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CABINET

MINUTES OF MEETING HELD ON TUESDAY 4 OCTOBER 2022

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

Apologies: Cllrs

Also present: Cllr Jon Andrews, Cllr Shane Bartlett, Cllr Simon Christopher, Cllr Les Fry and Cllr Brian Heatley

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

Matt Prosser (Chief Executive), Aidan Dunn (Executive Director - Corporate Development S151), Jonathan Mair (Director of Legal and Democratic and Monitoring Officer), John Sellgren (Executive Director, Place), Kate Critchel (Senior Democratic Services Officer), Vivienne Broadhurst (Executive Director - People Adults), Theresa Leavy (Executive Director of People - Children), Paul Dempsey (Corporate Director - Care & Protection), Graham Duggan (Head of Community & Public Protection), Claire Shiels (Corporate Director - Commissioning, Quality & Partnerships) and Terry Sneller (Local Plan Team Leader)

62. Minutes

The minutes of the meeting held on 6 September 2022 were confirmed as a correct record and signed by the Chairman.

STATEMENT FROM THE LEADER OF THE COUNCIL - INVESTMENT ZONE IN DORSET COUNCIL AREA

The Leader of the Council made a statement explaining that the Dorset Council had been invited by the Secretary of State to express an interest for an Investment Zone by 14 October 2022. The Portfolio Holder for Economic Growth, Assets and Property, along with the Leader of the Council would weigh up the options and it was likely that a report would be brought forward to Cabinet on this matter in November.

63. Declarations of Interest

There were no declarations of interest to report.

64. Public Participation

There were 2 questions/statements from the public. A copy of the full questions and the detailed responses are set out in Appendix 1 to these minutes.

65. **Questions from Councillors**

There was 1 question from Councillor B Heatley; this along with the responses are set out in Appendix 2 to these minutes.

In response to a supplementary question, the Leader of the Council confirmed that the council would want to engage with appropriate stakeholders whilst also aiming to meet government deadlines.

66. **Forward Plan**

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

67. **Medium Term Financial Plan (MTFP) and budget strategy**

The Portfolio Holder for Finance, Commercial & Capital Strategy presented a report that provided a framework for the budget for 2023/24 and the MTFP for 2023-2028. As part of his presentation, he set out the pressures on the council's budget including the inflation rate and pay award. He continued by expressing his concerns around significant under funding for the council from central government.

In response to questions regarding financial stability, the Leader of the Council confirmed that many unitary and county councils nationally were facing multi-million budget gaps which largely existed due to inflation factors.

It was proposed by Cllr G Suttle seconded by Cllr A Parry.

Decision

- (i) That the national context and the headlines from the recent fiscal statement (the mini budget), as set out in the report, and its potential impact on this Council and its plans, be noted.
- (ii) That the updated cost pressures, as set out in the report and the validation work that has been carried out on them, be noted.
- (iii) That agrees/updates the assumptions being used in the Medium-Term Financial Plan (MTFP);
- (iv) That the financial gap arising from (ii) and (iii) above, be noted.
- (v) That the 2023/24 principles for budget setting be agreed.
- (vi) That the approach to closing the budget gap, as set out in the report, recognising that this is work in progress, be noted.
- (vii) That Portfolio Holders work with officers to continue to identify and develop further efficiencies and savings.
- (viii) That the next steps and timetable leading up to the 2023/24 budget being presented to full Council on 14 February 2023, be endorsed.

Reason for the decision

Councils are required by law to set a balanced budget. Essentially this means that expenditure is balanced by income without unsustainable use of one-off, or short-term sources of finance. This paper came to Cabinet to provide an update on the budget gap for 2023/24 and the subsequent years of the MTFP and to update on progress on action/savings to date including the 2022/23 forecast performance against budget.

68. Adult Social Care Market Sustainability Plan

Cabinet considered a report of the Portfolio Holder for Adult Social Care and Health on a new approach for a sustainable market for adult social care and support. The Corporate Director for Commissioning confirmed that the submitted plan and the processes set out by central government was an important step towards moving the care market to a more sustainable position.

