

## **DORSET COUNCIL - CABINET**

### **MINUTES OF MEETING HELD ON TUESDAY 10 DECEMBER 2019**

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

**Apologies:** Cllr Ray Bryan

**Also present:** Cllr Jon Andrews, Cllr Pete Barrow, Cllr Shane Bartlett, Cllr Pauline Batstone, Cllr Piers Brown, Cllr Susan Cocking, Cllr Jean Dunseith, Cllr Beryl Ezzard, Cllr Les Fry, Cllr Barry Goringe, Cllr Matthew Hall, Cllr Rob Hughes, Cllr Stella Jones, Cllr Val Potheary, Cllr Molly Rennie, Cllr Jane Somper, Cllr Daryl Turner and Cllr John Worth

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

Matt Prosser (Chief Executive), Mark Blackman (Corporate Director - Education and Learning), Aidan Dunn (Executive Director - Corporate Development S151), Mathew Kendall (Executive Director of People - Adults), Theresa Leavy (Interim Executive Director of People - Children), Dugald Lockhart (Senior Project Manager), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer), John Sellgren (Executive Director, Place), Kate Critchel (Senior Democratic Services Officer) and Rebecca Forrester (Workstream Co-ordinator)

#### **91. Minutes**

The minutes of the meeting held on 5 November 2019 were confirmed and signed by the Chairman.

#### **Statement from the Portfolio Holder for Children, Education and Early Help**

Cabinet would be aware of an announcement by the Chief Executive on 3 December 2019, that Sarah Parker wished to leave her post as Executive Director for People – Children.

Members were advised that Sarah Parker's resignation was her decision. It's was a personal matter and as such, with respect the Portfolio Holder do not wish to comment on it further.

He stressed that the Council did need to maintain a focus on providing the best possible services for children in Dorset. Sarah Parker had helped to construct a vision of placing children at the centre of the Council's work... and this would continue at pace.

Children's Services was continuing with the Blueprint for Change transformation programme, which would now be led by Theresa Levy, an

experienced Director of Children's Services, who had been working closely with Sarah over recent months.

The Portfolio Holder wanted to reassure staff, members & families that the good work that had been started would continue. On a personal note, as the Portfolio Holder for Children & Education, Cllr Parry wanted to thank Sarah Parker for her support in fulfilling his role. In closing he took the opportunity to wish Sarah Parker all the best for the future.

**92. Declarations of Interest**

Cllr L Miller declared a potential non-pecuniary interest in respect of minute no. 108 ("Major Waste Disposal Contracts following competitive tender process") Cllr Miller advised that her partner worked for a company that had connections within the industry. Although, not directly related to the matter within the report, she indicated that in the interests of transparency she would not take part or vote on the item.

**93. Public Participation**

There was one question from the public, which was read out by Cllr P Wharf on behalf and in the absence of Julie-Ann Booker. A copy of the question and the response is attached to these minutes.

**94. Questions from Members**

There were no questions from Councillors to report.

**95. Forward Plan**

The forward plan was received and noted.

**96. Annual Safeguarding Report - Children's 2018-19**

The Portfolio Holder for Children, Education and Early Help presented the Annual Safeguarding Report. He advised members that 1.2 of the report should now be amended to read "Theresa Leavy" in replace of Sarah Parker as Lead Officer.

The Portfolio Holder also reported the Pan-Dorset Safeguarding Children Partnership's emerging priorities, these included:- Online safety, County Lines issues and complex case management.

In response to questions regarding the use of certain wording set out in the report relating to neglect and domestic violence, the Interim Children's Services agreed that this was an important point. Going forward children's services aimed to strengthen skills and support provided to children and their families living with domestic violence.

Members welcomed the steps set out within 7. 2 of the report to Cabinet including the work relating to the Blue Print for Change to improve services provided to families in particular looking at the child's whole journey.

## Decision

That the “Going Forward” section of the report be approved and that the plans/actions set out within the report of 10 December 2019 be used to address the areas identified for improvement.

## Reason for Decision

To be assured that plans are in place that identifies gaps and areas for development and will support practice improvement to strengthen outcomes for children.

### 97. **Children's Services - High Needs Block Reduction Strategy**

Cabinet considered a report detailing the financial pressures faced by the Council and local schools in providing services to children with additional needs including Special Educational Needs and Disabilities (SEND) through its nationally allocated High Needs Block (HNB) funding. The report set out strategic aims for the next 5 years in order to address these pressures.

