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CABINET

MINUTES OF MEETING HELD ON TUESDAY 17 MAY 2022

Present: Cllrs Spencer Flower (Chairman), Graham Carr-Jones, Ray Bryan, Tony Ferrari, Laura Beddow, Andrew Parry and Jill Haynes

Apologies: Cllrs Peter Wharf, Gary Suttle and David Walsh

Cabinet Leads in attendance: Cllr Cherry Brooks, Cllr Simon Gibson, Cllr Nocturin Lacey-Clarke, Cllr Byron Quayle and Cllr Jane Somper

Also present: Cllr Jon Andrews, Cllr Shane Bartlett, Cllr Piers Brown, Cllr Simon Christopher, Cllr Les Fry, Cllr Brian Heatley, Cllr Paul Kimber, Cllr Kate Wheller and Cllr Tony Alford

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

Matt Prosser (Chief Executive), Aidan Dunn (Executive Director - Corporate Development S151), Jonathan Mair (Director of Legal and Democratic and Monitoring Officer), John Sellgren (Executive Director, Place), Kate Critchel (Senior Democratic Services Officer), Theresa Leavy (Executive Director of People - Children), Andrew Billany (Corporate Director of Housing, Dorset Council), Lisa Cotton (Head of Customer Services, Libraries & Archives), Louise Drury (Head of Service Children in Care and Care Leavers), Sam Johnston (Service Manager for Archives), Claire Shiels (Corporate Director - Commissioning, Quality & Partnerships) and Steve Veevers (Corporate Director Operations, Adult Care)

1. **Minutes**

The minutes of the meeting held on 5 April 2022 were confirmed as a correct record and signed by the Chairman.

2. **Declarations of Interest**

There were no declarations of interest to report.

3. **Public Participation**

There was no public participation for the meeting.

4. **Questions from Councillors**

There were two questions from Councillors P Kimber and B Heatley; these along with the responses are set out in Appendix 1 to these minutes.

5. **Forward Plan**

The draft Cabinet Forward Plan for June 2022 was received and noted.

6. Revised Inter Authority Agreement for Joint Archives Service

The Portfolio Holder for Culture, Community and Customer Services set out a report on the proposed revised Inter Authority Agreement for Joint Archives Service.

In proposing the recommendation, the Portfolio Holder advised that the Joint Archives Service (JAS) based at the Dorset History Centre (DHC) Dorchester was funded pro rata to population by Dorset Council and BCP Council. The JAS had been governed since 1997 by a tripartite Inter-Authority Agreement and to allow for continuity this agreement was maintained through the local government re-organisation in 2019. Members were advised that the JAS had been reviewed and updated with the support of the Joint Archives Advisory Board which endorsed this new Inter-Authority agreement, as set out in appendix 1 to the report. The proposal was seconded by Cllr T Ferrari.

In response to questions, members were advised that there was a long-standing ambition to extend the history centre. Discussions were on-going with the national lottery fund and it was hoped that an application would be shortly completed with match funding from the council.

Decision

That the adoption of the revised Inter-Authority Agreement with BCP Council over the provision of the Joint Archives Service, be approved.

Reason for the decision

To enable and underwrite proper political, financial, and strategic oversight of the Joint Archives Service.

To provide relevant governance structure to oversee both the strategic direction and standard of service delivered to residents. Ensuring that both governance and accountability are clearly retained by the partner local authorities.

7. Minimum Income Guarantees in Charges for Adult Social Care and Support

In the absence of the Portfolio Holder, the Cabinet Lead Member for Health presented the report outlining the adoption of current national regime of charges to residents called the Minimum Income Guarantee or "MIG". She advised that the MIG was the weekly amount of income, that residents who were in receipt of adult care and support at home received to retain a certain level of income to cover living costs.

Cabinet was asked to consider the mechanism for all future decision making on setting the MIG rates, including the ability of overview and scrutiny committees to

be able to comment on the position. This would allow the Council to continually review the MIG rates in its area.

In response to a question relating to the recent and continuing rise in the rate of inflation and those individuals who were most vulnerable, the Corporate Director for Adult Social Care advised that the national recommendation (at 3%) was made at a point when the inflation rate was running at a lower rate. However, one of the recommendations in the report indicates that Cabinet and Council may wish to take a broader degree of scrutiny about the wider range of measures on the cost of care.

In respect of the councils most vulnerable residents, the adult social care team had a level of oversight and the ability to intervene both at an informal and exceptions point of view. This was part of the strengths-based practice of the service. It was also confirmed that any complaints would be monitored and reported accordingly through the Dorset Council complaints process.

Cabinet members unanimously supported the recommendations.