It was proposed by Cllr P Wharf seconded by Cllr J Haynes

Decision

- (i) That the issues highlighted in the sustainability of local social care services, and the interventions proposed, be noted.
- (ii) That the Market Sustainability Plan (attached to the report of 4 October 2022) for submission to the Department for Health & Social Care, be approved.
- (iii) As part of the plan, Cabinet approve the approach to the future uplifting of usual rates paid for key categories of adult social care services, always subject to available budget.
- (iv) That the proposal to submit the final plan for second review by the People & Health Overview Committee ahead of submission in February 2023, be noted and, on that basis
- (v) Authority be delegated to the Executive Director of People (Adults & Housing), in consultation with the Portfolio Holder for Adult Social Care & Health and the Executive Director of Corporate Development, to approve for submission the final version of the plan in February 2023, subject to any amendments not being of significant additional financial impact to the Council.

Reason for the decision

As set out in section 5 of the Care Act 2014, local authorities have a duty to promote the efficient and effective operation of a market in services for meeting care and support needs, with a view to ensuring services are diverse, sustainable and high quality for the local population, including those who pay for their own care

69. **Local Development Scheme Update**

The Portfolio Holder for Planning set out a detailed update on the Local Development Scheme. He advised that the extension of timescales for the new Dorset-wide Local Plan was required to complete the work in developing the plan and would incorporate responses from the consultation process.

It was likely that the adoption of the plan would take place in 2026.

It was proposed by Cllr D Walsh seconded by Cllr G Carr-Jones.

Decision

That the revised timetable for the production of the Dorset Council Local Plan, the Minerals Plan, the Waste Plan and various Neighbourhood Plans within the Local Development Scheme be acknowledged and that this will come into effect as of 4 October 2022.

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 and other planning documents as required by section 15 of the Planning and Compulsory Purchase Act 2004 (as amended)

70. **Air Quality Action Plan for Chideock**

The Portfolio Holder for Culture, Communities and Customer Services presented a report seeking the adoption of the Air Quality Action Plan for Chideock. She explained that the plan outlined measures to improve air quality, although it was accepted that the Council had no control over the A35 trunk road.

Members were further advised that Chideock Parish Council had been fully consulted on the plan; and that the plan had been considered by Place and Resources Overview Committee prior to it being submitted to Defra for approval.

The Leader of the Council acknowledged the comments of the local ward and other members, who indicated that the issue of air pollution was a serious matter and not only in Chideok, but other areas of Dorset. In response to further questions the Head of Community and Public Protection confirmed that other suitable areas would be considered for monitoring in the future.

The recommendation was proposed by Cllr L Beddow seconded by Cllr R Bryan. In seconding the motion, Cllr Bryan stated that introduction of electric and other more sustainable powered vehicles, would have a positive impact on air quality going forward.

Decision

That the Air Quality Action Plan for Chideock be approved and adopted.

Reason for decision

The Air Quality Action Plan is required as part of the Councils statutory duty within the Local Air Quality Management framework. The Council is committed to improving the air quality and it is important to consider the cost effectiveness and feasibility of different measures.

The Environment Act 2021 includes provision for additional air quality objectives related to particulate matter which have not been previously included in the national framework. The proposed AQAP reflected this addition.

71. Dorset Council Plan Priorities Update: Children's Services

The Portfolio Holder for Children, Education, Skills, and Early Help gave a detailed update on the Children Services priorities (see attached at appendix3).

He highlighted

- The Children, Young People and Families Plan
- Summer Swimming Programme
- Work with Citizen's Advice and Age UK to support the household support fund.
- Working with Public Health Dorset
- Young people taking part with "Youth Council" "Takeover Challenge" and through Corporate Parenting Board
- Pineapple Project
- The Birth to Settled Adulthood project
- Supporting unaccompanied asylum-seeking children
- Adoption and Permanence fostering and
- 80% of Dorset Schools were either Good or Outstanding following Ofsted visits.

72. Portfolio Holder /Lead Member(s) Update including any Policy referrals to report

There were no items to report.

73. Urgent items

There were no urgent items considered at the meeting.

74. Exempt Business

There were no exempt items to report.