Members were advised that the High Needs funding was one of the four funding blocks within the Dedicated Schools grant (DSG) for the Council. The vision for the strategy was to reduce the overspend on the HNB budget by meeting the needs of Children and Young People (CYP) at the earliest opportunity, with the right interventions(s).

The Portfolio Holder also set out the aims of the strategy which included ensuring there was clear accountability for partners in SEND provision and that there was consistent support to CYP with additional needs, including SEND.

In response to questions about meeting the needs of CYP with SEND provision within local colleges, the Corporate Director for Education & Learning confirmed that the colleges in question, had expressed interest in having a conversation regarding meeting future the need in this area.

Overall members welcomed this comprehensive report and its recommendations.

## Decision

- (a) That the short term/immediate need for action to address the High Needs Block overspend, taking into account the impact on children and schools as set out at Section 4.1 of the report of 10 December 2019 be approved;
- (b) That the strategic aims and priorities be approved.
- (c) That officers be instructed to undertake further forensic examination of opportunities to meet the strategic aims including:-
  - breakdown of spending and projected savings;

- more detailed modelling of impact on individual & groups of children and Schools

As set out in Sections 1.4, 1.5 , 1.6 and Section 4.2 of the report of 10 December 2019;

- (d) That in the light of the detrimental effect on individual school budgets, Members agreed not to pursue a block transfer of funds from the schools block to the high needs block for the next 3 years.

*These are the financial years of 21/22, 22/23, 23/24. (as set out in Section 4.2 of the report of 10 December 2019)*

#### Reason for the Decision

Given the value of annual and accumulated deficit failure to address these will result in a significant future pressure. In the meantime, the deficit remains on the council balance sheet, subject to DfE funding rules.

It is essential to balance the provision for children with SEND with the cumulative demand for school budgets to balance.

In the particular case of a block funding transfer from school budgets to the high needs block; this lessens the ability of schools to operate inclusively and presents additional challenges to their budgets which are already amongst the lowest funded in the country. An inclusive mainstream provision for children is required as a condition necessary to achieve high needs overspend reduction.

To reduce funding to mainstream schools prevents them from being able to deliver this element of the overall strategy.

#### 98. **Ofsted Focused Visit - Update and feedback**

The Portfolio Holder for Children, Education and Early Help presented a report on the Focused Visit carried out by Ofsted of the Council's children in need and child protection service on 1 and 2 of October 2019.

Members welcomed the report that provided an overview of the key findings, including areas of strength and areas for development. It also set out the actions that had been taken and the planned next steps for the continued improvement of children's service practice.

#### Decision

That the report on the Inspection of Local Authority Children's Services Focused Visit, the progress made and the next steps for the council in improving children's services be received and noted.

#### Reason for Decision

To formally notify Cabinet of the outcome of the inspection, together with the Council's responses to the findings of the visit.

99. **Adoption of Poole Harbour Recreation Supplementary Planning Document (SPD)**

The Portfolio Holder for Planning set out a report seeking members approval to adopt Poole Harbour Recreation Supplementary Planning Document (SPD) 2019 – 2024. Members were advised that officers from both Bournemouth, Christchurch and Poole and Dorset Councils (BCP) had worked together on updating an existing supplementary planning document which related to Dorset Heathlands.

Since publication and in the course of preparing a revised version of the heathland supplementary planning document for consultation, colleagues at BCP had made a number of suggested changes to the draft supplementary planning document to give greater consistency between the documents.

The Portfolio Holder advised that he and officers considered that the suggested changes did not give rise to any substantive change to the content of the document. Therefore he proposed an additional recommendation that “any textual changes or amendments to the SPD be delegated to the Executive Director for Place in Consultation with the Portfolio Holder”. This proposal was supported.

Decision

- (a) That the updated draft of the Poole Harbour Recreation Supplementary Planning Document 2019-2024 be adopted;
- (b) That any additional textual changes or amendments to the supplementary planning document be delegated to the Executive Director for Place in consultation with the Portfolio Holder for Planning.

Reason for Decision

The SDP will add further detail to adopted and emerging policies in local plans and outline a process for securing contributions to fund mitigation measures required to avoid adverse effects on European sites in accordance with the Conservation of Habitats and Species Regulations 2017.

