

# Shadow Dorset Council

## SHADOW DORSET COUNCIL

### MINUTES OF MEETING HELD ON THURSDAY 14 MARCH 2019

**Present:** Cllrs A Alford, J Andrews, S Bartlett, T Bartlett, P Batstone, R Biggs, K Brookes, C Brooks, R Bryan, D Budd, N Bundy, A Burch, S Butler, M Byatt, A Canning, S Christopher, R Cook, T Coombs, H Cox, N Dragon, G Duke, J Dunseith, D Elliott, B Ezzard, J Farquharson, T Ferrari, S Flower, R Freeman, K Garcia, B Goringe, M Gould, M Hall, T Harries, D Harris, P Harrison, B Haynes, J Haynes, R Hope, F Horsington, S Hosford, C Huckle, Nick Ireland, K D Johnson, S Jones, T Jones, O Kanji, A Kerby, P Kimber, R Knox, M Lawrence, M Lovell, W Meaden, L Miller, D Morgan, R Nowak, J Orrell, E Parker, A Parry, M Penfold, V Pothecary, R Potter, B Quinn, M Rennie, C Reynolds, D Rickard, B Ridout, M Roberts, T Roos, J Russell, J Sewell, P Shorland, D Shortell, J Somper, Jackie Stayt, John Stayt, C Sutton, G Taylor, D Turner, D Walsh, A Weaving, J Westbrook, P Wharf, K Wheller, M Wiggins and T Yarker

**Apologies:** Cllrs M Barnes, P Barrowcliff, B Batty-Smith, C Beck, D Beer, A Blackwood, G Brown, P Brown, S Brown, H Bruce, Ian Bruce, S Burns, D Burt, D Bussell, J Cant, G Carr-Jones, A Cattaway, A Chase, A Clarke, R Coatsworth, P Cooke, B Cooper, D Croney, K Day, J Dover, C Dowden, F Drake, F Drane, M Dyer, J Ellis, T Farmer, C Finch, V Fox, J Francis, I Gardner, S Gibson, H Goodinge, R Gould, L Hamilton, T Handford, C James, S Jefferies, G Jefferson, S Jespersen, R Kosior, N Lacey-Clarke, C Langham, R Legg, M Leicester, G Logan, C Lugg, B Manuel, G Marsh, P McCartney, F McKenzie, T Morris, R Nickinson, P Nixon, P Oggelsby, J Osborne, D Packer, C Page-Nash, Mike Parkes, B Pipe, C Pipe, S Pritchard, B Quayle, A Reed, M Roake, J Robinson, G Rockingham, G Russell, A Skeats, D Skipwith, G Suttle, J Tanner, D Taylor, M Tewkesbury, A Thacker, C Tilling, S Tong, B Trite, M Unsworth, P Webb, S West, M Whitwam and P Williams

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

Keith Cheesman (LGR Programme Director), Susan Dallison (Democratic Services Manager), Lee Gallagher (Democratic Services Manager - Dorset County Council), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer, Designate), Sarah Parker (Executive Director of People - Children), Matt Prosser (Chief Executive Designate) and John Sellgren (Executive Director, Place)

#### **53. Code of Conduct**

There were no declarations of interest.

#### **54. Minutes**

The minutes of the meeting held on 20 February 2019 were confirmed as a correct record and signed by the Chairman.

55. **Public Participation (30 Minutes)**

The following questions and statements were received:

“Wimborne Minster Town Council supports the premise embodied within the Notice of Motion submitted by Cllr Bartlett that the new Dorset Council should robustly engage with Town and Parish Councils at the earliest opportunity so that the impact on those councils of the future services provided by Dorset Council can be properly assessed and planned for”. Read out by the Clerk to the meeting on behalf of Wimborne Minster Town Council.

Question from Iain Houston on behalf of Bradford Abbas Parish Council:

“Can you assure each Parish Council that it will be informed in a timely manner of each planning application in its parish and that, if required by that Parish, contentious applications will come before the Planning Committee.”

In response to the question Cllr T Ferrari reported that there were no plans for parish councils to have increased responsibilities. The working relationship between parish councils and Dorset Council would remain unchanged and as there would be no change to operational arrangements there would be no change to financial arrangements.

Question from Iain Houston on behalf of Bradford Abbas Parish Council:

“Dilation of County Councillors’ local knowledge: The three Councillors that attend our Ordinary Parish Council Meetings will be replaced by a single County Councillor. Up until now, our two District Councillors and one County Councillor together have a wealth of knowledge of our local geography and history. What steps will the new council take to ensure that a County Councillor covering a larger area will be able to work with each Parish Council to acquire as deep local knowledge as she requires.”