Appendix 1 Public Q& A's

Appendix 2 - Councillor Q&A

Appendix 3 - Children's Services Cabinet Update Report

Duration of meeting: 10.00 - 11.03 am

Chairman

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Public Participation – Cabinet 4 October 2022

Question 1 – Jamie Dunn

Statement

The possibility of injuries in school is always present, so making sure everyone based there are equipped to handle different types of injuries is important. Last year I contacted Cllr Parry and Theresa Leavy respectively asking for support within the DC community of schools. I introduced Zach Griffiths from the British Red Cross South division. Within six months, a large uptake of bookings have been placed with the BRC and delivered across a number of Dorset venues. Further discussions are ongoing on introducing first aid classes within the school day. Let's take the opportunity to lead on such an issue.

Question - First Aid in Dorset school curriculums

Whilst support for the importance of adding first aid to our school curriculums have been cascaded in such as the likes of my social media posts or tweets, no evidential support has been given to our local schools since. Only Lytchett Minster school have been a clear supporter of this, incorporating within their school day with the BRC.

Can I ask for a detailed response as to why this is and indeed what the educational lead of Dorset Council is going to do in liaising with the new education secretary on bringing First aid onto our Dorset school curriculums?

Response from the Portfolio Holder for Children, Education, Skills and Early Help

On 12 September 2022, the Department for Education sent a survey to all schools in England to determine how many automated external defibrillators (AEDs) exist across the school estate nationally. The term 'automated external defibrillator' refers to defibrillators that can be placed externally on the body. The Department for Education announced that all state-funded schools across England will receive defibrillators and we have welcomed this announcement in Dorset. The defibrillators will make sure there is a life-saving device in every school and boost their numbers in communities across the country. We are working with the Department for Education to support the rollout.

Alongside this important announcement, we have promoted important information to our schools about the excellent work of the British Red Cross in their programmes to support schools, which includes workshops on First Aid, Empathy and migration and Coping with challenges. Whilst curriculum remains a responsibility for schools to deliver in line with the national curriculum, the Council plays an active role in promoting useful materials to support our school leaders.

We launched the Dorset Education Board in the Summer term of 2022. The Board includes key educational leaders in Dorset who have the passion and expertise across the education ecosystem and expert advisers to support the Board's work.

The Board ensures the voices of children, young people and families are heard and understood and will keep pupils' education performance, health, safety, and wellbeing to the fore in decision making.

At a Board meeting in July 2022, the group agreed three priorities, to be delivered through three task and finish groups:

1. Devise a student pledge – to ensure that all children and young people receive their entitlement to a well-rounded education that prepares them for life and work in modern society.
2. Devise a workforce pledge – to create a culture of openness, trust, stronger accountability, create commitment and sustainability by looking at recruitment and retention and continuing professional development.
3. Devise the Dorset Curriculum – to ensure that the curriculum is driven by students, including community, relationships, plans for skills in adult life, raising hopes and aspirations, employment opportunities which is representative of Dorset.

We will continue to play a key role in promoting the best education for our children and young people through a well-rounded and ambitious curriculum.

Question 2 – Mike Newland

RE Item 8 on the agenda

In response to a question, I recently asked at People and Health Overview Committee about the fairness and affordability of Blocked Book Beds at Residential Care Homes I was informed that '*A number of these homes were then replaced by Care South in return for long-term block contracts with the Council that formed an income stream upon which they could raise the funds needed to invest in the building programme*'.

However, according to Care South accounts, only one of the relevant homes (Maiden Castle) is owned and was built by Care South (on land leased to it by the Council). The other two homes (Buxton House and Fairlawn) are leased to Care South by Aster Housing Association (Buxton was subleased by DCC to Care South). The 2005 loan taken by Care South to build Maiden Castle appears relatively small compared to the amount of income from these contracts taking into account the very large difference between, for example, their weekly dementia bed rate of >£1200 to that of typical and FCoC fees highlighted in the report to be presented to Cabinet today, ~£700-850; And there are 130-140 total block booked beds, paid for (even if empty) for up to another 2 decades; Also, the assessed FCoC fee rate already includes a significant amount to account for return on capital.

Given that previous attempts by Adult Services to renegotiate the contracts were unsuccessful, I have the following questions:

1. Please can a full and more complete explanation be given as to why the blocked booked bed rates are so high and for so long?

2. Given the advertised '*huge hole*' in adult services budgets and the very large costs of these contracts, what new progress has there been to reduce the contracted block booked bed rate to a more affordable level for Dorset ratepayers and to a fairer level compared to that given to other providers?

