

Date of committee: 9 July 2024
Date published: 11 July 2024
Date of implementation: 19 July 2024

**DECISIONS OF THE CABINET
9 JULY 2024**

The following decisions were made by the Cabinet on 9 July 2024 and will come into force and may be implemented on 19 July 2024 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 **18 July 2024**.

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 CHILDREN'S SERVICES ANNUAL ENGAGEMENT 'SELF-EVALUATION' 2024

Decision

That the contents of the Annual Self-Evaluation of Children's Services for May 2024 be noted.

Reason for the decision

The requirement to produce an Annual Self Evaluation was part of the Ofsted Inspection Framework of Children's Services. The report to Cabinet provided members with an overview of progress and highlighted strengths and areas for development for the next 12 months.

7 DINAH'S HOLLOW SLOPE STABILISATION

- (a) That full funding for the stabilisation scheme be approved with the additional funding achieved through reprofiling the existing Highway budgets for the financial years 2025/26 and 2026/2027.
- (b) That Cabinet authorise the use of the Council's powers of compulsory acquisition under section 102, 239, 249 and 250 of the Highways Act 1980 and the Acquisition of Land Act 1981 and such other powers as may be appropriate to secure a compulsory purchase order ('the CPO') to acquire:
 - All land, interests, and rights in respect of the areas of land shown edged red and shaded pink on the Order map at Appendix D of the report to Cabinet - 9 July 2024 and
 - New rights over the land shown edged red and shaded blue on the Order map at Appendix D of the report to Cabinet - 9 July 2024
- (c) That authority be delegated to the Interim Lead for Place (including any officer nominated by them):
 - To take all necessary steps to secure the preparation, making and submission to the Secretary of State for Transport or the confirmation and implementation of the CPO including (but not limited to) drafting and publishing the Statement of Reasons; the publication, advertisement, notification and service of all necessary notices; the investigation of and responses to objections; and the presentation of the Council's case at any public inquiry or other examination procedure.
 - To continue to negotiate to acquire the necessary land and new rights by agreement and to acquire the same by private treaty if agreement can be reached.
 - To make minor amendments, modifications, and deletions to the CPO and/or the Order Map including (but not limited to) to the land or new rights required should this be considered appropriate.
 - If the CPO is confirmed, they take all necessary steps including (but not limited to) to advertise the confirmation, of the CPO and serve all necessary notices of the confirmation and once the CPO becomes operative to execute General Vesting Declarations under the Compulsory Purchase (Vesting

Declarations) Act 1981 and/ or to serve all necessary notices including serving Notices to Treat and Notices of Entry following confirmation of the CPO if required so that the land subject to the CPO vests in the Council.

- To take all steps in relation to any leal proceedings relating to the CPO including defending or settling claims referred to the Upper Tribunal and/or applications to the courts and any appeals.

Reason for the decision

To deliver the stabilisation scheme approved by Cabinet.

The impact of a major slope failure would be high in respect of health and safety and financial implications. Possible consequences included loss of life, multiple major injuries, and legal action. There would also be reputational damage, impact on service delivery and disruption to the highway network affecting a key north-south route. Negotiations had taken place over a considerable amount of time, and it had not so far been possible to reach a formal agreement.

Compulsory purchase powers were therefore sought to enable the scheme to progress.

8 LOCAL ELECTRIC VEHICLE CHARGING INFRASTRUCTURE FUNDING PROCUREMENT

That Cabinet agreed;

- (a) To begin the procurement procedure as described in the report to Cabinet of 9 July 2024.
- (b) That the further step of making any contract award be delegated to the Cabinet member for Place Commissioned Services in consultation with the Interim Lead for Place and having regard to the recommendations of the Electric Vehicle Charging Infrastructure Programme Board chaired by the Head of Dorset Highways.

Reason for the decision

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

9 BRIT VALLEY NATURAL FLOOD MANAGEMENT PROJECT

That the project be approved, and the Executive Lead for Place enter into the funding agreement for both Phase 1 and Phase 2 via the scheme of delegation.

Reason for the decision

Funding had been secured externally and the project delivery would make a positive impact on the residents of Dorset.

This contributed towards Dorset Council's Plan 2022-2024 priorities of 'protection of our natural environment, climate and ecology' and 'stronger, healthier communities'.

10 NATURE BUDDIES NETWORK DORSET

That the project be approved, and the Executive Lead for Place enter into the funding agreement via the scheme of delegation.

Reason for the decision

Funding had been secured externally and the project deliverables would make a positive impact on the health and wellbeing of Dorset residents and the heritage of Dorset. This contributed towards Dorset Council's Plan 2022-24 priorities of 'stronger, healthier communities' and 'protection of our natural environment, climate and ecology.