Question from Iain Houston on behalf of Bradford Abbas Parish Council:

How will the County Council involve each Parish Council in sharing out Business Rates to support Parish Councils’ increasing responsibilities?

“At the Blandford Forum Town Council meeting held on Monday 11<sup>th</sup> March 2019, councillors agreed unanimously to support the motion put forward by Cllr Shane Bartlett.” Read out by the Clerk to the meeting on behalf of Blandford Forum Town Council.

Cllr D Rickard read out the following statement on behalf of Bridport Town Council:

“Bridport Town Council appreciates the complexity of LGR and the focus on ‘safe and legal’, but this has left town and parish councils marginalised from the process. This perception is exacerbated by the Shadow Executive decision which prevented the devolution of services. We have the powers and the will to help the new Council face the twin pressures of funding and

LGR. In the interests of our community, we call on the Shadow Council to establish a two-way mechanism for our direct engagement in the development of Dorset Council's services and committee structure, in particular the proposed Area Boards."

"Worth Matravers Parish Council (WMPC) does not consider that as promised the Shadow Council and its Executive have involved or engaged adequately with Town and Parish Councils regarding their future contribution to Dorset Council or any potential impact of establishing the new council on the services they provide

It considers that the Executive have failed to ensure full T&PC's involvement and consultation. It is essential that the new local authority supply all relevant material information to T&PC's on all planning and licensing issues in their local areas .In the light of the removal of one tier of local government in this area of Purbeck the views of T&PC's as the remaining elected tier below the new Dorset County Unitary should undertake to give both prominence and appropriate weight to the views of T&PC's in all future officer reports and decisions by this new local authority for the county area .As a matter of policy the new authority should ensure that where possible and practical delegation to T&PC's should be promoted." Read out by the Clerk to the meeting on behalf of Wimborne Minster Town Council.

Cllr S Jackson read out the following statement on behalf of West Lulworth Parish Council:

"Your constitution limits our voice tonight, and at every meeting, with a word limit of 100 words which is unreasonable, and given that the allotted time is 3 minutes, it serves to be a further restriction within an existing restriction. This council has already excluded the Parishes but you appear to be going out of your way to exclude meaningful communication with the public.

One accepts the need for a time limit but to impose a word count can only be construed as deliberately undermining the principle of the public participation period thus making the purpose of this meeting laughable".

The following statement was read out by Mr N Hill:

"The Dorset Council can either be the servants or the masters of the people of Dorset. A partnership would be a non-sequitur. The lack of information from the Shadow Cabinet indicates it will be the Masters. Dorset Council's members will have been elected to represent the people of Dorset. I strongly recommend, therefore, that Dorset Council choses the path of service to Dorset and actively consults with and informs the people of Dorset, and its councils, unlike its Shadow."

The following statement was read out by Cllr J Parish on behalf of Corfe Castel Parish Council:

"Corfe Castle Parish Council seek that the Dorset Council commit to work closely with Town and Parish Councils.

When topic groups are established Parish Council's should be automatically represented and consulted.

We have been lucky in Purbeck to have regular liaison meetings between Clerks and Chairs of Parish and Town Councils and the District Council. Can this format please continue with the Dorset Council.”

In response to all of the governance related questions and statements Cllr S Flower referred to Part 2 of Article 10 of the Dorset Council Constitution which stated:

“The Council is committed to ensuring effective and efficient engagement with its

community and citizens. The Council will develop systems and structures which generate community involvement, including in particular through engagement with Town and Parish Councils in its area, helping to identify and introduce solutions to empower communities to do things for themselves and to engage with the Council.

The Council recognises that differing aspects of local government may require more than one mechanism for consultation and delivery. The Council will therefore create appropriate systems which will include provision for Area Forums and other arrangements. To the extent that community engagement mechanisms developed for the purposes of this Article involve the creation of any Committee and/or the referral/delegation of any powers then arrangements will be put in place to maintain a list of such mechanisms and that list shall be deemed to form part of the Constitution.”

Cllr S Flower emphasised that there was a very clear commitment from Dorset Council to engage with town and parish councils. In respect of the question regarding the planning process members had had a lengthy debate regarding this matter at the Dorset Shadow Council meeting in February and had agreed to retain the process which ensured that parish councils would continue to be involved with the planning process.

56. **Questions from Shadow Councillors (30 Minutes)**

There were no questions from Shadow Councillors.

57. **Minutes of the Shadow Executive Committee**

The minutes of the Shadow Executive Committee held on 11<sup>th</sup> March were received and noted.

58. **Minutes of the Shadow Overview and Scrutiny Committee**

The minutes of the Shadow Overview and Scrutiny Committee held on 7<sup>th</sup> March 2019 were received and noted.