Response from the Portfolio Holder for Adult Social Care

It should be noted that Mr Newland has asked this question and similar questions to this matter, including on the following occasions Dorset Council in December 2021 and People & Health Overview Committee in September 2022 and has received a response from me or my officers.

Response to question 1

1. As we have stated previously, the contracts were established in early 2000's under terms that this Council would not agree today. There has been thorough legal examination of all options for fundamentally changing or ending the contracts, and there are limited options available to us without the agreement of both parties or without incurring very significant contract penalties.

Response to question 2

2. I think the start of your question is a reference to the challenges of delivering the Council's plan towards paying the fair cost of care which is expected to be fully funded. As stated previously Commissioners are working closely with Care South to review the contract.

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Councillor Questions – Cabinet 4 October 2022

Question from Cllr B Heatley

Para 10.9 of the Cabinet Paper 'Medium Term Financial Plan (MTFP) and Budget Strategy' says that 'any decision to create investment zones in Dorset will be taken through the appropriate process, in line with the Council's constitution.'

What will this process be, and will it include consultation with and the broad consent of the residents of potentially affected areas?

Response from the Leader of the Council

I have responded on behalf of the Council to a request from Government asking whether there would be interest in an Investment Zone or Zones in Dorset. This expression of interest does not represent any formal commitment at this point in time by either Government or Dorset Council. Indeed I would expect to see more detail about the potential benefits of an Investment Zone for Dorset before we could make any formal commitment.

It is expected that the next stage will be for Government to seek formal expressions of interest but I understand that the turnaround for this will be quite short.

Decisions about matters such as participation in Investment Zones are executive functions of the Council. Our Constitution sets out how executive decisions are made, including the arrangements for prior publication of intended decisions in the forward plan, public participation and how urgent decisions are made.

My expectation is that before decisions are made we will engage with appropriate stakeholders. However, we will need to be mindful of the timescales set by Government and the need to strike an appropriate balance between engaging with stakeholders and not losing an opportunity, once fully assessed, which could be advantageous for the people and businesses of Dorset.

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Appendix

Children Services Cabinet Update – October 2022

- We continue our commitment to early help and support for families and focus on delivery of our Children, Young People and Families Plan
- We offered almost 21,000 Holiday Activity & Food Programme places this summer across 77 venues in Dorset Council area through our Summer in Dorset programme and almost 30,000 swimming places funded for children 0-16 for the 6 weeks summer holiday period across 10 swimming pools - increasing water confidence, personal social and emotional development and physical activity at the same time. I had the opportunity to join Michael Tomlinson MP on his visit to one of these activities in his constituency, involving indoor cricket, which was great fun and I can confirm that both Michael & the young people are much better cricketers than I am!
- Children's services colleagues, working in partnership with others including schools/early years settings, Citizens' Advice in Dorset and Age UK have supported people through another round of the DWP funded Household Support Fund.
 - £130,000 paid to 650 households with children
 - £11,000 paid to Dorset Care Leavers
 - £1.1m paid to support over 11,000 pre-school and school children with meals during the school holidays
 - £750k to pensioners – with more being allocated
 - £260k to working age people receiving benefits
- With support from Public Health Dorset we have:
 - Funded almost 5,500 early education hours for children preparing to go to school this September including almost 1,000 hours for children with additional needs and, or a disability – helping them with a strong September start
 - Awarded the contract to BCHA to deliver [PAUSE](#) – a programme to support women who have had multiple children removed from their care which we know will offer them much better support but also prevent the likelihood of this happening in the future
 - Delivered a '[healthy movers](#)' project in East Dorset which has proven not only to help with physical activity but to improve wellbeing and speech and language too
- We have supported young people in many different ways:
 - to take part in local democracy through our MYP elections, youth council and in having their say in how services are run through Takeover Challenge, Corporate Parenting Board, participation in recruitment
 - Distributing over £100k in grants to local youth organisation to create activities and opportunities
- Through the creation of the Pineapple project – working with the local community in Weymouth to help girls feel more safe in their communities.
- We have secured funding for children's services through some successful national bids to help us to do more locally:
 - £875k over the next 2 years to support the development of Family Hubs
 -
- **Birth to settled adulthood progressing well.** The service re-design element is progressing with plans to identify improvements for preparation for adulthood and a seamless transition for our children and young people.

