council area whilst recognising the valuable contributions made by the voluntary and community sector.

The Portfolio Holder continued that it was essential to engage with the voluntary sector about the options in order to share to their views and experience.

Cllrs Batstone and Ezzard addressed Cabinet expressing concerns for the future of voluntary organisations, stating that spending less could have a damaging impact on transformation projects and negatively hit the organisations that the Council relies on for support the most. There were also concerns expressed regarding the future of Arts and Culture.

Cllr N Ireland suggested that the consultation period should be 12 weeks in line with the statutory guidelines from the Cabinet Office. In response, the Chief Executive confirmed that these guidelines related to Government consultation and the proposed 6 weeks was inline with LGA procedures.

Cllr Rennie welcomed the consultation and suggested the council should consider the hidden social deprivation in rural areas. She also felt that the consultation report should be considered by Scrutiny prior to the final report being brought back to Cabinet.

In considering the report, Cabinet agreed that the consultation should be extended to 8 weeks and that consultation should not take place across the Christmas period. In answer to a question raised by the Monitoring Officer it was confirmed that extending the consultation period and not beginning the consultation until after Christmas would not adversely impact on the budget considerations. The matter would also be referred to the most appropriate scrutiny committee prior to the final report being brought back to Cabinet for decision.

Decision

- (a) That an 8 week period of consultation be agreed to consult on the following funding options for 2020/21:-
 - i. No change - maintain the current level of funding to the current organisations with no change from 1st April 2020
 - ii. Maintain the current level of funding but change to the new approach to allocating funding from 1st April 2020.
 - iii. Reduce the current level of funding to current organisations by 10% (except Citizens Advice Bureau (CAB)) and change to the new approach to allocating funding from 1st October 2020
 - iv. Reduce the current funded organisations by 10% (except CAB) for a 12-month period. Change to the new approach to allocating funding from 1st April 2021
- (b) That the draft grants application criteria set out in in Appendix 2 for consultation be approved;
- (c) That the level of funding for future years (after 2020/21) as part of the medium term financial planning process be reviewed;
- (d) That following the consultation process and prior to bringing a report back to Cabinet, the outcome of the consultation be considered by Resources Scrutiny Committee.

76. **Quarter 2 Budget Report**

The Portfolio Holder for Finance, Commercial and Assets updated members on the council's financial performance, positions and forecasts at the end of the second quarter of the financial year.

The forecast reported a total overspend of 14.7m. The Portfolio Holder confirmed that key contributors to this increase was the increasing level of demand for Adult and Children's services. Members were reminded that the council's agreed policy was to invest to reduce future needs and cost.

The Portfolio Holder for Children, Education and Early Help confirmed that a number of initiatives were being developed and implemented to control demand and manage cost; this included the Blueprint for Change Strategy and the Building Better Lives programme.

The Portfolio Holder for Finance, Commercial and Assets reported that the council had reserves at the very top end of its target range which could be used to deal with some of these short term issues in the revenue budget whilst work continued in transforming service.

It was agreed that 2019/20 was a challenging year but members remained confident that the council had the resources available to overcome short-term pressures whilst it continued to refine the vision, strategies and operating model that would deliver the sustainable, dynamic and innovative organisation that Dorset's residents need.

Decision

- (a) That the Senior Leadership Team's forecast for Dorset Council's position at the end of Quarter 2 and the movement since Quarter 1 be received and noted;
- (b) That the impact that any overspend will have on reserves and the general fund be noted and
- (c) That the update to the MTFP following the Spending Review and the work in progress to develop a sustainable base budget for 2020/21 and beyond be noted.

77. Procurement of Banking Services

Cabinet consider a report setting out the planned procurement activity that was in addition to the procurement forward plan approved by Cabinet on 4 June 2019. Now that the predecessor councils had come together as one organisation, multiple bankers would not be the most efficient and effective way to operate. Therefore the Portfolio Holder for Finance, Commercial and Assets proposed the appointment to a single provider of banking services for Dorset Council.

Appointing a single provider would allow processes to be streamlined and simplified. In particular, this would enable some of the savings identified as part of the Tranche 2 Review of the Corporate Development directorate to be delivered.

Decision

That authority be delegated authority to the Portfolio Holder for Finance, Commercial and Assets to award a contract for banking services.

78. Procurement over £5m Report: Electricity and Gas Procurement

The Portfolio Holder for Highways, Travel and Environment presented a report on the future procurement of its energy. Dorset Council and its partners, principally schools spend over £7m a year on electricity and gas supplies.

Since 2009, on the advice of Procurement, the former sovereign Councils had each procured electricity and gas for themselves and partner organisations through LASER, by Professional Buying Organisations established by Kent County Council. Following the formation of Dorset Council, these contracts have been converged into single contracts for electricity and gas.