Decision

Cabinet agreed that: -

- (i) The Dorset Minimum Income Guarantees (MIG) for financial year 2022/23 should be set at the DH&SC MIG rates, which have been uplifted by 3%.
- (ii) The approach to the review in Dorset, (which began in October 2021) involved first establishing that the MIG rates for 2021-22 were sufficiently robust.
- (iii) Dorset Council should not set a maximum percentage of a person's disposable income (over and above the guaranteed MIG) which may be considered in charging during 2022-23.
- (iv) Dorset Council should not set a maximum charge for receiving care outside a care home during 2022-23.
- (v) Both formal complaints and informal appeals concerning the MIG should be recorded and reported in a way that gives us ongoing feedback about whether the MIG rates we have set have are sufficient.
- (vi) The Dorset MIG rates should be increased whenever the DH&SC rates increase, with any unplanned mid-year increases being funded by efficiencies within the Adult Social Care directorate. Accepting that there is a financial risk to the Council
- (vii) The approach to setting the Dorset Council Personal Expenses Allowance (PEA), (which applies to residents and temporary residents in residential care) should follow the approach to setting the MIG in future, to offer consistency between care settings.

- (viii) Adult Social Care should recommend considering further increases to the MIG and PEA levels as part of setting the Council's 2023-24 budget, and annually thereafter as part of setting future budgets.
- (ix) Dorset Council may wish to consider the impact of the MIG and PEA in any wider suite of measures it identifies for alleviating increases in the cost of living that all residents have experienced, and particularly those who are receiving care and support.

Reason for the decision

The reason for the recommendations is to achieve transparency and more explicitly meet the expectations of the Department of Health and Social Care's [Care and support statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/107117/care_and_support_statutory_guidance_-_gov.uk.pdf) - particularly paragraphs 8.42–8.48 and Annex C paragraphs 48) - 50).

8. Re-procurement of the Learning and Development Framework for Children and Adult Services

The Portfolio Holder set out the report for approval of a tender of framework contract in respect of learning and development activities for Children's Services, the Pan-Dorset safeguarding Children Partnership (PDSCP) and Adult and Housing Services. The current framework would expire in March 2022.

Cllr A Parry proposed the recommendation, and this was seconded by Cllr L Miller.

Decision

- (i) Cabinet agreed to commence the procurement process, award contracts, and implement the framework as per timetable summarised in 1.4 of the report of 17 May 2022.
- (ii) That the further step of making any framework award be delegated to the Portfolio Holder for Children, Education, Skills and Early Help in consultation with the Executive Director People – Children's.

Reason for the decision

Cabinet is required to approve all key decisions with financial consequences of £500k or more

The current contractual arrangements will come to an end in March 2023.

To be compliant with procurement legalisation, to ensure best value and quality of training provision

9. Aspire Adoption Annual Report 2021-2022 and Statement of Purpose 2022

The Portfolio Holder for Children, Education, Skills and Early Help presented the Aspire Adoption Annual Report and Statement of Purpose to Cabinet for noting. He invited the Executive Director of People (Children) to update members on the Somerset Judgement and how that impacts Dorset Council and its processes going-forward.

Members took the opportunity to thank officers for their work on this report.

It was proposed by Cllr A Parry seconded by Cllr J Haynes.

Decision

That the Aspire Adoption Annual Report and Statement of Purpose be received and noted.

Reason for the decision

Cabinet was satisfied that the Aspire Statement of Purpose accurately described the activities that the agency discharged on behalf of Dorset Council and the Annual Report satisfied the report that these activities were discharged to a high standard in the last year.

10. Youth Justice Plan

The Portfolio Holder for Children, Education, Skills and Early Help presented the Youth Justice Plan for 2022/23 and he thanked the People & Health Overview Committee for their consideration of the report on 3 May 2022.

The Executive Director for People (Children) took the opportunity to highlight the areas from the report where progress had been made and any areas where attention was needed.

It was proposed by Cllr A Parry seconded by Cllr R Bryan.

Recommendation to Full Council

That the Youth Justice Plan 2022/23 be approved.

Reason for the recommendation

Local authorities are required to publish an annual Youth Justice Plan, setting out how the statutory requirements for a multi-agency youth offending team are fulfilled locally. Dorset Combined Youth Justice Service is a partnership between Dorset Council and Bournemouth, Christchurch and Poole Council, along with Dorset Police, NHS Dorset Clinical Commissioning Group and The Probation Service (Dorset). Approval for the Youth Justice Plan is also being sought from Bournemouth, Christchurch and Poole Council.

11. Portfolio Holder - Lead Member(s) Update Summary

The Cabinet Lead member for Environment, Travel and Harbours updated members on the Low Carbon Dorset programme. For more detail the Cabinet Lead's report was attached at appendix 2 to these minutes.

The Portfolio Holder for Highways, Travel and Environment advised that Steve Ford, the new Corporate Director for Climate and Ecological was now in post. A progress report was to be presented to scrutiny on 26 May for Spring 2022.

He also reported on the position in respect of

- Switching fleet vehicles from fossil fuels
- The funding secured for the farming and protected landscapes programme and
- Reduction in the use of fossil fuel companies in the Pension Fund.

The Portfolio Holder for Education, Children, Skills and Early Help indicated that he had a small pecuniary interest in an automated group that operated in the South and West of the County. The Monitoring Officer confirm that this report was not for decision but to note. However, in the interests of transparency the Portfolio Holder asked that the interest be recorded.