Despite conditions for families and communities having been very difficult over recent years, and children in care populations increasing significantly elsewhere in the country, we have managed our children in care population numbers well, supporting more families to stay together where this is safe.

Our data tells us that the children in care population in Dorset has increased by 6 between April 2021 and August 2022, from 449 children to 455. However, when we discount the number of unaccompanied asylum seeking children (UASC) who are children in care, for whom we have no control or ability to limit (until we reach our minimum Government defined quota of 67), we can see that the number of children in care has reduced, as follows:

Total children in care population – April 2021 = 449

Total children in care population - August 2022 = 455

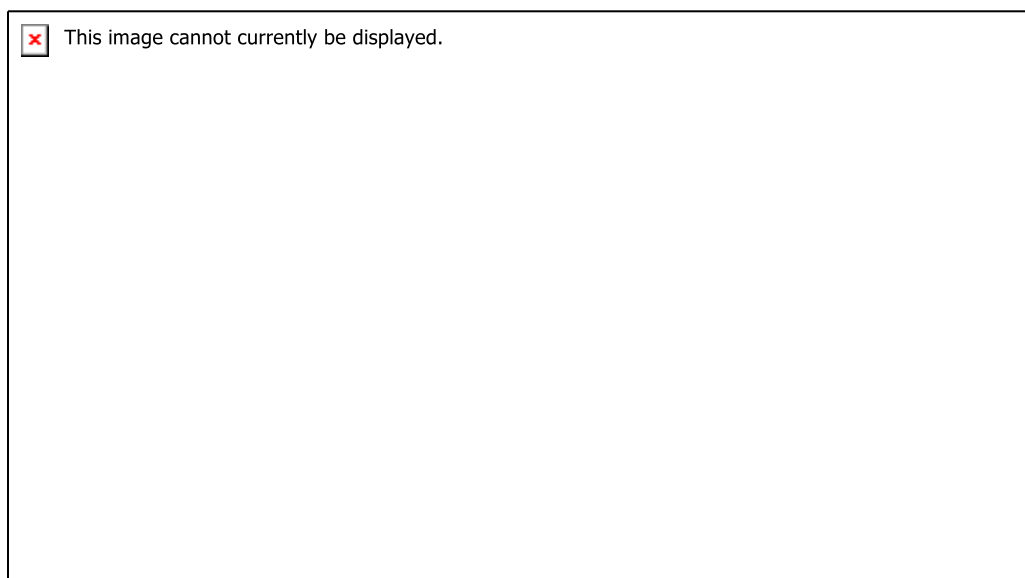
BUT

Children in care population minus UASC – April 2021 = 440

Children in care population minus UASC – August 2022 = 417

We have had an increase in UASC between April 2021 and August 2022 of 29 children, from 9 to 38. If our UASC numbers had remained at 9 as they were in April 2021 our total care population now would be 426, a reduction of 23 children from the 449 that were in care in April 2021.

The graph below illustrates this:



We have succeeding in increasing the number and percentage of children in care for whom we have secured permanence, as follows:

- Permanence fostering – At the end of August 2022, 55 % of young people who have a permanence plan for permanence fostering have achieved this compared to 39% at the same time last year.
- Special Guardianship Orders - 17% (12) of children who left care in the six months prior to August in 2022 were made subject to Special Guardianship Orders compared to 14% (9) in the six months prior to August 2021
- Adoption – 17% (12) of children who left care in the six months prior to August in 2022 were adopted compared to 11% (7) in the six months prior to August 2021r
- Return Home to Parents - The number of children who left care to return to birth family in the six months to August 2022 was 20. This compares to 13 in the six months to August 2021.

Achieving a permanent placement ensures children have a secure stable and loving family to support through childhood and beyond, to create a sense of security, continuity, commitment identity and belonging. We have continued to focus our attention in supporting our children to achieve permanence. Permanence can be achieved in a number of ways:

- We will be launching our first Mockingbird Fostering Constellation on 12th November.
- Ofsted visited 45 Dorchester Road children's home to undertake the registration visit yesterday and we are expecting a positive outcome of registration within the next ten days. Official launch 12th October 2022.
- The number of Good and Outstanding schools in Dorset has risen from 75% in 2020 to 80% today. We continue with our ambition to ensure every child is learning in a Good or Outstanding school in Dorset.

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