



# Place and Resources Scrutiny Committee

**Date:** Tuesday, 21 September 2021  
**Time:** 10.00 am  
**Venue:** MS Teams Live Event  
**Membership: (Quorum 3)**

Shane Bartlett (Chairman), Andy Canning (Vice-Chairman), Rod Adkins, Jon Andrews, Brian Heatley, Mike Parkes, Mark Roberts, David Shortell, David Tooke and Bill Trite

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**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

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Due to the current coronavirus pandemic the Council has reviewed its approach to holding committee meetings. Members of the public are welcome to attend this meeting and listen to the debate online by using the following link: [Link to view Place and Resources Scrutiny Committee live at 10.00am on 21 September 2021](#)

**Members of the public wishing to view the meeting from an iphone, ipad or android phone will need to download the free Microsoft Team App to sign in as a Guest, it is advised to do this at least 30 minutes prior to the start of the meeting.**

**Please note** that public speaking has been suspended. However Public Participation will continue by written submission only. Please see detail set out below.

Dorset Council is committed to being open and transparent in the way it carries out its business whenever possible. A recording of the meeting will be available on the council's website after the event.

# A G E N D A

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## 1 APOLOGIES

To receive any apologies for absence.

## 2 DECLARATIONS OF INTEREST

To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

## 3 CHAIRMAN'S UPDATE

To receive any updates from the Chairman of the Place and Resources Scrutiny Committee.

## 4 PUBLIC PARTICIPATION

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

Public speaking has been suspended for virtual committee meetings during the Covid-19 crisis and public participation will be dealt with through written submissions only.

Members of the public who live, work or represent an organisation within the Dorset Council area, may submit up to two questions or a statement of up to a maximum of 450 words. All submissions must be sent electronically to [lindsey.watson@dorsetcouncil.gov.uk](mailto:lindsey.watson@dorsetcouncil.gov.uk) by the deadline set out below. When submitting a question please indicate who the question is for and include your name, address and contact details. Questions and statements received in line with the council's rules for public participation will be published as a supplement to the agenda.

Questions will be read out by an officer of the council and a response given by the appropriate Portfolio Holder or officer at the meeting. All questions, statements and responses will be published in full within the minutes of the meeting. **The deadline for submission of the full text of a question or statement is 8.30am on Wednesday 15**

**September 2021.**

**5 QUESTIONS FROM MEMBERS**

To receive questions submitted by councillors. The deadline for receipt of questions **is 8.30am on Wednesday 15 September 2021.**

**6 PROPERTY STRATEGY AND ASSET MANAGEMENT PLAN  
QUARTERLY MONITORING PRESENTATION**

To receive a presentation in respect of the Property Strategy and Asset Management Plan quarterly monitoring.

**7 DORSET COUNCIL CONSULTATION PROCESS** 5 - 22

To consider a report of the Senior Consultation and Engagement Officer.

**8 LOCAL LAND CHARGES SERVICE UPDATE** 23 - 34

To consider a report of the Head of Legal Services.

**9 INFORMATION COMPLIANCE - KEY PERFORMANCE  
INDICATORS** 35 - 38

To consider a report of the Service Manager for Assurance.

**10 PLACE AND RESOURCES SCRUTINY COMMITTEE FORWARD  
PLAN** 39 - 44

To review the draft Place and Resources Scrutiny Committee Forward Plan.

**11 CABINET FORWARD PLAN AND DECISIONS** 45 - 68

To review the Cabinet Forward Plan and decisions taken at recent meetings.

**12 URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

## **13 EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph x of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

**There is no exempt business.**

## **Place & Resources Scrutiny Committee 21 September 2021 Dorset Council consultation process**

### **For Review and Consultation**

**Portfolio Holder:** Cllr S Flower, Leader of the Council

**Executive Director:** M Prosser, Chief Executive

Report Authors: Jen Lowis and Mark Simons

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**Report Status:** Public

#### **Recommendation:**

That the committee notes the information provided in this report, and shares any details of good consultation practice that they are aware of (for example from other councils) to be considered as part of the current consultation and engagement service re-design (see point 10.13 below).

#### **Reason for Recommendation:**

This report provides an overview of Dorset Council's consultation process, as requested by the Chair of Place & Resources Scrutiny Committee.

#### **1. Executive Summary**

This report provides overview briefing on Dorset Council's current consultation process, as requested by the Chair of Place & Resources Scrutiny Committee. The following information was also requested and is answered within this report.

- Does the council have draft consultations checked/audited by an independent person or body to check language, understanding and potential bias in questions?
- How do we encourage responses from all different groups e.g. range of ages, gender, ethnicity etc.?

- Which councils are good at targeting and getting responses from hard to reach groups? Examples of councils whose consultations are considered good practice

## **2. Financial Implications**

None.

## **3. Well-being and Health Implications**

None.

## **4. Climate implications**

None.

## **5. Other Implications**

None.

## **6. Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

## **7. Equalities Impact Assessment**

N/A

## **8. Appendices**

- 8.1** A summary of the consultation delivered by the council's central consultation team over the past year is provided at Appendix A.
- 8.2** A summary of the council's legal duties to consult is included at Appendix B.
- 8.3** An outline of different types of consultation and engagement activity is provided at Appendix C.

## **9. Background Papers**

- 9.1 Dorset Council's consultation and engagement policy is attached.

## **10. Dorset Council's current consultation process**

- 10.1 Dorset Council has a specialist consultation function made up of two officers, based within the Communications and Engagement service. There is a senior consultation officer mainly focusing on statutory consultations and a community engagement project officer providing support on statutory consultations and having an engagement role as well.

This team is responsible for designing and delivering many of Dorset Council's high priority statutory consultations. This work includes:

- identifying when consultation is necessary
- designing consultations (including crafting surveys to ensure questions are clear, accessible and impartial / non-leading)
- delivering the consultations (working with colleagues in the communications team) to ensure maximum response from the target audience/s
- analysing the consultation responses
- producing reports to inform policy making and for publication.

- 10.2 The consultation team works closely with Dorset Council's legal team to ensure consultation is carried out appropriately. It is important to avoid over consulting the public as this can result in 'consultation fatigue' and lower response rates. The team works to good practice guidelines and advice from the national professional body, The Consultation Institute, of which the council is a member.
- 10.3 Both members of the consultation team are fully trained and highly experienced in designing and delivering statutory consultations. They ensure the quality of the consultations is high, that they meet the legal requirements and collect useful information. The consultation team members have extensive experience in designing consultations and survey questions, using specialist software (SNAP), and delivering these surveys electronically and via hard copy. The team also works closely with the council's equality, diversity and inclusion officer to ensure the council meets its legal requirements.
- 10.4 Dorset Council's consultations are quite successful in securing responses from 'seldom heard' / under-represented groups. For example, the council's recent consultation on its Housing Allocation Policy was highly rated and held up as an example of national good practice by the National Practitioner Support Service, who commented favourably on the high response rate and the inclusive methodology.
- 10.5 There is, however, room for improvement: for example, on engaging young people in Dorset. The consultation team recognises that we have not achieved as high a level of engagement with young people over recent months (for example, on the climate emergency consultation) as we would have liked. There are two new initiatives underway which will improve how consultation and engagement reaches under-represented groups in future:
- a) A new Youth Engagement team has been established within in Children's Services which will lead engagement work with young people in Dorset. This dedicated in-house resource should improve

how Dorset Council engages with young people from all backgrounds on a wide range of subjects. The Consultation Team will work closely with the new Youth Engagement team to address this in future.

- b) A new Equalities, Diversity and Inclusion reference network will shortly be established which will give a stronger voice to a wide range of Dorset community groups representing people with protected characteristics. This network will enable Dorset Council to better engage with these communities, both for statutory consultations but also for more informal engagement and co-production work, helping to shape council policy and service design in order to best meet the needs of our diverse communities.

- 10.6 The number of responses to Dorset Council consultation surveys can be seen at Appendix A and anecdotally we believe this compares favourably to response rates seen by many other councils. An example of a successful consultation was the Public Space Protection Order for Dogs carried out last year. That consultation received a huge response (8,600 responses) and the subsequent policy and decision making was carefully informed by consultation responses on this controversial subject.
- 10.7 Consultations are not referendums. They are one element of the decision-making process. Whilst it is important to get a good numerical response, the quality of the responses, geographical spread and balanced demographic of our residents is equally important. In Dorset we have around 380,000 residents, 180,000 households and 20,000 businesses but in most cases, residents will only engage with the council on a consultation if they are personally affected. Interestingly, analysis shows the first few hundred responses will normally set the tone for the entire consultation, which rarely shifts significantly as responses come in.
- 10.8 Dorset Council consultation surveys are usually “open surveys” available to all residents, business and partners, rather than statistically controlled sample surveys. Prior to launching surveys, they are tested to ensure functionality, clarity and fairness.
- 10.9 The consultation team produces a plan for each statutory consultation and works with colleagues in the communications team on a separate communications plan. The communications plan focuses on audience and stakeholder analysis and outlines the best methods to ensure those audiences and stakeholders are engaged. Depending on the audience, consultations may include roadshows, evening sessions, online focus groups, and a range of other activity to reach and engage particular groups. Specialist clubs and groups may also be targeted to ensure we reach specific respondents. Part way through a consultation the diversity data is examined to see how representative the profile of respondents is



compared to the wider Dorset population, and to decide whether action is needed to gain more responses from a particular group. The team also monitors response rates throughout the consultation and varies communications accordingly. For example, if responses are low, targeted paid-for social media advertising can be used to reach people from particular age groups or locations.

- 10.10 The consultation team also specialises in analysing the data and publishing the results. All statutory consultations are written up and published. A consultation report is often a key element of the report going to elected members to make decisions. We understand the importance of our reports being accurate and know that we must be prepared for them to be open to scrutiny and to potential legal challenge. This is an important aspect of the team's work as a failure to consult properly and adequately can lead to a decision being overturned in the courts.
- 10.11 The analysis and reporting for statutory consultations are normally done centrally to ensure that any expectations of a service department about what the outcome of consultation should be do not influence the results. Accuracy and robustness of the results is always strongly defended. Results are not normally externally scrutinised as this would require duplication by an external agency of the analysis work done in-house and the cost of this would be financially prohibitive as well as adding significantly to project timescales. We know though that there is the potential for scrutiny by the courts as part of legal challenge to council decisions influenced by the outcome of consultation and that is part of why we follow the robust approach outlined above.
- 10.12 All consultations are publicly available via the '[consultation tracker](#)' on the council website. All findings and reports from consultations are also published on these web pages, so the whole process is fully transparent to the public.
- 10.13 Consultation and engagement work is also delivered outside the central team. The central consultation team focuses mainly on delivering most of the council's statutory consultations, including those which are likely to be particularly controversial. The team also provides advice and support on other surveys and engagement activity led by officers within directorates. An example of this supporting role is the recent Local Plan consultation which was led by the Planning Team.
- 10.14 On occasion external consultancy firms are commissioned to carry out consultation and engagement work where additional capacity is needed. For example, we commission an independent research agency to conduct the annual residents' survey which provides statistically representative

views of the population of the Dorset Council area, providing vital data for monitoring the council's performance and delivered at a cost of £24,000.

