

## **DORSET COUNCIL - CABINET**

### **MINUTES OF MEETING HELD ON TUESDAY 30 JUNE 2020**

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

**Also present:** Cllr Pete Barrow, Cllr Shane Bartlett, Cllr Pauline Batstone, Cllr Cherry Brooks, Cllr Kelvin Clayton, Cllr Susan Cocking, Cllr Robin Cook, Cllr Jean Dunseith, Cllr Beryl Ezzard, Cllr Les Fry, Cllr Barry Goringe, Cllr David Gray, Cllr Paul Harrison, Cllr Brian Heatley, Cllr Rob Hughes, Cllr Nick Ireland, Cllr Paul Kimber, Cllr Rebecca Knox, Cllr Nocturin Lacey-Clarke, Cllr David Morgan, Cllr Louie O'Leary, Cllr Jon Orrell, Cllr Mike Parkes, Cllr Bill Pipe, Cllr Val Potheary, Cllr Maria Roe, Cllr Jon Andrews, Cllr Andrew Starr, Cllr David Taylor, Cllr Gill Taylor, Cllr David Tooke, Cllr Kate Wheller, Cllr John Worth and Cllr Matthew Hall

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

Matt Prosser (Chief Executive), Susan Dallison (Democratic Services Manager), Kate Critchel (Senior Democratic Services Officer), Lindsey Watson (Senior Democratic Services Officer), Theresa Leavy (Interim Executive Director of People - Children), Grace Evans (Head of Legal Services and Deputy Monitoring Officer), Andy Frost (Community Safety and Drug Action Manager), Paul Iggulden (Consultant), Tony Meadows (Head of Commissioning), John Newcombe (Service Manager, Licensing & Community Safety), Karyn Punchard (Corporate Director of Place Services), Susan Ward-Rice (Equalities and Diversity Officer) and Dave Thompson (Corporate Director for Property & Assets)

**154. Minutes**

The minutes of the meeting held on 5 May 2020 were confirmed as a correct record and would be signed at a future date.

**155. Declarations of Interest**

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

**156. Public Participation**

Four questions and one statement was received from the public. These were from Nigel Shearing, Penny Quilter, John Calvert, Averil Simmons and Annabale Gardner.

A shortened version of the questions were read out by Matt Prosser ( Chief Executive) and Jonathan Mair (Corporate Director, Legal and Democratic

Services). A copy of the full questions and the responses are set out in Appendix 1 these minutes.

**157. Questions from Members**

There were two questions from members and these along with the responses are set out in Appendix 2 to these minutes.

**158. Forward Plan**

The Forward Plan was received and noted.

**159. Update on Dorset Council's Response to Covid-19**

In presenting the report relating the Council's response the Covid-19, the Chairman suggested that the Resources Scrutiny Committee may wish to post-scrutinise the update following this meeting. He advised members that an amended version of the report had been circulated as there had been a minor typing mistake at 9.27 of the report.

The Chairman reported that Dorset had experienced a very low number of cases and fatalities. However as of 4 June 2020 (date report was written) there had sadly been 279 deaths in the area (including care homes). He expressed his sympathy for the families who had lost loved ones.

The Chairman invited the Cabinet portfolio holders to address members on work being carried out in their respective areas of responsibility in relation to the Covid-19 response and update on the emerging arrangement for future planning.

The Portfolio Holder for Adult Social Care & Health reported that the council had worked closely with Public Health to develop the test and track programme. She also referred to the council's responsibility, in partnership with Public Health and other local councils, to develop a Local Outbreak Management Plan. This plan set out what the council would do to identify and control any local outbreak in the council's areas. The Health and Well-Being Board would be supporting this work to give assurance that local services could manage any future outbreak and provide the best possible protection to local communities.

The Portfolio Holder for Adult Social Care and Health also reported on the importance of recovery and the health & care system. The need to look back and learn from how the council responded to the pandemic and in particular to focus on work with care homes across the system and learn valuable lessons.

In respect of local interventions, on 14 May 2020 all local authorities received a request from the Minister of State for Care to provide assurances regarding local interventions to support residential care homes. The Council was ensuring that all care settings were supported through the crisis. She further advised that shielding work continued and outlined the work around the distribution of PPE in the local area.

The Portfolio Holder for Education and Early Years reported that schools had remained open throughout the pandemic in cluster formation for the benefit of key workers and vulnerable children. Lesson plans were delivered to children working from home. Most early years provision had reopened from early June with the Council's support and provision of advice at appropriate.