100. **Making of the Motcombe Neighbourhood Plan 2017 - 2027**

The Portfolio Holder for Planning presented a report on the making of the Motcombe Neighbourhood Plan which had successfully passed independent examination and a referendum.

Following the successful referendum, the local planning authority had 8 weeks in which to ‘make’ the plan. Members were advised that the purpose of the report was to make the Motcombe Neighbourhood Plan part of the development plan for use in planning decisions.

Cabinet welcomed the Plan and took this opportunity to congratulate all those involved in significant amount of work undertaken to ensure its success.

#### Decision

- (a) That the Council makes the Motcombe Neighbourhood Plan 2017 - 2027 (as set out in Appendix A of the report of 10 December 2019) part of the statutory development plan for the Motcombe neighbourhood area.
- (b) That the Council agrees to make a small number of minor (non-material) modifications to the neighbourhood plan in order to rename references to Site 4 from “land at Shire Meadows” to “land at Bittles Green” throughout the document. (These modifications were set out in Appendix B of the report of 10 December 2019.)
- (c) That the Council offers its congratulations to Motcombe Parish Council and members of the Neighbourhood Plan Group in producing a successful neighbourhood plan.

#### Reason for Decision

To make the Motcombe Neighbourhood Plan part of the statutory development plan for the Motcombe Neighbourhood Area within the 8 week time limit set by legislation.

The Parish Council (the qualifying body) had requested that Site 4 should be renamed.

To recognise the significant amount of work undertaken by the Parish Council and members of the Neighbourhood Plan Group in preparing the neighbourhood plan and to congratulate both the parish Council and the Group on their success.

#### 101. **Bridport Cohousing: Community Housing Infrastructure Funding Bid**

The Portfolio Holder for Housing and Community Safety presented a report on the Bridport Cohousing project which had planning permission to develop 53 affordable homes on land adjacent to Bridport Hospital.

Members noted that Bridport Cohousing has been working on this development for ten years. Homes England were supportive of the project to develop housing and this would be the largest affordable cohousing scheme in the country.

Cabinet was advised that in order to ensure this development was viable Homes England had awarded £808,855 to Dorset Council from the Community Housing Fund Infrastructure Grant. These homes would be developed by Bournemouth Churches Housing Association (BCHA) and the grant would be passed to them to carry out the required works.

The Community Housing Fund would close at the end of March 2020 and the planning permission also required work to start on site in January 2020. Members

were further advised that the building contract was planning to start on site in January 2020.

The Chairman welcomed Cllr Somper, Chairman of People Scrutiny Committee, who advised that although this report had not been formally considered by the committee, as its Chairman, she welcomed and supported the proposal and recommendation.

#### Decision

That Dorset Council enter into a contract with Homes England for the grant of £808,555 to support the Bridport Cohousing Development on terms to be approved by the Monitoring Officer and Section 151 Officer in consultation with the Portfolio Holder for Housing and Community Safety.

#### Reason for Decision

To support the community led development of 53 affordable homes.

### 102. **Local Industrial Strategy for Dorset**

The Portfolio Holder for Economic Growth and Skills set out a report on the draft Local Industrial Strategy which focused on improving productivity in-line with the national priority. It also highlighted the need for inclusive growth to ensure that there was an increase in prosperity across Dorset, especially in areas where issues of low social mobility and deprivation were evident.

Cllr B Heatley raised concerns in relation to the strategy's approach to climate change and the impact on productivity. In response the Portfolio Holder for Economic Growth and Skills indicated that the Dorset Council's strategy had yet to be drafted and this would be aligned with the draft Council Plan, emphasising inclusive growth and a proactive approach to environmental net gain. Cabinet members were further advised that the Climate Change Executive Advisory Panel would also be reporting to Cabinet in the New Year on its progress.

Members considered that it was appropriate to endorse the draft LIS at this stage, whilst councillors and officers continued to engage in the development process to ensure the continued strategic alignment with the Council's own emerging priorities.

#### Decision

- (a) That the draft Local Industrial Strategy (LIS) for Dorset be endorsed;
- (b) That this Council's agreement to any minor changes requested by Government (in early 2020) be delegated to the Leader of the Council in consultation with the Portfolio Holder for Economic Growth and Skills;
- (c) That Dorset Council seeks to support implementation of the Dorset LIS through appropriate alignment with its own Economic Growth Strategy, due to be presented to Cabinet members in Spring 2020.