10.15 A review of all consultation and engagement activity across the council is currently underway as part of the Customer Services transformation project and the implementation of the new customer platform. The stated objective of this project is to: "Improve engagement with our external communities and demonstrate that their voice is being heard within the council, in ways which are consistent and appropriate, defining the role of the central team and responsibilities of other teams."

10.16 As part of the brief for this report, Scrutiny committee members asked "Which councils are good at targeting and getting responses from hard to reach groups? Examples of councils whose consultations are considered good practice." Good practice from other councils will be explored as part of the service re-design project.

**Footnote:**

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

**Appendix A – a list of Dorset Council consultations delivered by the central consultation team over the past year**

<b>Consultation title</b>	<b>Approx date</b>	<b>Total response</b>	<b>Audience</b>	<b>Comments</b>
Garden Waste Customer Satisfaction Survey, 2021	Aug-21	6,770	Current users of the service and previous/potential users	85% of respondents were current users of the service. Large response from right across the council area.
Broadband Survey	Aug-21	1,302	Asking residents, businesses and other stakeholders about their broadband to gain a thorough understanding of stakeholders' views on the current level of broadband provision in Dorset	Good response. Yet to be fully analysed
Household Recycling Centre Access Policy Review	Jul-21	3,289	Consultation with users of household waste sites about access for different vehicle users	Large response from across all different user types to help inform policy on access
Car Parking Permits	Jul-21	1,920	Consultation about potential long and short stay parking permits for council car parks	Wide range of ages responded, including many people of working age. 51% of respondents were employed/self employed.
St Mary's School Shaftesbury	Jun-21	1,430	Consultation with local residents and wider SEND community	Good solid response. 32% came from within 3 miles of the school. Only 15% of respondents were over retirement age compared to a Dorset figure of around 30%.
Dorset Homelessness and Rough Sleeping Strategy	May-21	106	Consultation on issues and proposed draft strategy with users, local	Low numbers but good mix of responses by respondent type and well spread over the Dorset Council area and beyond.

			residents and partners	
Park Homes License Fee Consultation	Mar-21	96	Park home residents and site owners about proposed new policy	Small response but very targeted at a particular group of residents. 12% from disabled people which reflects the target audience rather than the wider Dorset population.
Weymouth Harbourside Consultation	Feb-21	1,411	Weymouth residents were being asked to have their say on proposals to enhance the harbour area for families, hospitality, businesses and active travel	A good response number with 83% of responses from residents, 12% from visitors and 5% from business/organisations/ other. 150 responses came directly from residents who lived on the harbourside.
Tourist Information Service Review 2021	Jan-21	990	Consultation on the future of Dorset TICs with users, residents and businesses	Good response across the board with 12% from local Dorset businesses
Dorset Council Climate and Ecological Emergency Strategy and Action Plan 2021	Jan-21	1,519	Major consultation on draft plan aimed at a wide audience	Scale of the response was huge with 12,000 comments from around 1,500 respondents. 46% of responses came from older people (65+). Only about 5% were aged under 35.
Blandford Waste Management Proposals	Jan-21	321	All residents but particularly in the local area of the proposed new Household Recycling Centre	Overall a good response with 64.5% of the individuals being Blandford residents.
Dorset Council Equality, Diversity and Inclusion Strategy - Consultation	Nov-20	64	All residents, staff, specialist groups and partners	An example where low numbers do not mean a poor response. Often quality of responses is as important as numbers.
Dorset Council Housing	Jul-20	766	Aimed at all residents but	Large response for this type of survey. 25% of

Allocation Policy			focused on those who need to access social housing through the council's housing allocation policy	respondents were disabled compared to a Dorset figure of around 5%. Around 60% of respondents were already on the existing housing register. Survey nationally praised for its reach and quality.
Proposed Dorset Dog related Public Space Protection Order	Apr-20	8,602	All residents, partners etc but particularly dog owners were consulted on the introduction of a Dorset wide PSPO for dogs	Very large response. 83% of responses were from local residents, 15% from visitors. Sample was large enough to focus on local areas. 64% of respondents were dog owners, giving a fairly balanced view.

## **Appendix B – Councils’ legal duties to consult**

Section 3 of the Local Government Act 1999 sets out a Duty to Consult representatives of a wide range of local persons. Authorities must consult representatives of council taxpayers, those who use or are likely to use services provided by the authority, and those appearing to the authority to have an interest in any area within which the authority carries out functions. Authorities should include local voluntary and community organisations and small businesses in such consultation. The key question is do residents have a “legitimate expectation” of being consulted, and if they do, councils legally need to consult them.

The requirement to consult can also be a statutory requirement – for example as requirements in Planning legislation or in Public Space Protection Orders. Sometimes the legislation is quite specific and will specify who must be consulted and for how long.

### **How are consultations carried out?**

When undertaking consultation and engagement it must be carried out fairly and in accordance with the **Gunning Principles**. These are 4 fundamental principles for carrying out consultation to ensure the council is not at risk of being taken to judicial review.

The principles are:

1. Consultation must take place when the proposal is still at a formative stage.
2. Sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response.
3. Adequate time must be given for consideration and response; and
4. The product of consultation must be conscientiously taken into account.

Each of these principles are explained further below;

### **Proposal at a formative stage**

A decision should not be pre-determined before consultation is undertaken. The decision maker cannot consult on a decision that it has already made. It would be unfair to do so but also pointless.

This does not mean that the decision-maker must consult on all possible options of achieving a particular objective. The decision-maker can have a ‘preferred option’ so long as it is prepared to change course if persuaded to do so subject to the outcome of consultations. The key saying is that the organisation should have “an open mind but not necessarily an empty mind”. Participants must be able to give their feedback and offer up other suggestions.

### **Sufficient reasons to allow for intelligent consideration and response**

Consultees must be given sufficient information to enable them to understand the proposal and respond to it with their feedback. Proposals must be clear and not misleading.

Consultees should be made aware how a proposal for consultation has already been considered, including any options that have been discounted and the reasons for this. Consultees should also be aware of how proposals will be considered and decisions made after the consultation process.

### **Adequate time for consideration and response**

Unless statutory time requirements are prescribed, there is no specified time frame within which the consultation must take place.

Decision-makers must form a judgement as to what period of time is appropriate for the consultation exercise in question. Where there has been prior discussion about the issue then it may reasonably decide to limit the time for formal consultation. However, where the information to be disclosed is complex, or not well known to those consulted upon, it may consider that a greater period of consultation is called for to allow for participants to be given sufficient time to have their say. Most consultations would run for 4-6 weeks but some could be for up to 12 weeks.

### **The product of consultation must be conscientiously taken into account**

The decision-maker must give genuine and conscientious consideration to the representations received. The product of the consultation exercise must be considered in finalising any proposals.

The decision-maker does not have to read personally every response provided in the consultation process. However, where a summary is provided, this will need to be comprehensive and accurate.

### **Government's Consultation Principles**

Alongside the Gunning Principles, the Government's Consultation Principles are adopted when engaging and consulting with stakeholders.

The principles state that consultations:

- should be clear and concise
- should have a purpose
- should be informative

- are only part of a process of engagement
- should last for a proportionate amount of time
- should be targeted – ensure the right people are consulted
- should take account of the groups being consulted
- should be agreed before publication
- should facilitate scrutiny
- exercises should not generally be launched during local or national election periods.

### **How residents can challenge consultations - Judicial Review**

If residents or stakeholders feel a consultation has not been carried out when required or not carried out correctly, they can challenge it through a judicial review. For councils, failure to deliver fair, robust and legal consultations carries the risk of a judicial review decision against them, which can lead to reputational damage, minimum costs of £50,000, and require the consultation in question to be conducted again in order to meet the required standards.



## **Appendix C – an outline of different types of consultation and engagement activity**

### **The difference between consultation, engagement and co-production**

Working with our residents is fundamental to Dorset Council. To be a listening council is vital to ensure residents get the services they need, provided in the best way possible. Gathering this understanding is done in several different ways including consultation, engagement and co-production.

**Engagement** is often a more informal process, without a specified format and could include everything from online meetings, surveys, workshops, discussion forums, social media discussions, roadshows etc. It is a more interactive process without any legal formal process. There is no requirement to write it up as often it is feeding into developing proposals.

**Co-production** is a much more two-way process where residents/partners will help to design services, working with the council to ensure residents' needs and requirements are met. There are good examples of co-production being undertaken currently in Children's and Adults' Services.

**Consultation** is a more formal process with legal requirements whereby the council can be challenged over how it has carried out the consultation through judicial review. Consultation can involve methods of engagement described above, but would often include a formal survey and the results would be analysed, written up and made available to the public. Consultations are not referendums; they are just one element feeding into the decision-making process.

## **Dorset Council's Consultation and Engagement Policy**

### **Introduction**

Consultation and engagement are used to seek feedback and input from the council's stakeholders, including residents, partners, communities, voluntary and community organisations and staff.

The Consultation Institute's definition of consultation is: the dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, with the objective of influencing decisions, policies or programmes of action.

Consultation and engagement can be delivered through a variety of methods including; formal or informal surveys (online, paper, telephone or face to face), workshops, focus groups, roadshows or forums.

Good consultation and engagement has many benefits and allows our service users and communities to help shape and improve our services and service delivery. This in turn can help us to deliver more efficient and effective services, designed to meet the needs of those who access them.

This policy sets a basic level of principles that all consultation and engagement taking place throughout Dorset Council will adopt.

### **Scope of the policy**

This policy applies to all consultations undertaken by or commissioned by Dorset Council with employees, councillors, customers, residents, members of the public, businesses, visitors and other external stakeholders, for example, other agencies and contractors.

Note there is a separate process led by Human Resources for employee consultation in relation to pay and conditions.

### **Why do we consult and engage?**

Section 3 of the Local Government Act 1999 sets out a Duty to Consult representatives of a wide range of local persons; this is not optional. Authorities must consult representatives of council tax payers, those who use or are likely to use services provided by the authority, and those appearing to the authority to have an interest in any area within which the authority carries out functions. Authorities should include local voluntary and community organisations and small businesses in such consultation.

As well as having a duty to consult we also should consult and engage with our stakeholders as it enables us to build, shape and deliver more well-rounded and

effective services. Seeking views and feedback can potentially offer alternative ideas and highlight impacts we may not have otherwise identified. Although it only forms part of the decision-making process it offers the ability to get first hand feedback and avoid making assumptions about impact of changes or services.

### **Principles of the policy**

When undertaking consultation and engagement it must be carried out fairly and in accordance with the Gunning principles. These are 4 fundamental principles for carrying out consultation and engagement to ensure the council is not at risk of being taken to judicial review.

The principles are:

1. Consultation must take place when the proposal is still at a formative stage;
2. Sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response;
3. Adequate time must be given for consideration and response; and
4. The product of consultation must be conscientiously taken into account.