The Council was also working with school leaderships to support the provision of school meals and pastoral care. He continued that some secondary school year groups were receiving face-to-face teaching and he took this opportunity to advise that the Council had continued to focus on safeguarding.

It was also noted, as anticipated, that the number of children in care during the pandemic had increased and this reflected a nationwide pattern.

The Portfolio Holder for Highways, Travel and Environment highlighted that the above average warmer weather had caused issues with overcrowding on beaches and impacted car parks. Some people had failed to follow the governments guidelines and this had put pressure on the local authority and other responding services. The Portfolio Holder for Economic Growth and Skills reported on the business discretionary grants that had been distributed to local small businesses in recent weeks.

The Portfolio Holder for Finance, Commercial and Assets set out the current financial situation following the impact of the pandemic. He highlighted that the Council's budget gap was 60 million pounds with the amount received from central government to date set at 21.1 million. He confirmed that members continued to lobby strongly to seek more financial support from central government.

The Portfolio Holder for Corporate Development and Change advised that national guidance was being followed in respect of the recovery plan following a major event such as a pandemic. The recovery process would be led by the Local Resilience Forum and a recovery strategic plan providing a framework for recovery across Dorset had been established. He further reported on the work of the Recovery and Reset Executive Advisory Panel that was addressing issues around the recovery for the organisation and its employees.

In reply to a question regarding the detail and timescales of issuing a section 114 notice, the Portfolio Holder for Finance, Commercial and Assets advised that a detailed response would be circulated to all members following the meeting.

In response to a question regarding Pop-up cycle lanes, the Portfolio Holder for Highways, Travel and Environment advised that he would respond to this question in writing following the meeting.

A question was also asked about the provision of a hard copy information sheet in respect of Covid-19 to be circulated to residents in Dorset. The Leader of the Council confirmed that he would seek further advice from the Communications team and get back to all members with a response.

In response to concerns about GDPR, the Portfolio Holder for Adult Social Care & Health confirmed that it was important that the voluntary sector had all of the data available to them to carry out their service. She continued that it wasn't possible

to be 100% confident that all those who needed support were being reached, but she was confident that the service had 100% tried and would continue to do so.

#### Decision

- (a) That the continued COVID-19 emergency response in relation to the organisational reset and planned incident recovery be noted;
- (b) That a review of the Dorset Council Plan is considered in light of the organisational reset and recovery;
- (c) That the report be referred to the next meeting of Resources Scrutiny Committee for consideration.

**Reason for Recommendation:** To ensure that Cabinet is aware of the impact of COVID-19 on Dorset's vulnerable communities and responds accordingly.

#### 160. **COVID-19: How well has Dorset Council responded to meeting the needs of vulnerable groups during 'lockdown'?**

The Portfolio Holder for Corporate Development and Change set out the report on how well the Council had responded to the Covid-19 pandemic in meeting the needs of vulnerable groups during the lockdown period.

Since the last meeting of Cabinet work had been undertaken on an initial assessment of the 'lockdown phase' including local and national research, discussions with partners and round-table meetings with Councillors. The Portfolio Holder confirmed that it was a qualitative exercise based on a constantly evolving situation and that the feedback from Councillors had been hugely helpful.

The EqIA should be viewed as a "live" document that was designed to inform decision-making during the coming phase of Covid-19, reset & recovery. The report had a level of pre-scrutiny due to the round table events but would also be considered by People Scrutiny Committee on 20 July 2020 with an update being reported back to Cabinet later in the year.

Additionally the EqIA had also been internally reviewed by the Equality Action Group. Members heard from officers who set out some of the detail findings for the action plan, including focusing on how to ensure that key messages reached vulnerable groups. In particular Black, Asian and Minority Ethnic groups were at greater risk than White Ethnic groups. There was a need to look at how the Council it would meet the requirements of these vulnerable groups going forward into the future.

In response to a question regarding rough sleepers, the Portfolio Holder for Housing and Community Safety advised that some rough sleepers just didn't want to be housed during the height of the Covid-19 pandemic, but he confirmed that officers continued to work with them with the support of outreach services to ensure that they were supported.

Members welcomed the report which was content rich but noted that it was also important to remember that many of those who were vulnerable and community shielding also wanted to make a contribution with the skills that they had to offer.

Decision

- (a) That the initial impact of the 'lockdown' phase of COVID-19 on vulnerable groups in Dorset (attached at appendix 1) be noted;
- (b) That the findings of a series of round-table discussions with Councillors as summarised at appendix 2, be noted;
- (c) That the an ongoing assessment of the impact on vulnerable groups through subsequent phases of the pandemic be agreed;
- (d) That the action plan outlined at section 5 of appendix 1 be agreed; and
- (e) That the initial assessment undertaken largely by staff 'released' from core roles to assist with the covid-19 response be noted and the actions set out in section 5 require appropriate resourcing and oversight.
- (f) That the report be referred to People Scrutiny Committee for consideration.