## Reason for Decision

It is critical that Dorset can articulate a clear, well-evidenced economic ambition to Government, whilst also giving confidence to local business and future private investors. It is important that, when required, Dorset can move at pace to respond to both public and private investment opportunities. A Local Industrial Strategy for Dorset with an aligned Council economic growth strategy and action plan, utilising the same economic analysis, will enable sustainable economic growth and prosperity for Dorset.

### 103. **Proposed content of Public Consultation for a Dog-related Public Spaces Protection Order**

The Portfolio Holder presented a report and recommendation from Place Scrutiny Committee regarding to proposed content of a public consultation for a Dog-related Public Spaces Protection Order (PSPO) to replace and consolidate existing PSPO's and bylaws for the Council area.

#### Decision

- (a) That the consultation proposals and the content of the consultation as set out in Appendix A of the report to Place Scrutiny Committee of 24 October 2019 be approved.
- (b) That the extension of the current Dog-related PSPO's in the former East Dorset, Purbeck, West Dorset and Weymouth & Portland council areas until 31 December 2020 be approved.

#### Reason for Decision

A single Dog-related PSPO for the council area will help ensure consistency, fairness and clarity for residents and visitors to Dorset and will assist the efficient use of enforcement resources.

While it is a requirement to consult with stakeholders prior to introducing a PSPO, it is appropriate to define the parameters of the consultation in order to avoid generating unworkable proposals or raising unreasonable expectations.

A number of Dog-related PSPOs currently in place from predecessor councils will expire during the period of the making of the new Order. Should those expiry dates not be extended, it will not be possible to enforce the relevant requirements for public safety and animal welfare.

### 104. **Equalities Policy**

The Portfolio Holder for Corporate Development and Change set out a report and recommendations from Resources Scrutiny Committee for the approval of Dorset Council's approach to equality, diversity and inclusion.

Members were advised that Dorset Council was committed to promoting equality, diversity and inclusion; promoting a culture that actively values difference and



recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work with the diverse communities that make up Dorset.

The Chairman of Resources Scrutiny Committee confirmed that the committee supported the adoption of the policy subject to minor amendments.

#### Decision

That the Equality, Diversity and Inclusion Policy be adopted subject to the following amendments:-

- (a) That the sentence "the council ... policies" in paragraph 9.1 of the report be replaced by "The policy will be reviewed on a regular basis by the relevant portfolio holder and will be taken through the committee process every three years to ensure that it reflects the latest legalisation, best practice and other council policies."
- (b) That the term "local characteristics" be changed to "Dorset Council's protected characteristics".
- (c) That a minimum of one key performance indicator be developed for equality and diversity once the Council Plan is finalised.

#### Reason for Decision

The Equality, Diversity & Inclusion Policy would ensure that the Council was delivering services fairly and meeting the needs of Dorset communities whilst also being a fair and inclusive employer.

The policy would ensure that the Council was meeting its statutory duties as contained in the Equality Act 2010.

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

In the absence of the Portfolio Holder of Highways, Travel and Environment there was no Executive Advisory Panel update presented.

#### 106. **Urgent items**

There were no urgent items to report.

#### 107. **Exempt Business**

##### Decision

That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

#### 108. **Major Waste Disposal Contracts following competitive tender process**

Cabinet members considered a report on major waste disposal contracts following a competitive tendering process.

Decision

- (a) That the award for the Organic Lot 8 and Bulky Lot 2 contract be approved;
- (b) That the additional steps as set as out within the exempt report of 10 December 2019 be approved;
- (c) That Cabinet members receive update reports at future meetings.

Reason for Decision

The contracts listed within this report are Key Decisions for Cabinet.  
To allow cost effective management of waste

**109. Bid for Government Capital Grant Funding**

Cabinet members considered an exempt report from the Portfolio Holder for Corporate Development and Change regarding a bid for Government Capital Grant Funding.

Decision

- (a) That the application for grant funding described within the report be noted.
- (b) That Dorset Council agrees to be the lead partner and accountable body.
- (c) That authority be delegated to the Portfolio Holder for Corporate Development and Change to enter into a grant agreement on terms recommended by the Executive Director for Corporate Development.

Reason for Decision

To enable the programme (details of which are confidential at this stage of the process) to proceed quickly, if grant funding is awarded.

**Duration of meeting:** 10.00 - 11.40 am

**Chairman**

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