Each of these principles are explained further below;

### **Proposal at a formative stage**

A decision should not be pre-determined before consultation is undertaken. The decision maker cannot consult on a decision that it has already made. It would be unfair to do so but also pointless.

This does not mean that the decision-maker must consult on all possible options of achieving a particular objective. A decision-maker can consult on a 'preferred option' so long as it is prepared to change course if persuaded to do so subject to the outcome of consultations. Participants must be able to give their feedback and offer up other suggestions.

### **Sufficient reasons to allow for intelligent consideration and response**

Consultees must be given sufficient information to enable them to understand the proposal and respond to it with their feedback. Proposals must be clear and not misleading.

Consultees should be made aware how a proposal for consultation has already been considered, including any options that have been discounted and the reasons for this. Consultees should also be aware of how proposals will be considered and decisions made after the consultation process. This includes any other evidence or work that will be considered as part of the decision-making process.

If information provided to consultees is incorrect or misleading, or does not give the true reasons for putting forward the relevant proposals, then this may constitute a sufficient flaw in the consultation process to lead to a quashing of the subsequent decision.

Although there is no general obligation to disclose unpublished internal advice or representations from other consultees, that remains subject to the overarching requirement to give sufficient reasons for consultees to be able to respond intelligently. If a proposal has been informed by private representations, those representations should be made available to consultees.

Note that if a consultation is taken to Judicial Review, the powers allow for all paperwork, emails and notes around a decision to be submitted.

### **Adequate time for consideration and response**

Unless statutory time requirements are prescribed, there is no specified time frame within which the consultation must take place.

Decision-makers will have to form a judgement as to what period of time is appropriate for the consultation exercise in issue. Where there has been prior discussion about the issue then it may reasonably decide to limit the time for formal consultation. However, where the information to be disclosed is complex, or not well known to those consulted upon, it may consider that a greater period of consultation is called for to allow for participants to be given sufficient time to have their say.

Also, consideration should be given if a consultation is going to be ran over a school holiday period. Depending on the subject of the consultation it is often necessary to extend the consultation period.

### **The product of consultation must be conscientiously taken into account**

The decision-maker must give genuine and conscientious consideration to the representations received. The product of the consultation exercise must be considered in finalising any proposals. The decision-maker must embark on the consultation process prepared to change course if persuaded by that consultation process to do so.

The decision-maker does not have to read personally every response provided in the consultation process. However, where a summary is provided, this will need to be comprehensive and accurate. It is always sensible to make available to the decision-maker all the representations, so that they can access them if they wish.

### **Government's Consultation Principles**

Alongside the Gunning Principles, the Government's Consultation Principles should be adopted when engaging and consulting with stakeholders.

The principles are;

- Consultations should be clear and concise
- Consultations should have a purpose
- Consultations should be informative
- Consultations are only part of a process of engagement
- Consultations should last for a proportionate amount of time
- Consultations should be targeted – ensure the right people are consulted
- Consultations should take account of the groups being consulted
- Consultations should be agreed before publication
- Consultation should facilitate scrutiny
- Government responses to consultations should be published in a timely fashion
- Consultation exercises should not generally be launched during local or national election periods.

### **Further Support for Consultation and Engagement**

Dorset Council's Consultation and Engagement team provides support and advice on the design and delivery of any consultation and engagement activity. The team must be involved in any statutory consultation delivered by the council.

Please give the team as much advanced notice as possible of any consultation or engagement activity.

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## Place and Resources Scrutiny Committee 21 September 2021 Local Land Charges Service Update

### For Review and Consultation

**Portfolio Holder:** Cllr P Wharf, Corporate Development and Change

**Local Councillor(s):**

**Executive Director:** J Mair, Corporate Director, Legal & Democratic

Report Author: Grace Evans  
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**Report Status:** Public

**Recommendation:** Members are asked to note and comment on the current service position.

#### **Reason for Recommendation:**

To provide Members with information about the current service, actions which have been taken and those which are planned.

#### **1. Executive Summary**

- 1.1 The Council is responsible for processing land charges search requests, which are commonly made as part of property purchases.
- 1.2 The government has a target of a maximum of 10 working days within which these searches should be returned to applicants.
- 1.3 This target date has not been achieved for the whole Dorset Council area since October 2020.
- 1.4 Understandably, concerns have been raised and questions asked about how the delays have arisen, action taken to address the delays and future action to improve response times and return to the government target time.

- 1.5 The unexpected changes to the residential stamp duty threshold from 8 July 2020, generated a rapid, substantial and sustained increase in search numbers, at a time when the team had vacancies and while the service was migrating to a new ICT system.
- 1.6 The Service has worked tirelessly to process the increased volume of searches. The Service has also undertaken several recruitments to employ additional permanent and temporary staff and has been supported by staff made available by other services. Further appointments have been made and staff will be joining the team in September, with the expectation that the larger team will continue to work through the backlog of searches and improve response times. Staff numbers will be monitored and further recruitment will be arranged if required.
- 1.7 The new system is required to enable the systems and processes of former councils to be converged and harmonised, to enable maximum automation of search processing with seamless access within the system to relevant data from other services; a one council approach not just to land charges service, but all related services.
- 1.8 The timescale for the migration was driven by the need to replace legacy land charges systems before they expired. They could not be extended as the systems would no longer be supported. Upgrades to newer versions of those legacy systems would have been required. This would have resulted in a continuation of four legacy systems, each entirely separate, with their own processes and without direct access to the data of other services which were being migrated to the new system. Data from other services must be included in searches. Proceeding with upgrades would have impacted the Council's ability to process searches and created a greater risk of non-compliance and delay.
- 1.9 At each stage of the phased migration the service and project team managing the migration have considered whether and when to proceed. Some migrations have been delayed to avoid a clash with a change in the stamp duty land tax threshold.
- 1.10 With significant support from the project team the migration to the new system is proceeding well. Due to the timescale for the migrations, driven by the expiry of legacy systems, convergence and harmonisation of processes and data was not carried out in advance. With support from land charges officers, the wider project team, have reviewed, refined and harmonised processes within the new system. Previously with legacy systems, land charges staff had to be allocated to a particular search area and system (because each was different). Now, the team have the ability to conduct a search for any area, with a consistent approach across the team.



1.11 Further convergence and harmonisation work will be required once all the migrations are complete, to ensure all data, is within or can be accessed by the new system. There are five legacy land charges registers. Some of them were held outside of the legacy systems and so remain outside of the new system. The land charges registers will need to be converged into one register within the new system. This will require significant staff resource and time and will be heavily reliant on staff from the project team who are currently carrying out the migrations. Convergence is likely to start no earlier than January 2022. This work has been discussed within the project and will be raised through the project governance, to set a scope, allocate staff resource and agree the timing.

## **2. Financial Implications**

2.1 Section 14 of this report comments on the staffing of the service and section 14.8 explains how the service is funded.

## **3. Well-being and Health Implications**

n/a

## **4. Climate implications**

n/a

## **5. Other Implications**

n/a

## **6. Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: High

Residual Risk: Medium

## **7. Equalities Impact Assessment**

n/a

## **8. Appendices**

**Appendix 1 Record of search numbers for the financial years 2019/20 to 2021/22**

## **9. Background Papers**

none

## **10. Background**

10.1 Local land charges searches are made during property purchases. Search requests are generally made by purchasers (through their solicitors or search agents). Most are submitted electronically. Local land charges searches are generally required by lenders, although local

authority search indemnity insurance can be an acceptable alternative for some purchasers and lenders.

- 10.2 A Local Land charge is a financial charge or restriction on the use of land that are enforceable against successive owners. Examples of local land charges include the conditions in a planning consent, tree preservation orders, listed building or enforcement notices. These must be registered by a Local Authority in a Local Land Charges Register. Searches of the register can be made personally or electronically and are known as LLC1 search.
- 10.3 Local authority searches are normally submitted at the same time as a search of the register. These are known as a CON29 searches and can be made to find out specific information about a property, including the planning history, any proposed road schemes, or details of any public definitive footpaths.
- 10.4 The Council's Land Charges Team delivers this service.
- 10.5 The government has a target of a maximum of 10 working days within which these searches should be returned to applicants. As set out above, local authority search indemnity insurance may be an alternative for some purchasers and lenders.
- 10.6 This target date has not been achieved for the whole Dorset Council area since October 2020.
- 10.7 Current average response times from the date of submission of a search request are:
- East Dorset area average 25 working days;
  - Combined North, West, Weymouth, and Purbeck area average 52 working days from the date of receipt.
- 10.8 The unexpected changes to the residential stamp duty threshold from 8 July 2020, generated a rapid, substantial and sustained increase in search numbers at a time when the team had vacancies. Migration to the new ICT system is an additional factor but the main reason for our increased response times is the very significant increase in the volume of searches. Our migration to the new ICT system has though been the focus of concern from some of those who have experienced delay and so this report includes a detailed account of why convergence and migration to a new system was necessary and how this has been and is being managed. This detailed account of the migration to the new ICT system is not though intended to give the impression that our increased response times are

driven by the new system. The main reason for the increased response times remains the rapid, substantial and sustained increase in search numbers, illustrated in the appendix.

## **11. ICT System**

- 11.1 Following the formation of Dorset Council in 2019, the Council formed a project to converge and transform planning services. The aim was to deliver a more effective, efficient and customer focussed planning service. A key part of this project was the introduction of a single planning software system, to replace the legacy systems of the former councils.
- 11.2 The local land charges search service is part of the project and the project team have involved and supported the service throughout. The service used the same legacy systems or relied on access to data held in the same legacy systems as the planning services.
- 11.3 The service had 4 core legacy systems used to process searches.
- 11.4 Those legacy systems themselves, how they work and process searches are different. Similarly, although each land charges register records the same core information, as prescribed by legislation, the layouts and where the registers were stored differed for each former council.
- 11.5 Some of the legacy systems held land charges, the register, planning, building control etc. within different modules of the same system meaning searches had a level of automation and could be carried out within the one system. Others held data from other services or the registers, separately, meaning the search process was more manual; searches were logged and processed in the system but the land charges register was checked and other data was requested manually and details added into the search. For all the legacy systems, requests for former county council data, such as highways, were made outside of the systems.
- 11.6 Within each systems the search processes were based on a number of questions, used to locate data. For each former council the wording of those questions, where those questions were sent, either within existing systems or manually, differed.
- 11.7 Three of the former council legacy system licences were due to end between October 2020 and June 2021. Extensions were explored, but were not possible, as the systems would no longer be supported by the providers. It was imperative that Dorset Council had fully supported systems to deliver services. Upgrades to new systems were available but that would have resulted in a continuation of four separate legacy systems, with their own processes and without direct access to the data of other services which were being migrated to the new system. Data from

other services must be included in searches. Proceeding with upgrades would have impacted the Council's ability to process searches and created a greater risk of non-compliance and delay.