LASER provided energy procurement and contract management on behalf of its public sector members. LASER currently procured energy for over 200 public organisations including 130 local authorities, representing over £450m of energy contracts every year. The Council now needed to decide whether to continue to procure its energy via LASER for the new contracts commencing in 2020.

In response to concerns regarding green energy, the Portfolio Holder confirmed that this proposal was drawn up to serve public sector organisations, many of whom had declared a climate emergency. As such, they had been specifically designed to provide a large degree of flexibility to the customer, within the contracted period, to allow a range of actions to be taken that would reduce its carbon emissions.

Members agreed that the proposal through LASER represented best value, was flexible and had low carbon options.

Decision

- (a) That authority be delegated to the Executive Director for Corporate Development (S151) and the Executive Director for Place to enter into appropriate Customer Access Agreements through the LASER framework agreement for the supply of electricity, gas and ancillary services.
- (b) That authority be delegated to the Executive Director for Corporate Development (S151) and the Executive Director of Place to procure and award a call off contract under a LASER framework agreement for the council's (including partners) gas and electricity supplies for a term of up to four years for the period 2020-2024.
- (c) That authority be delegated to the Executive Director for Corporate Development (S151) and the Executive Director of Place to decide on the preferred in-contract purchasing option.

79. Transforming Cities Fund

The Portfolio Holder for Highways, Travel and Environment presented a report seeking approval to jointly submit a business case with Bournemouth, Christchurch and Poole Council to the Department of Transport for funding from the Transforming Cities Fund to enhance sustainable travel infrastructure in the South East Dorset area.

The Transforming Cities Fund was an opportunity to secure very significant capital funding and increase the delivery of sustainable travel infrastructure in the South East Dorset area. Any successful bid would facilitate an accelerated delivery of a coherent network of pedestrian and cycle route improvements on key corridors along with bus journey time reliability enhancements.

Cllr S Bartlett highlighted some of the highway issues in the Wimborne area and the Portfolio Holder confirmed that he would welcome the opportunity to work with the local member for the area on sustainable travel solutions.

Decision

- (a) That authority be delegated to the Portfolio Holder for Highways, Travel and the Environment to submit a Strategic Outline Business Case (SOBC), jointly with BCP, to the Department for Transport (DfT) following consultation with the Executive Director for Place and Executive Director for Corporate Development (S151).
- (b) That the development of the programme contained within the SOBC submission to Full Business Case(s) detail utilising LTP funding be approved;
- (c) That the proposed next steps regarding both the Transforming Cities Fund (TCF) process be noted.

80. **Procurement over £5m Report: Temporary Staff and Consultants**

Cabinet considered a report seeking the approval to procure and award the requirement of Consultancy for Specialist Professional Services and Supply of Temporary Agency Staff, in relation to employing external capacity.

Members noted that within the workforce of Dorset Council there was a diverse and broad range of skills and expertise, much of which had been built up over many years. However on occasion, when specialist skills or expertise did not exist within the Council's own workforce, there was a requirement to seek external capacity to cover these areas.

The Chief Executive reported that Unison had forwarded him a number of comments regarding the proposal which were mainly around ensuring that this would not be a long term solution and that any Consultant or agent should sign up to the Behaviours of the Organisation.

Both the Portfolio Holders for Finance, Commercial and Assets and Corporate Development and Change supported the recommendation.

Decision

That the procurement and award of Consultancy for Specialist Professional Services and the Supply of Temporary Agency Staff be approved.

81. Dorset Council - People Strategy

At this juncture the Chief Executive left the meeting.

The Portfolio Holder of Corporate Development and Change presented a report setting out the People Strategy which had been created alongside the draft Corporate Plan and draft values. The Strategy set out the strategic approach to how the council would become an employer of choice, both with current and future employees.

The Portfolio Holder also reported that the Strategy would be presented to a meeting of Audit & Governance Committee for their comments and any proposed amendments would be delegated to the portfolio holder and officers unless they were considered to be significant.

Members were advised that the Peer Review Team had broadly welcomed the work to date and members noted that the Strategy consisted of five key themes. Becoming an employer of choice, Developing our people, Engaging our people, Supporting our people, Rewarding and recognising performance and Creating a positive workplace culture.

A number of employee engagement opportunities had taken place and further communication campaigns would be carried out in the New Year.

Cllr M Hall made a very personal and honest statement relating to mental health issues. Following which the Portfolio Holder agreed that although the council had taken a number of positive steps in the area, there was more work to do to support and understand mental health issues. He would welcome Cllr Hall's input and support in the area.

Decision

- (a) That the People Strategy and accompanying documentation as set out in Appendix 1, be approved;
- (b) That the equality impact assessment as set out in Appendix 3, be noted;
- (c) That in consultation with the Executive Director Corporate Development, the Portfolio Holder for Corporate Development and Change be delegated authority to make changes to the strategy which might occur as a result of the scrutiny process.