59. **Notice of Motion**

The following motion was proposed by Cllr S Bartlett seconded by Cllr K Wheller:

“That there has been a failure of the Shadow Executive Committee to fulfil a promise to involve members from minority groups on Task & Finish Groups, which were originally set up to formulate policies and procedures for the new Dorset Council.

That the Shadow Council agrees that it has not, as promised, involved or engaged adequately with Town and Parish Councils regarding their future contribution to Dorset Council or any potential impact of establishing the new council on the services they provide.

That the Shadow Council acknowledges the importance of ensuring a clear statement of intent is placed on record such that in future within the Dorset Council there be cross party involvement immediately in the development of policies and procedures, as set out within the approved structure of the Dorset Council Constitution. And that further, Town and Parish Councils will be robustly engaged, on an ongoing basis, in respect of future service provision by the Dorset Council, which may have an impact on their councils.”

Cllr S Bartlett explained that when the original Member Task and Finish Groups had been established there had been a promise that the membership would come from across all of the sovereign councils and they would be cross party. When the Task and Finish Groups became Working Groups the change did not come before the Shadow Overview and Scrutiny Group for approval. Cllr Bartlett highlighted that cross party engagement should be the normal way of working for Dorset Council for all working groups, informal groups, panels etc. in order to enhance local decision making. In addition town and

parish councils needed to be part of the golden thread to ensure that local communities were at the heart of the new council.

Cllr R Knox tabled the following amendment to the motion seconded by Cllr G Haynes:

“That the Shadow Dorset Council understands and recognises that local community and individual need is key in the delivery of effective services. The delivery of these services will involve many different bodies, Town and Parish Councils, the Voluntary and Community Sector and other public organisations. These are vital partners to ensure Dorset Council fosters vibrant communities across the county and this is a fundamental principle of the constitution of the new council.

A fantastic opportunity exists for the elected members of the new Dorset Council and all these partners, who are so important and valued in delivering local services, both now and in the future. The Shadow Dorset Council would like to thank all those who have positively helped in ensuring a robust and local solution for community engagement is a continuing part of the transformation ethos of the new Dorset Council.”

Cllr R Knox reported that there had been overwhelming support for local government reform in Dorset and that this change would enable the new council to serve the people of Dorset and to provide the best services possible. The next stage would be to work closely with town and parish councils and the community sector. There was no one size fits all so it would be important to have engagement with towns and parishes to find a solution for each local community.

Cllr S Bartlett requested a 5 minute adjournment to allow members to consider the amendment. The Chairman agreed to this request at 19.10 pm.

The meeting reconvened at 19.15pm.

Cllr D Rickard felt that the amendment should be thrown out as it was not an amendment but rather a counter motion. Cllr P Kimber, Cllr R Nowak, Cllr J Orrell, Cllr C Sutton, Cllr M Rennie, R Potter and G Taylor all stated that they would not support the amendment.

Cllr T Roos requested a recorded vote and this was supported by 20 councillors.

It was proposed by Cllr S Christopher seconded by Cllr T Yarker that the amendment be put to the vote.

On being put to the vote the amendment was CARRIED.

**For** (71): Councillors A Alford, P Batstone\*, K Brookes\*, C Brooks\*, P Brown, R Bryan, N Bundy, A Burch, S Burns, S Butler\*, M Byatt, S Christopher, R Cook, T Coombs\*, H Cox, G Duke, J Dunseith\*, J Farquharson, T Ferrari\*, S Flower\*, R Freeman, K Garcia\*, B Goringe, P Harrison, B Haynes, J Haynes\*,

F Horsington, O Kanji, A Kerby, R Knox, M Lawrence, M Lovell, W Meaden, L Miller, E Parker, A Parry\*, M Penfold\*, V Potheary, B Quinn, B Ridout, M Roberts\*, J Russell, J Sewell, P Shorland, D Shortell\*, J Somper, D Turner\*, D Walsh\*, P Wharf\*, K Wheller\*, M Wiggins and T Yarker

**Against** (38): Councillors J Andrews, S Bartlett\*, R Biggs, D Budd, A Canning\*, K D Johnson, N Dragon, D Elliott, B Ezzard\*, Mike Gould, M Hall, T Harries, D Harris, R Hope, S Hosford, C Huckle, N Ireland, S Jones, T Jones, P Kimber, D Morgan, R Nowak, J Orrell\*, R Potter, M Rennie, C Reynolds, D Rickard, T Roos, Jackie Stayt, John Stayt, C Sutton, G Taylor, A Weaving, J Westbrook.

*\*Councillors with two seats on the Shadow Dorset Council by virtue of being members of both Dorset County Council and a borough/district council.*

AGREED as a substantive motion:-

“That the Shadow Dorset Council understands and recognises that local community and individual need is key in the delivery of effective services. The delivery of these services will involve many different bodies, Town and Parish Councils, the Voluntary and Community Sector and other public organisations. These are vital partners to ensure Dorset Council fosters vibrant communities across the county and this is a fundamental principle of the constitution of the new council.