- 11.8 In early 2020, before the first national lockdown and announcement of a stamp duty holiday and after months of planning, the Council contracted with MasterGov for new ICT system for planning and related services, including local land charges. This new system was to replace all former legacy systems, including those which were due to end and was to hold the land charges register. The new system would enable the systems and processes of former councils to be converged and harmonised, to enable maximum automation of search processing with seamless access within the system to relevant data from other services; a one council approach not just to land charges service, but all related services.
- 11.9 The project phased the migrations from former legacy systems to the new system.
- 11.10 In preparing for the purchase and each migration, planning services were able to build on data convergence and harmonisation work which had been started by former councils prior to April 2019. Equivalent work had not been carried out for land charges. As described above, for each former council the legacy system was different, the set-up of the system and how it processed searches was different, access to data from other services and the registers and layout of the registers differed.
- 11.11 The scale of work needed to converge and harmonise in advance of the first and subsequent migrations to the new system was substantial. Colleagues involved in this project, the work with planning services convergence and harmonisation and the wider migrations for all services have commented this is the biggest project they have worked on and likened it to conducting the migration to the adult social care database every couple of months.
- 11.12 Work on the migration and new system set for the land charges element began in earnest, from June 2020. At that time, and as explained below, search numbers significantly increased. The land charges team were focussing on responding to searches and the project team were fully occupied with migrations. These same staff would be required for the convergence and harmonisation of land charges, in particular the land charges registers.
- 11.13 The former council system licences coming to an end has driven the timescale for adopting a single new system. Ideally, work would have been conducted to converge and harmonise land charge search processes and register in advance of migration to a new system. But the imperative to replace the legacy systems within a timescale, meant there was insufficient time to conduct work of that scale in advance and a

strategic decision was made to progress with migration of the systems with convergence and migration to follow.

- 11.14 Former North services were migrated to the new system in October 2020, followed by West, Weymouth, and Purbeck with remaining areas to migrate from Autumn 2021.
- 11.15 At each stage of the phased migration the service and project team managing the migration have considered whether and when to proceed. Some migrations have been delayed to avoid a clash with a change in the stamp duty land tax threshold.
- 11.16 With significant support from the project team the migration to the new system is proceeding well. With support from land charges officers, the wider project team, have reviewed, refined and harmonised processes within the new system. The questions and area of the new system they are directed to have been reviewed and refined to ensure consistency and maximise the speed of processing.
- 11.17 Previously with legacy systems, land charges staff had to be allocated to a particular search area and system (because each was different). Now, the team have the ability to conduct a search for any area, with a consistent approach to processing across the team.
- 11.18 More harmonisation work is planned, particularly following migration of former East area data into the system.
- 11.19 Future plans for convergence of the registers and wider harmonisation is referred to under Actions and Lessons Learned below.

## **12. Stamp Duty Land Tax Threshold**

- 12.1 On 8<sup>th</sup> July 2020 the Chancellor announced an increase in the residential stamp duty threshold for all residential property purchases initially until 31 March 2021, and then extended in March 2021 on a sliding scale until 30 September.
- 12.2 The initial announcement in July 2020 was received by councils at the same time as residents, giving councils no prior warning or time to prepare before demand increased.
- 12.3 The Council were in the same position as all other councils, unaware of the proposals in advance of the announcement.

## **13. Search volumes**

- 13.1 From the establishment of Dorset Council (which is the first date that we have records for the full Dorset Council area) until April 2020 and the start

- of the first national lockdown as a result of Covid-19, search requests received were largely as anticipated compared with earlier years.
- 13.2 During the first national lockdown and until early June 2020 fewer search requests were received each week for the whole Dorset Council area as compared to the equivalent weeks in 2019 for just the former Dorset Council Partnership (area of Weymouth, West and North Dorset).
- 13.3 By mid-July 2020 comparing the data for just former Dorset Council Partnership area (for which we have full comparative data sets) search request numbers were double the numbers received for the same weeks in 2019.
- 13.4 The numbers of search requests received has remained at a significantly increased level at the time of this report.
- 14. Staff numbers**
- 14.1 In July 2020 at the time of the announcement of the stamp duty holiday and significant increase in search requests the land charges team had 1.5 FTE vacant posts (in a team of 8.5 FTE). Recruitment planned during March 2020 had been delayed while arrangements were made for staff to work from home.
- 14.2 Staff turnover during August 2020 created a further 1.6 FTE vacancies.
- 14.3 Recruitment took place from August to November 2020, filling the vacancies and appointing to an additional 2 FTE posts. Training was provided (where necessary) and those staff are actively logging and/or processing searches.
- 14.4 In addition, since January 2021 the team have been supported by several additional staff from the Dorset Council skills agency. Some staff continue to work in the team while others have returned to their substantive duties.
- 14.5 During early August 2021 further successful recruitment was carried out. A vacancy of 1 FTE was filled, and four additional FTE posts were created and filled. These new staff are due to join the council on 13<sup>th</sup> September and following induction and any necessary training will work on searches.
- 14.6 Enquiries were made about employing agency staff to cover vacancies or provide additional resource, but despite searches, none were identified.
- 14.7 The team will be 12.5 FTE plus 2 FTE additional posts and continued support from staff via the Skills Agency. The team have and will continue to work tirelessly to process the increased volume of searches and revert to normal response times as quickly as possible.

- 14.8 The land charges service does not have a Council staffing budget. The staffing budget is met from income received. All recruitment activity (including reviews of staffing numbers, creation of additional posts and appointments) is monitored and managed by the Head of Legal Services, in accordance with the Council's internal policies and Scheme of Delegation. Senior Manager support was obtained to use the Council's Skills Agency.

## **15. Complaints**

- 15.1 Complaints and enquiries have been received about the reasons for delay and/or actions taken to improve response time. The main themes of complaint include:
- Why did we implement a new system in a pandemic?
  - Why are we not employing more staff?
  - Why did we not anticipate/know about the stamp duty holiday?
- 15.2 Answers have been given including explanations about the need to proceed with a new system having contracted with a supplier and for the land charges service to be able to access the data it needs, the recruitment and internal support from staff, and the changes to stamp duty thresholds were simply not known in advance.

## **16. Lessons Learned**

### **16.1 Response times**

- a. From August 2020 we began to receive an increased number of enquiries about our delayed response times. As a result, the team began to update the response times on our website more frequently. Updates are currently published fortnightly. This is something that will continue.

### **16.2 Access to the team**

- a. Some complaints have been received regarding the accessibility of the team; difficulties contacting them by email or telephone. Due to the team focussing on processing searches, the team have five email addresses for the former council areas of Dorset and a voicemail explaining options for any telephone enquiries.
- b. A new email address is currently being arranged for enquiries which will replace the five existing email addresses.
- c. It is likely the team will need to focus their effort on processing searches for some time yet and some arrangements to manage enquiries will need to continue. With the arrival of new staff these arrangements will be reviewed to ensure any automatic responses and correct contact details are clear, consistent, and publicised.



### 16.3 System

- a. Reasons for progressing with the migration and the timing of the migrations, in advance of convergence and harmonisation, are set out above.
- b. As explained above, some harmonisation of land charge searches, particularly the processes within the new system has been carried out with more to follow.
- c. Significant work will be required to review, converge, and harmonise the legacy land charges registers. This task will take significant time and staff resource and will be heavily reliant on staff from the project team who are currently carrying out the migrations. As explained above, the staff needed to complete the task are integral to the current system migration work and/or are fully occupied with search responses.
- d. Convergence work will follow the final migration, and will start no earlier than January 2022. This work has been discussed within the project and will be raised through the project governance, to set a scope, allocate staff resource and agree the timing.

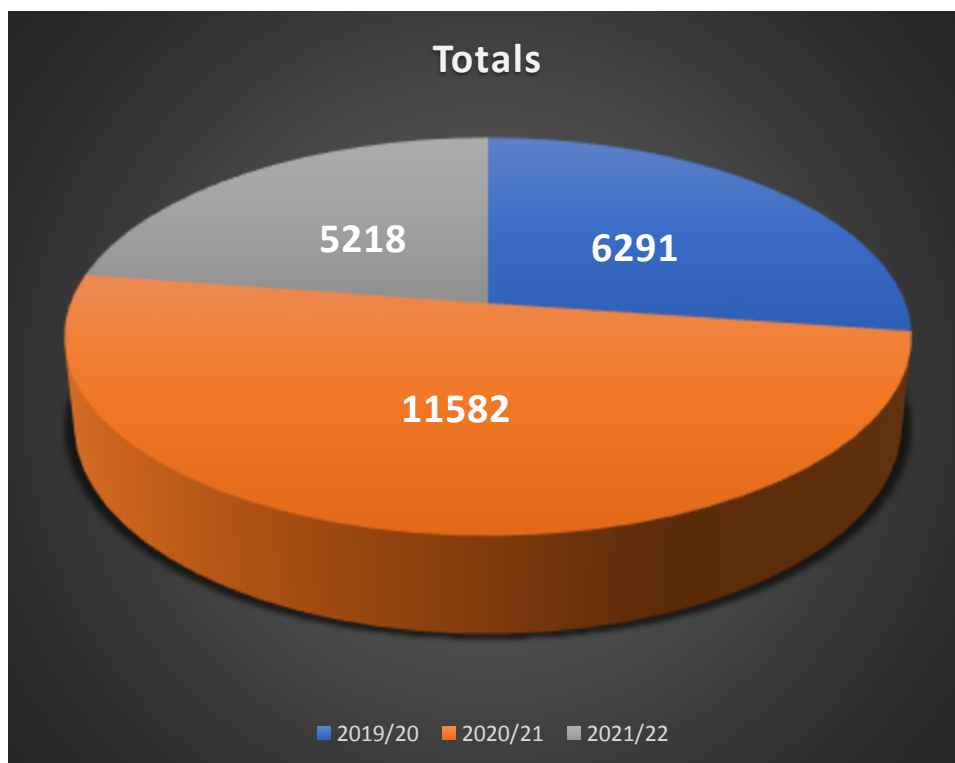
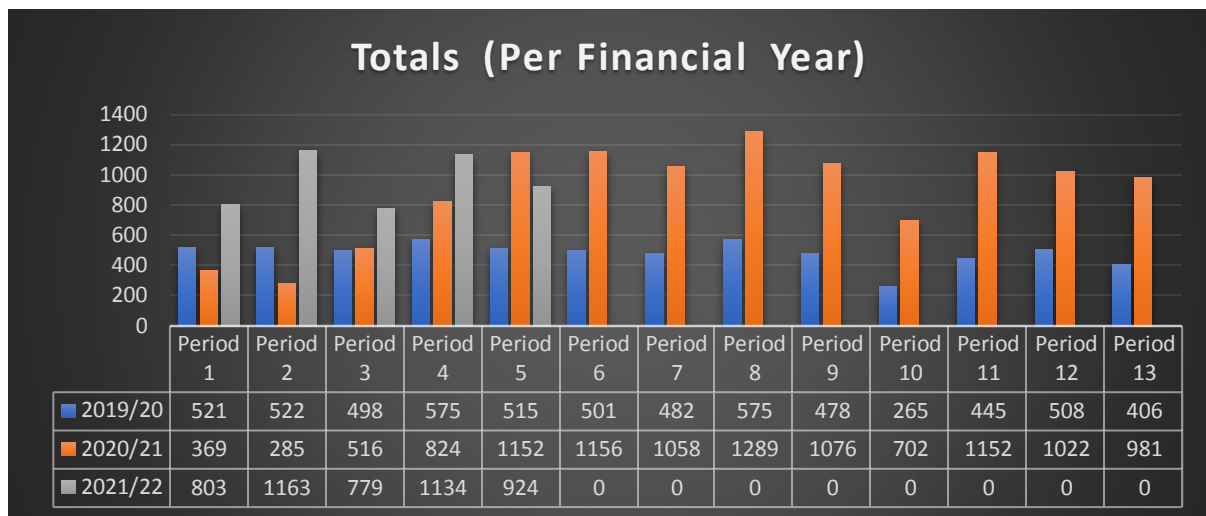
**Footnote:**

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.