82. Dorset Council Draft Transformation Plan 2020-2024

The Portfolio Holder for Corporate Development and Change set out the objectives and ambitions of the draft Council Transformation Plan. This included timescales, proposed budget, proposed governance structure, design principles and anticipated benefits.

The Transformation Plan represented the long term programme for Dorset Council to deliver the significant and fundamental changes necessary to meet the Council's ambitious goals whilst at the same time deliver savings that contributed towards plugging the budget gap.

Members were advised that the Transformation Briefing scheduled for 10 December 2019 would now be postponed until a date in January due to the General Election on 12 December 2019.

In response to questions, the Portfolio Holder confirmed that there were a number of projects underway through to six strategic programmes. These would be shared with members in detail at the Briefing meeting in January. However further details could be obtained from the Transformation team direct.

Decision

- (a) That the draft Transformation Plan as set out in Appendix 1, be approved;
- (b) That the creation of a £5 million transformation fund and the allocation criteria detailed in section 3 of the report be approved;
- (c) That authority be delegated to the Transformation Board as an Executive Committee of the Cabinet (comprising the Leader, the Portfolio Holder for Corporate Development and Change, and the Portfolio Holder for Finance Commercial and Assets) responsibility for:
 - i. Oversight of the Transformation Plan; and
 - ii. Allocation of the transformation fund according to the criteria.
- (d) That the proposed governance arrangements for transformation activity particularly the role of the Transformation Board and its accountability to Cabinet be approved;
- (e) That the equality impact assessment as set out in Appendix 2 be noted.

83. **Dorset Council's response to the Landscapes Review Final Report (Glover Review)**

The Landscapes Review or Glover Report was launched in May 2018. During the period of October and December 2018 there was a call for evidence, but at that time Dorset Council was not in a position to contribute to the review as it had not been created. Last year there was a government review to assess if there was scope for the current network of Areas of Outstanding Natural Beauty (AONB) and national parks to be expanded.

He further reported that Glover Report focused on examples of best practice including Dorset AONB which was held up as an exemplar. He also agreed that AONB's should be statutory consultees in planning as their contribution was invaluable.

Through the Local Government review process Dorset had significantly reduced the level of local government bureaucracy by creating two unitary councils to replace the previous two-tier systems. At this time Dorset Council was committed to putting in place a new local plan by 2024, this was a high priority for the council, significant resources would be invested in the development of the plan leaving little capacity to consider any alternative arrangements until this had been complete.

Cllrs B Ezzard, N Ireland, S Christopher and P Barrow all addressed Cabinet referencing some benefit to Dorset if there was a National Park, including additional funding opportunities, tourism and the economy.

In response the Portfolio Holder agreed that there was much to celebrate through the report, but he suggested that Dorset Council should await the response of Government to the Landscapes Review and in particular to consider what proposals government might wish to make regarding the future of AONBs and national parks.

In the meantime, he asked Cabinet to uphold the Council's commitment to produce a Local Plan by 2024 and support the reports recommendations.

Decision

- (a) That the findings of the Landscapes Review be noted

Note: It is important to stress that Dorset Council was unable to contribute to the Review's "call for evidence" as it was only created on 1 April 2019.

- (b) That council would engage with the Government concerning its response to the Landscapes Review particularly in regard to any proposal which would change the current designation and landscape management arrangements within Dorset.
- (c) That the contents of the desktop study set out in Appendix A be noted;
- (d) That having committed to put in place a new local plan by 2024 this should remain the Council's highest planning land use priority and that the council should not be distracted from this by any reconsideration of statutory planning powers and responsibilities in Dorset following the Landscape Review.

84. **Cross border Household Recycling Centre (HRC) use by Dorset residents**

Members were reminded that at its meeting in July, Cabinet considered a report on the access to Hampshire County Council's Somerley Household Recycling Centre ("HRC") and agreed that a decision should be deferred pending further discussion of options with Hampshire County Council (HCC).

The Portfolio Holder for Customer, Community and Regulatory Services set out the report which provided an update on these discussions and set out recent proposal by Bournemouth, Christchurch and Poole Council (BCP) for similar arrangements for the use of HRCs in their areas from April 2020.

The Portfolio Holder reported that HCC was intending to charge non-resident users for Somerley HRC, if this charge was not met by Dorset Council. This was likely to increase congestion and costs at the Wimborne HRC as well as residents travelling further to dispose of their waste adding to carbon emissions.

Members were advised that Wimborne HRC was already operating at capacity with queues and delays occurring frequently. Any additional usage of this site would impact on new and existing users and with further impact on residential properties and businesses who share the road to the site. It was proposed that a search for a suitable replacement start immediately taking into account emerging changes to national policy.