12. Cabinet member update on policy development matter referred to an Overview Committee(s) for consideration

There were no referrals to report.

13. Climate & Ecological Emergency Executive Advisory Panel Update

There was no additional information to report following the Portfolio Holder's update at minute 11 above.

14. Urgent items

There were no urgent items considered at the meeting.

15. Exempt Business

There was no exempt business to report.

Appendix 1 - Councillor Q&A's
Appendix 2 - Cabinet Lead Report

Duration of meeting: 10.00 - 11.00 am

Chairman

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Councillor Questions for Cabinet 17 May 2022

Question 1 from Cllr Paul Kimber

I have had a complaint from a senior resident of Dorset regarding the accompanying Council letter advising householders of the new council tax, and as you know, we had another letter telling us that we would get a council tax rebate during April for £150 towards the cost of living crisis.

We were asked to contact the Dorset Council to find out when this sum would be paid into our bank accounts during April.

Question is when will this benefit be paid? I look forward to your advice.

Leader of the Council to respond on behalf of the Portfolio Holder for Finance, Commercial and Capital Strategy

Thank you for your question.

I am pleased to be able to tell you that the first payments to Dorset Council residents were made on 11 and 12 May.

We have made over 78,000 individual payments amounting to more than £11.7m to council taxpayers in bands A to D who pay their council tax by direct debit.

This week we will be writing to the 44,000 other residents who are entitled to the payment, but who do not currently pay by direct debit. The letter will explain to residents how to apply. The scheme will close on the 30 September 2022.

Question 2 from Cllr Brian Heatley

At the Full Council meeting on 15 July 2021 the Chief Executive, taking account of the discussion by members, took the following minded to decision

With the acknowledgement of the staff workload and with grateful thanks to them, it is proposed that a review of the DC governance take place over this current term with a vote to be taken before the 2024 election.

Time is moving on. This will be a complex review. When will the Leader be in a position to set out proposals for terms of reference, an account of how and by whom the review will be carried out and a timetable?

Response from the Leader of the Council

On 1 September 2021 I shared with the Group Leaders a proposed timeline for the work of a Governance Executive Advisory Panel. That timeline was to enable work to

be completed on the ongoing Community Governance Review before we begin the work of the Governance Executive Advisory Panel and still enable a decision to be made by the Full Council before the election in May 2024.

The main points of the timeline are these

April 2022 - Officer research to identify other Councils of similar size operating a Committee system, investigating different committee arrangements and governance options

September 2022 - Governance EAP – first meeting of EAP to agree Terms of Reference, frequency of meetings and any other relevant governance arrangements for the panel –

September 2023 – Full Council to make in principle decision on whether to implement a Committee system informed by a detailed report from the EAP.

This timeline provides a full year between September 2022 and September 2023 to complete the review and for the Panel to arrive at a recommendation.

In July 2022 I intend sharing proposed terms of reference with Group Leaders and inviting nominations to serve on the Panel.

Appendix

Report to Council on Low Carbon Dorset (LCD)

Low Carbon Dorset is a 5-year programme of activities to help stimulate growth in Dorset's low carbon economy and reduce the county's carbon footprint. Funded by the European Regional Development fund, Low Carbon Dorset helps businesses, community and public sector organisations in Dorset and BCP.

The programme is run by Dorset Council's Sustainability Team, and consists of 7 staff, with Heather Kiel being the programme manager. It aims to help improve energy efficiency, increase use of renewable energy and aid development of new low carbon products.

Since its launch in April 2018, Low Carbon Dorset has received over 645 applications for support, and has awarded over £5.4 million in grants, to support 164 renewable energy, energy efficiency and innovation projects across Dorset and BCP. The £5.4million grant funding will equate to over £16 million being spent or contracted within the Dorset area on low carbon initiatives.

Between our completed and contracted projects, we are:

- Helping 135 different SMEs (Small and medium-sized enterprises)
- Helping to create 6 new carbon saving products or processes,
- Installing almost 12 megawatt hours of renewable energy production,
- Improving energy efficiency in 65 houses,
- Reducing the energy usage in public buildings by almost 1.2 million kilowatt hours per year ,
- Saving at least 9,400 tonnes of carbon dioxide every year.

These numbers include projects already completed and those that we have contracted. Projects that completed last year alone will save an annual 1390 tonnes of CO₂e. Added to completed projects in previous years, cumulatively to date, low carbon Dorset funded projects have already saved 6915 tonnes of CO₂e.

This programme will complete next year, it still has some funds left to award and is still receiving a number of new applications each week. Enough praise cannot be given to the outstanding team that have delivered and are delivering these fantastic benefits to our amazing county. This is just one part of what we are doing as a council to combat the environmental emergency that we all declared.

Whilst the programme does come to an end next year, the need for a continuation of these excellent projects of work will continue to be essential for us to meet the 2040 goal we are striving for as a council and the 2050 goal for our entire community.

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