## Appendix 1

### Record of search numbers for the financial years 2019/20 to 2021/22



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## **Place and Resources Scrutiny Committee 21 September 2021 Information Compliance – Key Performance Indicators**

### **For Review and Consultation**

**Portfolio Holder:** Cllr S Flower, Leader of the Council

**Executive Director:** J Mair, Corporate Director, Legal & Democratic

**Report Author:** Marc Eyre  
**Title:** Service Manager for Assurance  
**Tel:** 01305 224358  
**Email:** marc.eyre@dorsetcouncil.gov.uk

**Report Status:** Public

#### **Recommendation:**

To note the actions being taken to improve the current key performance indicators relating to information requests made to the Council.

#### **Reason for Recommendation:**

To improve compliance with statutory timescales for information requests.

### **1. Executive Summary**

1.1 There are a range of key performance indicators (KPIs) that are monitored relating to the Council's information compliance and reported to both Senior Leadership Team and Scrutiny Committees on an exception basis. Two of these KPIs have been regularly reported as red (either at a whole Council level or within individual Directorates):

- i) Percentage of FOI requests answered on time;
- ii) Percentage of subject access requests answered on time

- 1.2 The Committee therefore requested an update on performance together with the improvement actions being established.

### **% of Freedom of Information Requests Answered on Time (Target 90%)**

- 1.3 The main principle behind freedom of information legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to. Freedom of Information requests are subject to statutory timescales (20 working days). Where the requestor is not satisfied, they can refer to the Information Commissioner.
- 1.4 The Council receives between 100 and 150 requests per calendar month. The information compliance team ensure that FOIs are issued to the service, generally on day of receipt, to maximise response times, but as can be demonstrated in the KPIs below the responses from services are often outside of statutory timescales. Benchmarking with other authorities indicates that Dorset Council receives a higher number of FOIs than the majority of comparator councils. This may in part be due to demographics, but also suggests that we may not proactively publish information to the extent of other authorities.

2020/21	Feb 21	Mar 21	Apr 21	May 21	Jun 21	Jul 21
<b>Childrens</b>	62.50% Red	80.00% Amber	70.59% Red	46.67% Red	56.25% Red	69.23% Red
<b>Adults and Housing</b>	77.78% Red	90.91% Green	86.36% Amber	71.43% Red	88.89% Amber	100% Green
<b>Place</b>	92.98% Green	82.46% Amber	85.71% Amber	86.84% Amber	77.27% Red	90.70% Green
<b>Corporate</b>	82.50% Amber	76.47% Red	64.81% Red	81.58% Amber	79.07% Red	88.46% Amber
<b>Overall</b>	87.97% Amber	83.57% Amber	76.62% Red	77.12% Red	78.20% Red	88.89% Amber

- 1.5 **Action being taken:** The Assurance Service has started to share schedules of outstanding FOIs with Directorate Management Teams, in addition to liaising with individual officers. This has been positively received by Management Teams, and early indications are that it is actively reducing response times. A longer term action has been agreed to focus on working with services to identify information that can be made more readily available online. A disclosure log module is to be added to the current IT system so that previously submitted requests are more transparently available.

## % of Subject Access Requests Answered on Time (Target 90%)

- 1.6 Individuals have a right to ask an organisation whether or not they are using or storing their personal information, and can request copies of this personal information, verbally or in writing. This is called the right of access and is commonly known as making a subject access request or SAR. The vast majority of these relate to children's services.
- 1.7 Compliance timescales are consistently red. The Committee will notice in the table below that there was an improvement in performance during July 2021. This reflects the availability of a temporary resource and not any measures that will bring about a sustained improvement.
- 1.8 Gathering the requested information to answer a SAR can be very time consuming, and there needs to be a thorough redaction process due to the sensitivity of the files. Therefore in addition to the initial SARs collation and redaction process, a second officer in the Directorate undertakes a quality assurance role.
- 1.9 SARs can regularly involve reviewing over 1,000 pages, with the largest in the current calendar year requiring reviewing and redacting some 13,000 plus pages (approx. 440 hours work). Resourcing has consisted of one 0.5fte to carry out the initial review with the quality assurance role undertaken by other officers across children's services. It is estimated that 3 ftes are required to undertake the SARs role, based on current caseloads.

2020/21	Feb 21	Mar 21	Apr 21	May 21	Jun 21	Jul 21
<b>Overall (note SARs mainly Childrens)</b>	60.00% Red	46.67% Red	55.56% Red	55.56% Red	57.14% Red	89.47% Amber

- 1.10 **Action being taken:** A service redesign process was undertaken by information compliance and children's services teams to look at ways to improve the process. An additional 1fte officer is being recruited within children's to undertake the initial review (making 1.5 fte in total). However large requests continue to be a challenge for the Council. An analysis is currently underway to review whether additional fixed appointments are necessary to undertake the quality assurance role and to determine whether larger requests are better managed by outsourcing to a specialist provider.

## 2. Financial Implications

- 2.1 There is currently a gap in resources for Subject Access Requests of 1.7fte, to bring us up to the level we believe is required to fulfil compliance within timescales at a cost of circa £46,551. The costs associated with

managing the backlog in house are between £32,000 and £40,000 depending on prioritisation. Indications are that outsourcing costs would be at a similar level, but the market needs to be more fully tested.

### **3. Well-being and Health Implications**

3.1 None

### **4. Climate implications**

4.1 None

### **5. Other Implications**

5.1 None

### **6. Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Medium

If non compliance issues are escalated to and investigated by the ICO they could take enforcement action, which is shared publicly with reputational ramifications.

### **7. Equalities Impact Assessment**

7.1 Information Compliance policies have been subject to EQIA

### **8. Appendices**

8.1 None

### **9. Background Papers**

9.1 None

#### **Footnote:**

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

**Place and Resources Scrutiny Committee – DRAFT Forward Plan**

<b>Title</b>	<b>Description</b>	<b>Date of committee meeting</b>	<b>Requested by</b>	<b>Report author</b>	<b>Portfolio Holder</b>	<b>Other meetings? (SLT / CLT / Cabinet)</b>
Property Strategy & Asset Management Plan Quarterly Monitoring Report	Review and comment upon progress in achieving the actions identified in the Property & Asset Management Strategy Action Plan and areas needing to be given priority.	21 September 2021	Committee request	Presentation from John Sellgren – Executive Director of Place	Cllr Tony Ferrari – Portfolio Holder for Economic Growth, Assets & Property	
Dorset Council Consultation Process	A report to explain how Dorset Council conducts consultations and good practice review	21 September 2021	Chairman of committee	Mark Simons – Senior Consultation & Engagement Officer  Jen Lowis – Service Manager for Communications & Engagement	Cllr Spencer Flower – Leader of the Council	
Local Land Charges Service Update	A report on local land charges service performance	21 September 2021	Committee – from review of Performance Dashboard	Grace Evans – Head of Legal Services	Cllr Peter Wharf - Portfolio Holder for Corporate Development & Change	

<b>Title</b>	<b>Description</b>	<b>Date of committee meeting</b>	<b>Requested by</b>	<b>Report author</b>	<b>Portfolio Holder</b>	<b>Other meetings? (SLT / CLT / Cabinet)</b>
Information Requests	An update on actions being taken to improve performance on Freedom of Information and Subject Access Requests	21 September 2021	Committee – from review of Performance Dashboard	Marc Eyre – Service Manager for Assurance  James Fisher – Data Protection Officer	Cllr Spencer Flower – Leader of the Council	
External Communications Strategy	Review of strategy post-implementation. A report to explain Dorset Council's External Communications Strategy & performance.	16 November 2021	Chairman of committee	Jen Lowis – Service Manager for Communications & Engagement	Cllr Spencer Flower - Leader of the Council	
Performance Scrutiny	To review the most recent performance information and use this to agree items to add to the committee forward plan for further analysis	16 November 2021	David Bonner – Service Manager – BI & Performance	David Bonner – Service Manager – BI & Performance	Cllr Peter Wharf - Portfolio Holder for Corporate Development & Change	



<b>Title</b>	<b>Description</b>	<b>Date of committee meeting</b>	<b>Requested by</b>	<b>Report author</b>	<b>Portfolio Holder</b>	<b>Other meetings? (SLT / CLT / Cabinet)</b>
St Mary's Acquisition	A report on the acquisition of St Mary's to create a new special school and centre of excellence	16 November 2021	Vik Verma – Corporate Director for Education & Learning	Vik Verma – Corporate Director for Education & Learning	Cllr Andrew Parry – Children, Education, Skills & Early Help Cllr Tony Ferrari – Economic Growth, Assets & Property Cllr Gary Suttle – Finance, Commercial & Capital Strategy	
Budget Scrutiny (Single Item meeting)	Consideration of the budget proposals before proceeding to produce the final budget paper for recommendation to Cabinet on 18 January 2022.	10 December 2021	Part of annual budget process	Jim McManus – Corporate Director – Finance & Commercial	Cllr Gary Suttle – Portfolio Holder for Finance, Commercial & Capital Strategy	Cabinet – 18 January 2022  Full Council – 15 February 2022

<b>Title</b>	<b>Description</b>	<b>Date of committee meeting</b>	<b>Requested by</b>	<b>Report author</b>	<b>Portfolio Holder</b>	<b>Other meetings? (SLT / CLT / Cabinet)</b>
Planning Advisory Service Peer Review of Dorset Council's Planning Service	Progress report on implementation of the action plan	25 January 2022	Cabinet – 8 December 2020	Mike Garrity – Head of Planning	Cllr David Walsh - Portfolio Holder for Planning	
Transforming Cities Fund	Progress update	25 January 2022	Committee request – 1 December 2020	Wayne Sayers – Transport Planning Manager	Cllr Ray Bryan - Portfolio Holder for Travel, Highways and Environment	
Post-scrutiny review of plans for summer 2021 tourism in Dorset	To review the plans that were put in place to help manage visitor demand for the peak tourist period during 2021	25 January 2022	Chairman of committee	Jack Wiltshire – Head of Highways  Matt Piles – Corporate Director, Economic Growth & Infrastructure  John Sellgren – Executive Director of Place	Cllr Graham Carr-Jones – Portfolio Holder for Housing & Community Safety Cllr Ray Bryan – Portfolio Holder for Highways, Travel & Environment	