11 DORSET LOCAL VISITOR ECONOMY PARTNERSHIP

- (a) That Cabinet supports Dorset Council applying to VisitEngland for the establishment of a Dorset Local Visitor Economy Partnership (LVEP)
- (b) That Cabinet endorse Dorset Council assuming the role of Accountable Body for the proposed LVEP.
- (c) That authority be delegated to the Executive Lead for Place, in consultation with the appropriate Cabinet member and Section 151 Officer, to agree:
 - The terms of any LVEP agreement between Dorset Council and VisitEngland
 - The terms of any partnership agreement between Dorset LVEP members and
 - Dorset LVEP governance arrangements.

Reason for the decision

Following the government commissioned Du Bois review of Destination Management Organisations, direct government support through VisitEngland would be channelled exclusively through LVEPs. If Dorset wished to benefit from this support, it needed to be part of an LVEP.

Guidance from VisitEngland suggested an LVEP covering the Dorset Council and BCP Council areas was a suitable functional area of sufficient size for an LVEP. The Dorset Council area alone was not of sufficient scale.

12 BUCKHORN WESTON AND KINGTON MAGNA NEIGHBOURHOOD PLAN 2021 TO 2038

- (a) That the Council 'makes' the Buckhorn Weston and Kington Magna Neighbourhood Plan 2021 to 2038 (as set out in Appendix A of the report to Cabinet of 9 July 2024) part of the statutory development plan for the Buckhorn Weston and Kington Magna Neighbourhood Area.
- (b) That the Council offers its congratulations to Buckhorn Weston and Kington Magna Parish Council and members of the Neighbourhood Plan Group for producing a successful neighbourhood plan.

Reason for the decision

To formally 'make' the Buckhorn Weston and Kington Magna Neighbourhood Plan 2021 to 2038 (as set out in Appendix A of the report to Cabinet of 9 July 2024) part of the statutory development plan for the Buckhorn Weston and Kington Magna Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by the Parish Council and members of the Neighbourhood Plan Group in preparing the plan and to congratulate the Council and the Group on their success.

14 PRODUCTIVITY PLAN

- (a) Cabinet agrees to the content and publication of the proposed Productivity Plan prior to 19 July 2024.
- (b) That authority be delegated to the Leader of Council in consultation with the Chief Executive, the ability to amend the Productivity report, in order to comply with any revised guidance that the new government may produce, before the report is due for submission on 19 July 2024.

Any amendments would be circulated to all members of council for information, and these would be reported at the next available opportunity.

Reason for the decision

All local authorities were required to ensure their own Productivity Plan had member oversight and endorsement, following which the Department for Levelling Up Housing and Communities had requested that each local authority returned their own plan to the DLUHC by 19 July 2024.

15 EXTRA CARE HOUSING STRATEGY & ACCOMMODATION WITH SUPPORT PROGRAMME

- (a) Cabinet agreed to adopt the Extra Care Housing Strategic Statement and Appendices as Dorset Council's publicly stated strategic direction as part of the suite of Adult Social Care Commissioning Strategies.
- (b) That, in principle, the use of Dorset Council land assets to deliver these development projects be approved, with the inclusion of specific sites to be agreed by the Executive Lead for the Place Directorate, in consultation with the Cabinet Member for Assets and Regeneration.
- (c) That public procurement for a Strategic Development Partner as the preferred delivery mechanism be agreed, and the commencement of this procurement process, be approved.
- (d) That authority be delegated to the Executive Director for People (Adults) and the Executive Director for Corporate Development, acting jointly:
 - a. To agree the terms for the agreement with the Strategic Development Partner, and

- b. To award the Strategic Partnership Agreement to the preferred bidder. The final award decision shall be made in consultation with the Cabinet Member for Public Health, Environmental Health, Housing, Community Safety and Regulatory Service, and the Cabinet Member for Adult Social Care.
- (e) That the terms of the property related transactions (whether freehold, leasehold, or contractual dispositions) be agreed in project-specific development agreements with the selected Strategic Development Partner.
- (f) That the decision to complete each development agreement be taken by the Executive Director for People (Adults and Housing), the Executive Lead for the Place Directorate and the Executive Director for Corporate Development acting jointly.

Reason for the decision

Extra Care Housing was the preferred service option for older people who need 24-hour Care and Support, but who could remain independent in a home of their own with the right support. By setting out the Dorset Council strategic priorities, Cabinet gave a clear signal to the market of the Council's intentions and its commitment to increasing the supply of Extra Care Housing in Dorset.