**Reason for Recommendation:** To ensure that Cabinet is aware of the impact of COVID-19 on Dorset's vulnerable communities and responds accordingly.

#### 161. **Statement of Licensing Policy 2021-2026**

In presenting the report the Portfolio Holder for Customer, Community and Regulatory introduced John Newcombe, the new Service Manager Licensing & Community Safety.

Members were advised that the Council was required to publish a Statement of licensing policy at least every five years and the purpose of the policy statement was to define how the Council would exercise its responsibilities under the Licensing Act 2003. This was Dorset Council's first statement of Licensing Policy issued under the Act and prior to this formation of Dorset Council, each of the predecessor District and Borough Councils had their own Statement of Licensing Policy.

The Licensing Committee had considered the draft policy at an informal virtual meeting and it had also been shared with all councillors at a recent members briefing. Following a period of consultation, should responses to the consultation be received, officers would recommend appropriate amendments to the draft policy or give reasons why suggested alterations are not made. The outcome of the consultation would be considered by the Scrutiny Committee followed by consideration of the Licensing committee who would recommend its adoption by Full Council.

The Vice-Chairman of the Licensing Committee confirmed that the committee had met virtually to consider the policy and recommended it to go out to public consultation.

In respect of the policy document the following comments were also made;- expression of importance of a Cumulative Impact Area in the Weymouth area and that there was an argument that there should be a late night levy introduced by the Council.

The Chairman advised that these matters would be reflected upon as part of the consultation process.

#### Decision

- (a) That the draft Licensing Policy 2021-2026 (as set out at appendix A to the report) be published for a period of public consultation of not less than 12 weeks.
- (b) That the proposed Cumulative Impact Area, as detailed in Appendix A of the Draft Licensing Policy, be published alongside the Cumulative Impact Assessment and Violent Crime Analysis from Dorset Police as part of the public consultation.
- (c) That, subject to there being no relevant representations, the Service Manager for Licensing & Community Safety in consultation with the Chairman of the Licensing Committee recommends to the Council the adoption of the Draft Licensing Policy.
- (d) Should relevant representations be received, which require consideration of one or more significant amendments to the policy, Officers be instructed to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.

#### **Reason for Recommendations**

To comply with legislative requirements,  
To ensure openness and transparency in the Council's decision making, and To ensure that those persons affected by the policy are given the opportunity to have an input into it.

#### **162. Statement of Gambling Licensing Policy 2021-2024**

The Portfolio Holder for Customer, Community and Regulatory set out that the Council, as the Licensing Authority under the Gambling Act 2005, was required to publish a Statement of Gambling Licensing Policy at least every three years. The policy statement defined how the Council would exercise its responsibilities under the Act.

Members were advised that the draft policy had been considered by an informal meeting of the Licensing Committee prior to coming forward to Cabinet for consideration and would also be subject to a period of public consultation before

the outcome was reviewed by Scrutiny and recommended for approval by Licensing Committee to Full Council.

The Vice-Chairman of the Licensing Committee confirmed that members had considered the draft policy and commended that it now go out to public consultation.

#### Decision

- (a) That the draft Gambling Policy 2021-2024, as set out in appendix A, be agreed and published for a period of public consultation of not less than 12 weeks;
- (b) That, subject to there being no relevant representations, the Service Manager for Licensing & Community Safety, in consultation with the Chairman of the Licensing Committee recommends to the Council adoption of the Draft Gambling Licensing Policy;
- (c) Should relevant representations be received, which require consideration of one or more significant amendments to the policy, officers be instructed to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.

#### **Reason for Recommendations:**

To comply with legislative requirements,  
To ensure openness and transparency in the Council's decision making, and  
To ensure that those persons affected by the policy are given the opportunity to have an input into it.

#### **163. Community Safety Plan 2020-2023**

The Portfolio Holder for Housing and Community Safety advised that Community Safety Partnerships (CSP) were required to produce three-year Community Safety Plans that were revised annually. The Dorset CSP agreed its 2020-2023 Plan at its meeting on 9 March 2020.

Members were further advised that the Plan had been developed by analysing information and data and was informed by the findings of public consultation. Place Scrutiny Committee had also considered the process by which the CSP would develop the Plan at its meeting on 30 January 2020. The Portfolio Holder confirmed that Dorset Council was under a legal duty to work with the responsible authorities to identify and tackle community safety issues in its area and recommended the Plans adoption.