<b>Title</b>	<b>Description</b>	<b>Date of committee meeting</b>	<b>Requested by</b>	<b>Report author</b>	<b>Portfolio Holder</b>	<b>Other meetings? (SLT / CLT / Cabinet)</b>
Property Strategy & Asset Management Plan Quarterly Monitoring Report	Review and comment upon progress in achieving the actions identified in the Property & Asset Management Strategy Action Plan and areas needing to be given priority.	25 January 2022	Committee request	Corporate Director of Property & Assets	Cllr Tony Ferrari – Portfolio Holder for Economic Growth, Assets & Property	
Post-scrutiny review of Dog-related Public Space Protection Order (PSPO)	To review the implementation of the 3-year Dog-related PSPO which came into effect on 1 January 2021	8 March 2022	Chairman of committee	Janet Moore – Service Manager, Environmental Protection	Cllr Jill Haynes – Portfolio Holder for Customer & Community Services	
Performance Scrutiny	To review the most recent performance information and use this to agree items to add to the committee forward plan for further analysis	8 March 2022	David Bonner – Service Manager – BI & Performance	David Bonner – Service Manager – BI & Performance	Cllr Peter Wharf - Portfolio Holder for Corporate Development & Change	

<b>Title</b>	<b>Description</b>	<b>Date of committee meeting</b>	<b>Requested by</b>	<b>Report author</b>	<b>Portfolio Holder</b>	<b>Other meetings? (SLT / CLT / Cabinet)</b>
Property Strategy & Asset Management Plan Quarterly Monitoring Report	Review and comment upon progress in achieving the actions identified in the Property & Asset Management Strategy Action Plan and areas needing to be given priority.	25 April 2022	Committee request	Corporate Director of Property & Assets	Cllr Tony Ferrari – Portfolio Holder for Economic Growth, Assets & Property	
Review and update: summary of alternative service provision following closure of tourist information centres (TICs) in 2021	To set out the alternative service provision arrangements that have been developed by town council & communities since closing TICs in Dorchester, Sherborne & Wareham in 2021	26 May 2022	Chairman of committee	Lisa Cotton – Head of Customer, Libraries & Archives	Cllr Jill Haynes – Portfolio Holder for Customer & Community Services	



## **The Cabinet Forward Plan - October 2021 - January 2022 (Publication date 6 September 2021) For the period 1 OCTOBER 2021 to 31 JANUARY 2022**

### **Explanatory Note:**

This Forward Plan contains future items to be considered by the Cabinet and Council. It is published 28 days before the next meeting of the Committee. The plan includes items for the meeting including key decisions. Each item shows if it is 'open' to the public or to be considered in a private part of the meeting.

### **Definition of Key Decisions**

Key decisions are defined in Dorset Council's Constitution as decisions of the Cabinet which are likely to -

- 12  
20  
9  
45
- a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates (**Thresholds - £500k**); or
  - b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority."

In determining the meaning of "*significant*" for these purposes the Council will have regard to any guidance issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000 Act. Officers will consult with lead members to determine significance and sensitivity.

### **Cabinet Portfolio Holders 2021/22**

<b>Spencer Flower</b>	Leader / Governance, Performance and Communications
<b>Peter Wharf</b>	Deputy Leader / Corporate Development and Change
<b>Gary Suttle</b>	Finance, Commercial and Capital Strategy
<b>Ray Bryan</b>	Highways, Travel and Environment
<b>Tony Ferrari</b>	Economic Growth, Assets & Property
<b>David Walsh</b>	Planning
<b>Jill Haynes</b>	Customer and Community Services
<b>Andrew Parry</b>	Children, Education, Skills and Early Help
<b>Laura Miller</b>	Adult Social Care and Health
<b>Graham Carr-Jones</b>	Housing and Community Safety

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
<b>October</b>					
<b>Medium Term Financial Plan (MTFP) and budget strategy</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open  To receive a budget update for 2022/23.	<b>Decision Maker</b> Cabinet	<b>Decision Date</b> 5 Oct 2021		Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Jim McManus, Corporate Director - Finance and Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
<b>Draft Council Plan Performance Measures and Risk Register</b>  <b>Key Decision</b> - No <b>Public Access</b> - Open  To discuss and agree the updated council plan.	<b>Decision Maker</b> Cabinet	<b>Decision Date</b> 5 Oct 2021	Place and Resources Overview Committee People and Health Overview Committee 17 Sep 2021 2 Sep 2021	Deputy Leader - Corporate Development and Change, Leader of the Council	<i>Rebecca Forrester, Business Intelligence &amp; Performance</i> <i>rebecca.forrester@dorsetcouncil.gov.uk, Bridget Downton, Head of Business Insight and Corporate Communications</i> <i>Chief Executive (Matt Prosser)</i>
<b>Dorset Skills Commission</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open The establishment of a dedicated Commission will oversee an effective and at pace response to a jobs-led approach to COVID-19 economic recovery. It would also provide an objective and independent review of the future Dorset Skills landscape, helping to shape a world-class skill and learning infrastructure for all communities.	<b>Decision Maker</b> Cabinet	<b>Decision Date</b> 5 Oct 2021		Portfolio Holder for Economic Growth, Assets and Property, Portfolio Holder for Children, Education, Skills and Early Help	<i>David Walsh, Service Manager for Growth and Economic Regeneration</i> <i>David.walsh@dorsetcouncil.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i>

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
<b>LGA Finance Peer Review - Report and Action Plan</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open  This report will see the publication of the LGA finance peer review report and the accompanying action plan to address the recommendations.	Decision Maker Cabinet	Decision Date 5 Oct 2021		Portfolio Holder for Economic Growth, Assets and Property, Leader of the Council, Deputy Leader - Corporate Development and Change, Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Jim McManus, Corporate Director - Finance and Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
<b>Tricuro Options Paper</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Fully exempt	Decision Maker Cabinet	Decision Date 5 Oct 2021		Portfolio Holder for Adult Social Care and Health	<i>Lesley Hutchinson, Corporate Director for Adults Commissioning</i> <i>Lesley.Hutchinson@dorsetcc.gov.uk</i> <i>Vivienne Broadhurst</i>
<b>Weymouth Quay Regeneration Project - agreement to make payments over £500,000</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Fully exempt  Seeking agreement that payments in excess of £500 can be made in relation to the project.	Decision Maker Cabinet	Decision Date 5 Oct 2021		Portfolio Holder for Highways, Travel and Environment	<i>Ken Buchan, Head of Environment and Wellbeing</i> <i>ken.buchan@dorsetcouncil.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i>

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
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November

<b>Phase 2 Parking Charges Project</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open  To consider a report on the Phase 2 Parking Charges Project.	<b>Decision Maker</b> Cabinet	<b>Decision Date</b> 2 Nov 2021		Portfolio Holder for Highways, Travel and Environment	<i>Elizabeth Murray, Strategic Parking Project Manager          elizabeth.murray@dorsetcc.gov.uk          Executive Director, Place (John Sellgren)</i>
<b>Review of Community Infrastructure Levy (CIL) expenditure</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open  Recommendation from Place and Resources Scrutiny Committee Position report on CIL governance and expenditure to date.	<b>Decision Maker</b> Cabinet	<b>Decision Date</b> 2 Nov 2021	Place and Resources Scrutiny Committee 19 Oct 2021	Portfolio Holder for Planning	<i>Andrew Galpin, Infrastructure &amp; Delivery Planning Manager          andrew.galpin@dorsetcouncil.gov.uk          Executive Director, Place (John Sellgren)</i>
<b>Dorset Council High Needs Block Management Strategy</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open	<b>Decision Maker</b> Cabinet	<b>Decision Date</b> 2 Nov 2021		Portfolio Holder for Children, Education, Skills and Early Help	<i>Vik Verma, Interim Director of Education and Learning          vik.verma@dorsetcc.gov.uk          Executive Director, People - Children (Theresa Leavy)</i>
<b>Quarter 2 (Q2) Financial Management Report</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open	<b>Decision Maker</b> Cabinet	<b>Decision Date</b> 2 Nov 2021		Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Jim McManus, Corporate Director - Finance and Commercial          J.McManus@dorsetcc.gov.uk          Executive Director,</i>



Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
To consider the Council's revenue budget position at the end of Q2 and the changes since Q1					<i>Corporate Development - Section 151 Officer (Aidan Dunn)</i>
<b>Enabling Communities Strategy</b>  <b>Key Decision</b> - No <b>Public Access</b> - Open  The Communities Strategy will shape how Dorset Council engages and enables of communities.	<b>Decision Maker Cabinet</b>	<b>Decision Date 7 Dec 2021</b>	People and Health Overview Committee 9 Nov 2021	Portfolio Holder for Customer and Community Services	<i>Laura Cornette, Business Partner - Communities and Partnerships</i> <i>Laura.cornette@dorsetcouncil.gov.uk</i> <i>Chief Executive (Matt Prosser)</i>
<b>Review of Commercial Strategy - Commissioning and Procurement Overview</b>  <b>Key Decision</b> - No <b>Public Access</b> - Open  To consider a proposed revision to the current Corporate Procurement Strategy.	<b>Decision Maker Cabinet</b>	<b>Decision Date 2 Nov 2021</b>	Place and Resources Overview Committee 17 Sep 2021	Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Dawn Adams, Service Manager for Commercial and Procurement</i> <i>dawn.adams@dorsetcouncil.gov.uk</i> <i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
<b>December</b>					

<b>Household Recycling Centre (HRC) Vehicle Access Policy</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open  Review of legacy policy controlling access to HRCs. This includes the use of vans, hire vans, trailers and other vehicle types. Policy is	<b>Decision Maker Cabinet</b>	<b>Decision Date 7 Dec 2021</b>	Place and Resources Overview Committee 21 Oct 2021	Portfolio Holder for Customer and Community Services	<i>Gemma Clinton, Head of Commercial Waste and Strategy</i> <i>gemma.clinton@dorsetwastepartnership.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i>
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Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
applicable to all Dorset Council wards. A public consultation will be conducted to inform outcomes.					
<b>January 2022</b>					

<b>Quarter 3 (Q3) Financial Management Report</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open  to consider the Council's revenue budget position at the end of Q3 and the changes since Q2	<b>Decision Maker</b> <b>Cabinet</b>	<b>Decision Date</b> <b>18 Jan 2022</b>		Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Jim McManus, Corporate Director - Finance and Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
<b>Budget Strategy Report</b>  <b>Key Decision</b> - Yes <b>Public Access</b> - Open  The Council is required to set a balanced revenue budget, and to approve a level of council tax as an integral part of this.	<b>Decision Maker</b> <b>Dorset Council</b>	<b>Decision Date</b> <b>15 Feb 2022</b>	Cabinet Place and Resources Scrutiny Committee People and Health Scrutiny Committee 18 Jan 2022 10 Dec 2021 10 Dec 2021	Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Jim McManus, Corporate Director - Finance and Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Corporate Director, Legal and Democratic Services - Monitoring Officer (Jonathan Mair)</i>

### **Private/Exempt Items for Decision**

Each item in the plan above marked as 'private' will refer to one of the following paragraphs.