It was proposed that to avoid any additional costs and delays at Somerley HRC as a result of residents paying at the gate, Dorset Council contribute to HCC's cost of operating the site. This would be based on costs provided by HCC on usage by Dorset residents and would need to be on-going until a solution was found for HRC provision in the Dorset area.

In response to questions from non-executive members, the Portfolio Holder confirmed that there was no indication the Somerset or Devon County Councils had cross-border issues or intention to introduce similar measures for non-residents in the future.

The Portfolio Holder confirmed that conversations would continue with local councillors, in particular at Wimborne Town Council, as the council tried to find a solution the future arrangements for the Wimborne site.

Decision

- (a) That an additional £405,000 in the 2020/21 budget to cover payments to Hampshire County Council (HCC) and Bournemouth, Christchurch and Poole Council (BCP) be provided to allow Dorset residents continued access to Somerley, Millhams, Christchurch and Nuffield HRC's;
- (b) That authority be delegated to the Portfolio Holder for Customer, Community and Regulatory Services in consultation with the Executive Director for Place to finalise arrangements with HCC and BCP councils.
- (c) That the provision of a new Household Recycling Centre (HRC) and waste transfer facility in the east of the County be investigated as part of a wider HRC review;
- (d) That a survey be undertaken of the use of all Dorset Council HRCs by residents outside Dorset, to help inform the HRC review and future HRC strategy.

85. Calendar of Meetings

The Leader of the Council presented a report that set out the Calendar of Meetings for 2020-21, with the addition of an extra date in February 2021 for Audit & Governance Committee, as agreed with the Chairman of that committee.

In response to a question about the timing of future meetings, the Leader of the Council confirmed that a discussion regarding future arrangements beyond the 2020-21 calendar would be part of the fundamental Governance Review process.

Recommendation to Full Council

- (a) That the Calendar of Meetings for the period May 2020 to May 2021, as amended, be adopted.
- (b) That authority be delegated to the Corporate Director – Legal and Democratic Services to make any necessary changes, in consultation with the relevant Chairmen and Vice-Chairmen, to ensure effective political management.
- (c) That a review of the calendar of meetings be carried out as part of the fundamental review of the Council's Constitution.

86. Recommendation from Harbours Committee 25 September 2019 - Lyme Regis Harbour Revision Order

In response to a question from Cllr D Turner regarding additional common statutory powers that were not in place for Lyme Regis, the Portfolio Holder confirmed that this would be looked as the Order was progressed.

Recommendation to Full Council

- (a) That an application be made to the Marine Management Organisation (MMO) for a Harbour Revision Order (HRO) in respect of Lyme Regis Harbour to consolidate and modernise the applicable current local legislation;
- (b) That delegated authority be given to the Executive Director of Place in consultation with the Portfolio Holder for Highways, Travel and Environment to determine the wording of the HRO based on legal advice and undertake all procedures for the submission of the HRO to the MMO;
- (c) That a budget of £31,500.00 be allocated for this work to include legal advice, the application fee and public notices.

87. Recommendation from Place Scrutiny Committee 24 October 2019 - Community Safety Annual Report

The Portfolio Holder for Housing presented the recommendation from Place Scrutiny Committee in respect of statutory plans and strategies for adoption by the Full Council.

Cabinet also received an update of the work carried out by the Community Safety Partnership from the Chairman Cllr A Kerby.

The Chairman thanked Cllr Kerby for his time and welcomed the opportunity to receive an update on the work taking place by the Partnership.

Recommendation to Full Council

That Cabinet be asked to recommend the Community Safety Plan 2017-2020 (2019 refresh), Reducing Reoffending Strategy 2018-2021 (2019 refresh), including the amendment, and Bournemouth, Poole and Dorset 2016-2020 Alcohol and Drugs Strategy to Dorset Council for adoption as amended by the Supplement for Item 6, Appendix 4 – Amendment of Wording in the Reducing Reoffending Strategy (Page 4 – Dorset, Devon and Cornwall Community Rehabilitation Company) be approved.

88. Climate Change Executive Advisory Panel Update

The Portfolio Holder for Highways, Travel and Environment advised Cabinet that the Climate Change Executive Advisory Panel (EAP) continued to gather information and evidence. This process had included a member and officer workshop session to agree a way forward and the creation of themed groups to look at the specific areas of leadership, transport, buildings and assets, waste and environment and the natural environment.

The outcome from these group sessions would be feedback to the EAP with a view of bringing a detailed report to Cabinet in the spring.

Other work also continued, including addressing the reduction of vehicle emissions, the importance of keeping vehicles moving in town centres and a recent visit to Sherborne reviewing the damage caused by vehicle emissions on the school run.

89. Urgent items

There were no urgent items considered at the meeting.

90. Exempt Business

There was no exempt business to report.

Duration of meeting: 10.00 am - 1.00 pm

Chairman

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