#### Recommendation to Full Council

That the Community Safety Plan 2020-23 be recommended to Dorset Council for adoption.

#### **164. Options for Prohibiting the Use of Disposable Barbeques**

Members were advised that there had been a number of incidents of fire damage across Dorset as a result of the use of and/or disposal of BBQ's or other social activity and of people having bonfires close to dry wooded and heathland areas.

The Portfolio Holder for Highways, Travel and Environment expressed the importance of bringing forward this report following a number of incidents including a serious fire at Wareham Forest which affected 180 hectares of heathland and was declared a major incident by the Fire and Rescue Service.

The serious impact to human health and Dorset's habitat, ecology and wildlife was also highlighted. The Portfolio Holder advised that the report sought approval of a group of Dorset Council officers, to link with the Fire and Rescue Services and other stakeholders to proceed with detailed work to look at the range of options to prohibit or control the use of BBQ's and other sources that caused fire.

Members were further advised that there was little risk associated with carrying out the proposed options report. However, once options for the control of fire risk were chosen the desired outcome would be to significantly reduce or stop the potential for accidental fires starting.

The Chairman of the Dorset and Wiltshire Fire Authority welcomed the report as good in partnership working across the authorities to deal with this matter. She wanted to draw members attention the increase in the number of small fires relating to disposal BBQ's and how that had impacted on the fire service provision. It was important to remind retailers and visitors on how to use and dispose of disposal BBQ's safely. She asked Cabinet to consider if it was possible for the consultation to start immediately in order to bring forward a Public Spaces Protection Order earlier. The Portfolio Holder agreed to discuss this request with legal services.

Decision

That working with Dorset and Wiltshire Fire and Rescue and other partners  
Cabinet:-

- (i) Authorise officers to proceed with detailed work to establish an options paper that looks at both the legislative as well as other alternatives available to control or prohibit barbeques and other fire related activities relating to Dorset Council area.
- (ii) Continue to support, until any further formal measures are put in place, the ongoing publicity campaign throughout the summer months in conjunction with partners. This will include the continued use of targeted signage at certain locations as well as supporting a range of social media campaigns

**Reason for Recommendation:**

To protect:

- Dorset's habitat, ecology and wildlife
- Human health
- Dorset Council's and private property
- And to support the safety of Dorset's emergency services and Dorset Council staff

165. **Capital funding of embankment improvements to the River Brit at West Bay**

The Portfolio Holders for Finance, Commercial & Assets and Highways, Travel & Environment set out a report seeking authority to implement riverbank improvements to the River Brit with the work planned to commence in October 2020. The Portfolio Holder for Finance, Commercial and Assets advised that the funding proposal for the project presented no significant cost to the Council whilst also producing an enhanced annual rent payable by the tenant of good covenant. The Portfolio Holder for Highways Travel & Environment reported that he fully supported the recommendation.

Decision

- (a) That the implementation of riverbank improvements to the River Brit to commence in October 2020, be approved;
- (b) That officers be instructed to complete an extension of the lease to the site operator of the Campfield Holiday Park at West Bay until 31st January 2074 on terms described in the confidential appendix which will fund the cost of the project works.

**Reason for Recommendation:**

A decision is required to progress the riverbank reinforcement project to the River Brit in West Bay, to address the risk of river flooding to the Campfield Holiday Park and adjacent properties in Forty Foot Way.

The Council is the freehold owner of the Campfield Holiday Park which is leased to Parkdean Resorts who have been the Council's tenant for 53 years. Parkdean Resorts are prepared to fund the estimated project costs from a capital premium in return for granting a 50 year lease extension that will encourage the tenant to continue to invest in a sustainable business in West Bay.

166. **Climate & Ecological Emergency Executive Advisory Panel Update**

The Climate & Ecological Emergency Advisory Panel would be shortly considering the detail of the Climate and Ecological Strategy report. A Place Scrutiny Committee had been arranged to scrutinise the report later in July followed by it being presented to Cabinet on 28 July 2020.

In response to a question, the Portfolio Holder confirmed that the strategy would go out to public consultation following the above process and that he would only be able to support realistic and achievable actions.

167. **Urgent items**

There were no urgent items.

168. **Exempt Business**

Capital funding of embankment improvements to the River Brit at West Bay -  
Exempt Appendix

**Appendix 1 - Public Participation**  
**Appendix 2 - Questions from Members**

**Duration of meeting:** 10.00 am - 12.12 pm

**Chairman**

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