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the shadow council proposes:-
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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Date of committee: 22 June 2021

Date published 23 June 2021

Date of implementation: 1 July 2021

**DECISIONS OF THE CABINET  
22 JUNE 2021**

The following decisions were made by the Cabinet on xx and will come into force and may be implemented on 1 July 2021 unless the decision is called in for scrutiny.

In accordance with the council's constitution, any six members of the same relevant Scrutiny Committee may request the Monitoring Officer to 'call-in' a decision for scrutiny. The Monitoring Officer will be provided with written notice that will identify the decision to be called-in and the ground for the call-in when the request is made. If satisfied that there are reasonable grounds for the proposed call-in, the Monitoring Officer will notify the decision-maker of the call-in within 5 clear working days. The deadline for this request is 30 June 2021.

The full call-in procedure is set out in the Constitution or for further information and advice please telephone Kate Critchel on 01305 252234

## **6 COVID - 19 RESPONSE**

### Decision

- (a) That the continued Covid-19 emergency response be noted in relation to the organisational and incident recovery.
- (b) That the recovery plan be progressed as directed by the Local Resilience Forum, with input from the council's Overview Committees
- (c) That the Dorset Council Plan be reviewed and refreshed in light of the learning from Covid-19 and the revised aims of the council.

### Reason for the decision

To ensure that Cabinet is able to lead and remain assured of the way that the response and recovery from Covid-19 is progressing and is able to respond effectively to the changing needs of Dorset residents during the Covid-19 pandemic.

## **7 FINANCE REPORT - OUTTURN 2020/21**

### Decision

[Executive Decision Notice - Finance report - Outturn 2020/21 - Dorset Council](#)

### Reason for decision

At its Annual Meeting, Council decided to continue to meet virtually for all non-executive committees. The Leader of the Council also decided that Cabinet should continue to meet virtually until social distancing requirements had been removed. Therefore, the Portfolio Holder for Customer and Community Services has made this decision taking into account the views expressed by the wider cabinet membership.

Although this report does not seek formal approval from Cabinet for the reported outturn, the performance for the previous year is an important part of the financial management process as it marks the start of the medium-term financial planning (MTFP) and budget strategy process for 2022/23. In addition to reporting outturn, with the financial performance for the year materially complete, it is important for Cabinet to review the risks the organisation now faces and the areas where it wishes to make strategic investments and to repurpose and prioritise its reserves to facilitate these aims.

## **8 DORSET COUNCIL PLAN: QUARTER 4 PERFORMANCE UPDATE**

That the progress against the Council Plan priorities as shown in appendix 1, be received and noted.

### Reason

To ensure progress towards the Council Plan is measured and monitored.

## **9 DORSET CARE, SUPPORT, HOUSING AND COMMUNITY SAFETY FRAMEWORK**

Decision

[Executive Decision Notice - Dorset Care, Support, Housing and Community Safety Framework - Dorset Council](#)

Reason for the decision

At its Annual Meeting, Council decided to continue to meet virtually for all non-executive committees. The Leader of the Council also decided that Cabinet should continue to meet virtually until social distancing requirements had been removed. Therefore, the Portfolio Holder for Customer and Community Services has made this decision taking into account the views expressed by the wider cabinet membership.

A new Framework is required as the current Dorset Care Framework for Older People expires on 30 November 2022 and the Dorset Care Framework for Learning Disabilities needs a refresh to include Mental Health provision. By putting in place one Framework for all service user groups there is greater clarity for the market. The aim is to have the Framework in place by the autumn of 2021.

The Framework will be established by utilising the flexibilities of what is the Light Touch Regime under the Public Contract Regulations 2015 which allows Public Sector Bodies, in terms of health and social care, to adapt / innovate procurement and contracting models to best meet the service requirements.

The Framework will be in place for up to 10 years and will enable providers to join at any time (as long as specific criteria is met) instead of fixed opening periods (as is the case with the existing Frameworks).

The proposed new Framework tool is key to delivery of flexible contracting with all sectors of the provider market, including micro enterprises.

Feedback from existing providers is that our current Framework is difficult to enter primarily because it only facilitates new agencies joining at set times. The proposed new Framework will address this issue as it will be open.

The proposed new Framework is a timely as it will offer several opportunities to innovate the care and support market to better meet key legislative, Corporate and Directorate priorities

## **10 ARNE, BLANDFORD+, CHICKERELL, MILTON ABBAS, PORTLAND, PUDDLETOWN AND SHAFTESBURY NEIGHBOURHOOD PLAN**

Decision

[Executive Decision Notice - Arne, Blandford +, Chickerell, Milton Abbas, Portland, Puddletown and Shaftesbury Neighbourhood Plans - Dorset Council](#)

Reason for the decision

At its Annual Meeting, Council decided to continue to meet virtually for all non-executive committees. The Leader of the Council also decided that Cabinet should continue to meet virtually until social distancing requirements had been removed. Therefore, the Portfolio

Holder for Customer and Community Services has made this decision taking into account the views expressed by the wider cabinet membership.

To formally make the neighbourhood plan part of the statutory development plan for the areas that they cover. Furthermore, to correct errors relating to the maps in the Blandford + and Chickerell Neighbourhood Plan. In addition, to recognise the significant amount of work undertaken by the Town and Parish Councils involved and members of each of the Neighbourhood Plan Groups in preparing the plans and to congratulate the Councils and Groups on their success.

#### **11 LOW CARBON DORSET GRANT PAYMENTS OVER £5000,000**

This report was deferred.

#### **12 WEYMOUTH HARBOUR AND ESPLANADE FLOOD AND COASTAL RISK MANAGEMENT STRATEGIC OUTLINE CASE**

Decision

[Executive Decision Notice - Weymouth Harbour & Esplanade Flood and Coastal Risk Management Strategic Outline Case - Dorset Council](#)

Reason for the decision

At its Annual Meeting, Council decided to continue to meet virtually for all non-executive committees. The Leader of the Council also decided that Cabinet should continue to meet virtually until social distancing requirements had been removed. Therefore, the Portfolio Holder for Customer and Community Services has made this decision taking into account the views expressed by the wider cabinet membership.

Weymouth Town Centre and parts of the surrounding area are at risk of flooding and coastal erosion. With a projected acceleration in sea level rise and more intense weather events because of climate change, the problems facing Weymouth will increase significantly.

#### **14 MANAGEMENT OF COUNCIL OWNED TREE POLICY**

Decision

[Executive Decision Notice - Management of Council Owned Trees - Dorset Council](#)

Reason for the decision

At its Annual Meeting, Council decided to continue to meet virtually for all non-executive committees. The Leader of the Council also decided that Cabinet should continue to meet virtually until social distancing requirements had been removed. Therefore, the Portfolio Holder for Customer and Community Services has made this decision taking into account the views expressed by the wider cabinet membership.

Dorset Council owns and is responsible for approx. 250,000 trees which will be managed against this Policy. The Policy builds upon and combines existing tree policies from the



predecessor district and county authorities, and has been written with input and advice from the Health and Safety Executive reflecting the legal obligations of Dorset Council to manage its Tree stock e.g. Occupiers Liability Act 1984 and Highways Act 1980.

## **15 STREET NAMING AND NUMBERING POLICY**

Decision

[Executive Decision Notice - Street Naming and Numbering Policy - Dorset Council](#)

Reason for decision

At its Annual Meeting, Council decided to continue to meet virtually for all non-executive committees. The Leader of the Council also decided that Cabinet should continue to meet virtually until social distancing requirements had been removed. Therefore, the Portfolio Holder for Customer and Community Services has made this decision taking into account the views expressed by the wider cabinet membership.

The recommended options provides the opportunity for harmonisation, cost and administration efficiencies and reduced risk.

## **20 LEARNING DISABILITY AND MENTAL HEALTH NON FRAMEWORK CONTRACTS**

Decision

[Executive Decision Notice - Learning Disability and Mental Health Non Framework Contracts - Dorset Council](#)

Reason for decision

At its Annual Meeting, Council decided to continue to meet virtually for all non-executive committees. The Leader of the Council also decided that Cabinet should continue to meet virtually until social distancing requirements had been removed. Therefore, the Portfolio Holder for Customer and Community Services has made this decision taking into account the views expressed by the wider cabinet membership.

To ensure a purchasing and contracting system to enable a range of specialist learning disability providers to offer care and support at agree rates.

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Date of committee: 27 July 2021

Date published: 29 July 2021

Date of implementation: 5 August 2021

**DECISIONS OF THE CABINET  
27 JULY 2021**

The following decisions were made by the Cabinet on 27 July 2021 and will come into force and may be implemented on 5 August 2021 unless the decision is called in for scrutiny.

In accordance with the council's constitution, any six members of the same relevant Scrutiny Committee may request the Monitoring Officer to 'call-in' a decision for scrutiny. The Monitoring Officer will be provided with written notice that will identify the decision to be called-in and the ground for the call-in when the request is made. If satisfied that there are reasonable grounds for the proposed call-in, the Monitoring Officer will notify the decision-maker of the call-in within 5 clear working days. The deadline for this request is **4 August 2021.**

The full call-in procedure is set out in the Constitution or for further information and advice please telephone Kate Critchel on 01305 252234

## **6 DORSET COUNCIL BUDGET QUARTERLY PERFORMANCE REPORT - Q1**

Cabinet noted: -

- (a) the Senior Leadership Team's forecast of outturn for the Council at the end of Qtr1 including progress of the transformation and tactical savings incorporated into the budget.
- (b) the size of the capital programme for 2021/22 including the slippage from previous years and the work taking place to review this position.
- (c) the opening position for the Medium-Term Financial Plan (MTFP) refresh and the budget timetable headlines.
- (d) the budget movements (virements) as set out within report.

## **7 LOW CARBON DORSET GRANT PAYMENTS OVER £500,000**

### **Decision of the Portfolio Holder for Highways, Travel and Environment**

- (a) That Low Carbon Dorset can issue a grant award letter for £1,500,000 to the Canford Renewable Energy project that has been approved by the Low Carbon Dorset Grants Panel and Board, given that the value is over the £500,000 threshold for Executive Director decision, be agreed
- (b) That, following any future decision by the Low Carbon Dorset grants panel and board to award grants over the key decision threshold of £500k, agreement to make any such award be delegated to the Executive Director for Place after consultation with the relevant portfolio holders. Any use of this proposed recommendation would be exercised transparently, being publicised in advance in the forward plan and afterwards in decision notices published on the Council's website.

[Decision - Low Carbon Dorset Grant payments Over £500,000 - Dorset Council \(wdwp.local\)](http://wdwp.local)

### **Reason for the Decision:**

The Low Carbon Dorset grant fund and the method by which grants are paid out by Dorset Council and claimed back from the European Regional Development Fund has already been agreed by the predecessor Dorset County Council Cabinet. When the Low Carbon Dorset programme is successfully completed it will be cost neutral to Dorset Council. However, Cabinet is required to approve all key decisions with financial consequences of £500,000 or more.