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Cllr S Bartlett proposed an amendment (in italics) to the substantive motion:-

“That the Shadow Dorset Council understands and recognises that local community and individual need is key in the delivery of effective services. The delivery of these services will involve many different bodies, Town and Parish Councils, the Voluntary and Community Sector and other public organisations. These are vital partners to ensure Dorset Council fosters vibrant communities across the county and this is a fundamental principle of the constitution of the new Council.

*We ask that Dorset Council will acknowledge the value of all councillors and undertake to robustly include in all committees, task and finish groups, working groups, informal committees, executive advisory panels, members of all political minority groups or independent members.*

A fantastic opportunity exists for the elected members of the new Dorset Council and all these partners, who are so important and valued in delivering local services, both now and in the future. The Shadow Dorset Council would

like to thank all those who have positively helped in ensuring a robust and local solution for community engagement is a continuing part of the transformation ethos of the new Dorset Council.”

On being put to the vote the amendment was CARRIED

**For** (86), Councillors J Andrews, S Bartlett\*, P Batstone\*, R Biggs, C Brooks\*, R Bryan\*, D Budd, N Bundy, A Burch, S Burns, M Byatt, A Canning\*, S Christopher, H Cox, N Dragon, G Duke, J Dunseith\*, D Elliott, B Ezzard\*, T Ferrari\*, R Freeman, K Garcia\*, Mike Gould, M Hall, T Harries, D Harris, P Harrison, B Haynes, J Haynes\*, R Hope, F Horsington, S Hosford, C Huckle, N Ireland, S Jones, T Jones, O Kanji, P Kimber, R Knox, M Lawrence, M Lovell, W Meaden, L Miller, D Morgan, R Nowak, J Orrell\*, A Parry\*, M Penfold\*, R Potter, B Quinn, M Rennie, C Reynolds, D Rickard, B Ridout, M Roberts\*, T Roos, J Russell, J Sewell, P Shorland, Jackie Stayt, John Stayt, C Sutton, G Taylor, D Turner\*, A Weaving, J Westbrook, P Wharf\*, K Wheller\*, M Wiggins

**Against** (20), Councillors A Alford, K Brookes\*, P Brown, S Butler\*, R Cook, T Coombs\*, K D Johnson, J Farquharson, B Goringe, A Kerby, E Parker, D Shortell\*, J Somper, D Walsh\*, T Yarker

**Abstentions** (3), Councillors S Flower\*, V Potheary,

*\*Councillors with two seats on the Shadow Dorset Council by virtue of being members of both Dorset County Council and a borough/district council.*

The substantive motion was CARRIED:-

“That the Shadow Dorset Council understands and recognises that local community and individual need is key in the delivery of effective services. The delivery of these services will involve many different bodies, Town and Parish Councils, the Voluntary and Community Sector and other public organisations. These are vital partners to ensure Dorset Council fosters vibrant communities across the county and this is a fundamental principle of the constitution of the new Council.

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**For** (106), Councillors A Alford, J Andrews, S Bartlett\*, P Batstone\*, R Biggs, K Brookes\*, C Brooks\*, P Brown, R Bryan\*, D Budd, N Bundy, A Burch, S



Burns, S Butler\*, M Byatt, A Canning\*, S Christopher, R Cook, T Coombs\*, H Cox, K D Johnson, N Dragon, G Duke, J Dunseith\*, D Elliott, B Ezzard\*, J Farquharson, T Ferrari\*, S Flower\*, R Freeman, K Garcia\*, Mike Gould, M Hall, T Harries, D Harris, P Harrison, B Haynes, J Haynes\*, R Hope, F Horsington, S Hosford, C Huckle, N Ireland, T Jones, O Kanji, A Kerby, P Kimber, R Knox, M Lawrence, M Lovell, W Meaden, L Miller, D Morgan, R Nowak, J Orrell\*, E Parker, A Parry\*, M Penfold\*, V Potheary, R Potter, B Quinn, M Rennie, C Reynolds, D Rickard, B Ridout, M Roberts\*, T Roos, J Russell, J Sewell, P Shorland, D Shortell\*, J Somper, Jackie Stayt, John Stayt, G Taylor, D Turner\*, D Walsh\*, A Weaving, J Westbrook, P Wharf\*, K Wheller\*, M Wiggins, T Yarker

**Against** (1 ), Councillor B Goringe

**Abstentions** (2) Councillors S Jones, C Sutton

60. **Urgent Items**

There were no urgent items.

**Duration of meeting:** 6.30 - 8.00 pm

**Chairman**

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