## **8 OFFICER DELEGATION DECISION FOR PROCUREMENT OF GIGABIT HUB CONNECTIVITY IN RURAL DORSET (GHCIRD)**

### **Decision of the Portfolio Holder for Corporate Development and Change**

- (a) That the decision for contract award, following conclusion of the procurement process, be delegated to Cllr Peter Wharf as Portfolio Holder, after consultation with Aidan Dunn, Executive Director – Corporate Development.
- (b) That the decision to enter into the necessary subsequent grant agreements with Building Digital UK (BDUK), which is part of the Department for Digital, Culture Media and Sports (DCMS) to delivery this programme of activity, be agreed and delegated to Cllr Peter Wharf as Portfolio Holder, after consultation with Aidan Dunn, Executive Director – Corporate Development.

[Decision - Officer delegated decision for procurement of Gigabit Hub Connectivity in Rural Dorset \(GHCIRD - Dorset Council \(wdwp.local\)\)](#)

#### **Reason for the decision:**

To enable the GHCiRD (BDUK) project to complete due diligence, grant agreement, contract award and finalisation which will facilitate the quickest possible deployment by December 2022

## **9 ASSET TRANSFER POLICY**

### **Decision of the Portfolio Holder for Economic Growth, Assets and Property**

- (a) That the Asset Transfer Policy relating to the transfer of Council owned property assets of both Low and High Value to Town & Parish Councils together with Voluntary and Community based (third sector) organisations, be agreed
- (b) That authority be delegated to the Portfolio Holder for Economic Growth, Assets and Property and the Portfolio Holder for Customer Services & Communities when acting in agreement with each other the authority to determine and approve all such transfers including those decisions that amount to key decisions.

*Prior notice will be given in the forward plan for any proposal relating to a transfer amounting to a key decision albeit that the two portfolio holders are identified as the decision makers instead of Cabinet.*

[Decision - Asset Transfer Policy - Dorset Council \(wdwp.local\)](#)

#### **Reason for the decision:**

Dorset Council recognises that the devolution of assets to local communities, particularly to town and parish councils and voluntary and community based organisations (third

sector) can make a significant contribution to enabling them to be stronger, more resilient and sustainable in order to support services within their local areas.

## **10 LOCAL DEVELOPMENT SCHEME UPDATE**

### **Decision of the Portfolio Holder for Planning**

- (a) That the revised timetable for the production of the Dorset Council Local Plan within the Local Development Scheme, be acknowledged and
- (b) This would come into effect as of the date of this meeting.

#### **Reason for the decision:**

To enable the publication of the updated Local Development Scheme to outline the revised timetable for the production of the Dorset Council Local Plan as required by section 15 of the Planning and Compulsory Purchase Act 2004 (as amended)

## **11 DORSET COUNCIL HOMELESSNESS & ROUGH SLEEPER STRATEGY**

- (a) That the adoption of the Homelessness and Rough Sleeping Strategy 2021 - 2026 2, be approved.
- (b) That authority be delegated to the Portfolio holder for Housing and Community Safety to make minor amendments to the strategy and action plan and any amendments necessary to reflect legislative change.

[Decision - Dorset Council Homelessness & Rough Sleeping Strategy 2021 - 2026 - Dorset Council \(wdwp.local\)](#)

#### **Reason for the decision:**

To ensure Dorset Council has a legally compliant Homelessness and Rough Sleeping Strategy that meets our responsibility for tackling and preventing homelessness

## **12 SEND CAPITAL STRATEGY - BEAUCROFT SCHOOL EXPANSION**

### **Decision of the Portfolio Holder of Children, Education, Skills and Early Help**

- (a) Support the use of the former Wimborne First School site, in School Lane Wimborne, to increase the capacity of Beaucroft School to create additional specialist provision for Dorset children and young people with Special Educational Needs and Disabilities (SEND).
- (b) That the budget allocation as set out in Appendix 3 to enable the project to be delivered, be approved and authority be delegated to the Executive Director for People – Children to enter into a construction contract at the appropriate time, in line with an existing delegation, subject to the outcome of the formal consultation

process and provided the project is within the set budget level.

- (c) That the commencement of the required 4 week formal consultation period, in consultation with the Governors of Beaucroft School to formally expand the capacity of the Beaucroft Foundation School by more than 10% or 20 places, at the appropriate time, be agreed.
- (d) That a report will be brought back to Cabinet for a decision on the formal expansion of the school following the consultation process.
- (e) To lease the former Wimborne First School site to the Governors of Beaucroft School for use as post 16 provision on terms to be agreed by the Executive Director of Place, noting that further legal advice is being sought on this matter.

[Decision - SEND Capital Strategy: Expansion of Beaucroft School - Dorset Council \(wdwp.local\)](#)

**Reason for the decision:**

To support the delivery of this project as part of the Special Education Needs and Disabilities (SEND) Capital Strategy 2020 – 2025 which was approved by Dorset Council Cabinet at its meeting on 8th December 2020.

## **18 LAND SALES AND FUTURE PROCESS AT DORSET INNOVATION**

### **Decision of the Portfolio Holder for Economic Growth, Assets and Property**

- (a) That the leasehold transaction as set out in the report be approved
- (b) That authority be delegated to the Portfolio Holder for Economic Growth, Assets & Property after consultation with the Executive Director for Place responsibility for agreeing the final terms of the sale
- (c) That authority be delegated to the Portfolio Holder of Economic Growth, Assets & Property in consultation with Executive Director for Place, the authority to approve future land sales at Dorset Innovation Park up to a value of £2m.

[Decision - Land Sales and Future Process at Dorset Innovation Park - Dorset Council \(wdwp.local\)](#)

**Reason for decision:**

To facilitate land sales on Dorset Innovation Park in order to bring significant third-party investment to the park through the development of new high technology engineering facilities, thereby, satisfying the Park's wider occupation policy and the Council's economic development aims.

## 19 NORTH DORSET BUSINESS PARK LAND DISPOSAL

### **Decision of the Portfolio Holder for Economic Growth, Assets and Property**

That the conditional sale of 1.67 acres of employment land at North Dorset Business Park, Sturminster Newton be approved, in accordance with the details set out in the exempt report.

[Decision - North Dorset Business \Park Land Disposal - Dorset Council \(wdwp.local\)](#)

**Reason for decision:** The proposed sale of the site, if planning is granted for the proposed use, will secure a major retailer for Sturminster Newton in an area that is undersupplied at present. The sale will bring forward the development of a currently constrained brownfield site with the creation of c 40 new permanent jobs for the area.



Date of committee: 7 September 2021

Date published: 8 September 2021

Date of implementation: 16 September 2021

## **DECISIONS OF THE CABINET 7 SEPTEMBER 2021**

The following decisions were made by the Cabinet on 7 September 2021 and will come into force and may be implemented on 16 September 2021 unless the decision is called in for scrutiny.

In accordance with the council's constitution, any six members of the same relevant Scrutiny Committee may request the Monitoring Officer to 'call-in' a decision for scrutiny. The Monitoring Officer will be provided with written notice that will identify the decision to be called-in and the ground for the call-in when the request is made. If satisfied that there are reasonable grounds for the proposed call-in, the Monitoring Officer will notify the decision-maker of the call-in within 5 clear working days. The deadline for this request is **15 September 2021**.

The full call-in procedure is set out in the Constitution or for further information and advice please telephone Kate Critchel on 01305 252234

## **5 ADDITIONAL PROCUREMENT FORWARD PLAN REPORT OVER £500K (2021 - 22)**

### **Decision of the Portfolio Holder for Finance, Commercial & Capital Strategy**

- (a) To begin each of the procurement processes as set out and listed in Appendix 1 to the Cabinet report of 7 September 2021.
- (b) That in each instance the further step of making any contract award be delegated to the relevant Cabinet portfolio holder, in consultation with the relevant Executive Director.

[Decision - Additional Procurement Forward Plan Report over £500k \(2021 - 22\) - Dorset Council](#)

**Reason for the decision:** Cabinet is required to approve all key decisions with financial consequences of £500k or more. It is also good governance to provide Cabinet with a summary of all proposed procurement prior to them formally commencing. Planning procurements ensures:

- effective stakeholder management.
- efficient commissioning and sourcing.
- compliance with regulations and contract procedure rules; and
- best value for money is clearly defined.

## **6 WEYMOUTH STATION GATEWAY PROJECT, PAYMENTS OVER £500,000**

### **Decision of the Portfolio Holder for Highways, Travel and Environment**

- (a) That Dorset Council enters a contract with Hanson Contracting for delivery of the capital element of this project subject to planning consent being obtained.
- (b) That authority be delegated to the Executive Director of Place, in consultation with the relevant Cabinet Portfolio Holder, to award the contract.

[Decision - Weymouth Station Gateway Project, Payments over £500,000 - Dorset Council](#)

**Reason for the decision:** Cabinet is required to approve all key decisions with financial consequences of £500,000 or more. The Weymouth Station Gateway project has received significant funding to deliver a project. The Dorset Coast Forum team seek an assurance from Cabinet that they can pay an amount above £500,000 when this is claimed by Hanson Contracting in accordance with any limits agreed in the project delivery terms.

## **7 BUS SERVICE IMPROVEMENT PLAN (BSIP)**

### **Decision of the Portfolio Holder for Highways, Travel and Environment**

- (a) To agree the scope of the outline Bus Service Improvement Plan (BSIP) be agreed and the commitment of resources within existing budgets to take forward work to publish a first version of the BSIP by the end of October 2021, be supported.
- (b) That authority be delegated to the relevant portfolio holder, in consultation with the Executive Director for Place to approve the final version of the BSIP before it is published.

#### Decision - Bus Service Improvement Plan (BSIP) - Dorset Council

**Reason for the decision:** Seeking support to publish a first Dorset Council Bus Service Improvement Plan in response to Government's new National Bus Strategy (NBS) - Bus Back Better. The BSIP sets out a vision and priorities for the future of bus services in Dorset and will be a high-level bidding document used to secure capital and revenue grant funding from the DfT.

### **8 HOLWELL NEIGHBOURHOOD PLAN REVIEW**

#### **Decision of the Portfolio Holder for Planning**

- (a) That the Council makes the Holwell Neighbourhood Plan Review 2017 - 2031 (as set out in Appendix A of the report to Cabinet) part of the statutory development plan for the Holwell Neighbourhood Area.
- (b) That the Council offers its congratulations to Holwell Parish Council and members of the Neighbourhood Plan Group in producing a successful neighbourhood plan review.

#### Decision - Howell Neighbourhood Plan Review - Dorset Council

**Reason for the decision:** To formally make the neighbourhood plan review part of the statutory development plan for the Holwell Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by Holwell Parish Council and members of the Neighbourhood Plan Group in preparing the plan review and to congratulate the Council and Group on their success.

### **9 ANNUAL SAFEGUARDING BOARD REPORT**

#### **Decision**

That the overall Annual report of the pan-Dorset Safeguarding Children Partnership be received and noted.

**Reason for the decision:** The report was a statutory responsibility to produce hence the endorsement of all 4 statutory partners was needed – Dorset Council, BCP Council, Dorset CCG and Dorset Constabulary

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