

DORSET COUNCIL - CABINET

MINUTES OF MEETING HELD ON TUESDAY 5 MAY 2020

Present: Cllrs Spencer Flower (Chairman), Peter Wharf (Vice-Chairman), Tony Alford, Ray Bryan, Graham Carr-Jones, Tony Ferrari, Laura Miller, Andrew Parry and David Walsh

Apologies: Cllrs Gary Suttle

Also present: Cllr Piers Brown, Cllr Matthew Hall, Cllr Jill Haynes, Cllr Jane Somper and Cllr Daryl Turner

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

Matt Prosser (Chief Executive), Aidan Dunn (Executive Director - Corporate Development S151), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer), John Sellgren (Executive Director, Place), Susan Dallison (Democratic Services Manager), Kate Critchel (Senior Democratic Services Officer), Karyn Punchard (Corporate Director of Place Services) and Susan Ward-Rice (Equities and Diversity Officer)

WELCOME

The Chairman welcomed all who were attending the first cabinet meeting to be held since March 2020 due to the COVID-19 pandemic. He also explained how the meeting would be conducted.

In respect of the item 4 on the agenda "Questions and Statements from the Public", 2 statements had been received regarding the future of Community Hospitals. Questions or statements to Cabinet needed to refer to council business and it was not within the Council's remit to decide the future of community hospital beds.

These matters should be referred to the Clinical Commissioning Group who had the responsibility for clinical provision in Dorset.

138. Minutes

The minutes of the meeting held on 3 March 2020 were confirmed as a correct record and would be signed by the Chairman at the first available opportunity.

139. Declarations of Interest

Cllr L Miller declared a non-pecuniary interest in respect of minute no. 153 "Major Waste Disposal Contracts" following a competitive tender process.

Cllr Miller reported that her partner worked for a company that had connections within this particular industry. He was not directly involved in the matter set out within the report before members and she therefore indicated that she would take part in the discussion and vote on the item.

140. **Public Participation**

Four questions from the public had been received. These were from Chris Bradely, Caz Dennett, Debby Monkhouse and Irene Statham.

A shortened version of the questions were read out by Matt Prosser (Chief Executive) and Jonathan Mair (Corporate Director, Legal and Democratic Services). A copy of the full questions and the responses are set out in appendix 1 these minutes.

141. **Questions from Members**

There were two questions from members and these are set out in appendix 2 to these minutes.

142. **Forward Plan**

The Cabinet Forward Plan was received and noted.

143. **Covid-19 Response**

The Chairman introduced the report by stating that as of 4 May 2020 174 members of Dorset's community had sadly lost their life due to COVID-19. 46 of those were from local residential care homes.

He asked the committee to take a moment to sit quietly for a short period of reflection.

The Chairman advised that the report set out a summary of the council's response to the COVID-19 pandemic and identified some of the many changes that had taken place in the way that services were being managed, and the command structures enacted to do this. He commended the response from Dorset Council officers in the face of this crisis and advised that the report aimed to set out what had been achieved to date and what issues might be faced in the future.

The Chief Executive reported the strategic approach to the pandemic. He took the opportunity to thank local residents, communities and businesses in Dorset for their continued support. He also thanked local volunteers for their contribution and those individuals who had worked on delivering such national initiatives as the Community Shielding work. He highlighted the work being carried out to deliver business grants and support for council taxpayers facing hardship.

Dorset Council was classed as a Category 1 Emergency Responder under

the 2004 Civil Contingencies Act, alongside emergency services (police, fire, ambulance); coastguard; health and the environment agency. All Category 1 responders were also members of Dorset's Local Resilience Forum (LRF). The Forum was the principal mechanism for multi- agency planning and co-operation in response to an incident.

The Executive Director for Corporate Development advised that his role within this was to act as the Council's "Covid Gold Lead" and to coordinate the council's response to the Covid-19 crisis. The complexity of the arrangements put into place by the council were set out at appendices A & B of the report. The role had dealt with issues such as obtaining the emergency provision of PPE, testing for Covid-19, communications, discouragement of visitors to Dorset and promoting social distancing regulations. The LRF were also now planning the way back to the new normality.

The Director of Public Health set out an overview of the Public Health challenges. He advised that he was working closely with Public Health England in order to give appropriate advice to the local public health system. Because of the adherence to the lockdown and social distancing measures put into place, Dorset had not, to date, been significantly impacted by the virus compared with other areas within the UK. He further highlighted that at the moment the main concern related to pressure that was in and around local residential care homes.

The Executive Director for People (Children) reported on the council's community shielding work which coordinated the provision of food, medicine and emotional support to individuals and families identified on the Government 'shielded' list. She further reported on the work to support Dorset's children by ensuring the provision of enhanced services in relation to school and early years provision for vulnerable children and those of keyworkers; Remote education for children not able to attend school, teacher resilience during COVID-19 closures, the provision of free school meals and domestic abuse issues.

The Portfolio Holder for Adult Social Care and Health set out the response to the pandemic in respect of People Services (Adults). She stated how inspired she had been by the Community Shield work including the role of community volunteers. She also referred to the Council's PPE drive through hubs which had supported local residential homes and funeral directors.

The Portfolio Holder also referred to the Covid response help-lines and indicated that the council had increased care facilities which had freed up and enabled greater capacity in the acute hospital setting. Lessons could be learnt from the work carried out so far and she commended the report and welcomed the scrutiny of it by Resources Scrutiny Committee.

The Portfolio Holder for Children, Education and Early Help expressed his thanks to all the staff within school settings to ensure that children continued to be educated, receiving pastoral care and making sure that safeguarding was in place. He also praised careers and foster careers during this time of

home schooling. He thanked social workers for their efforts to ensure that children in care and young leavers remained safe.

The Portfolio Holder for Housing and Community Safety commended the report as a fundamental piece of historical work. He set out the efforts taking place within the housing provision and advised that at the outbreak of the virus, the housing team had found accommodation for the rough sleeping community within a 4 day period. They now continued to provide the necessary outreach support to these individuals.

The council was working hard with its partners to deal with issues as they occurred as a number of households presented as homeless had increased since the restrictions were introduced. These were a separate group of people to the rough sleeping community and the main reasons for the increase related to persons who were sofa surfing or renting a room from a friend being asked to leave due to concerns about self-isolation.

In respect of domestic abuse concerns, the community safety team were working with partners to monitor the situation and support the Police with a domestic abuse communications campaign.

The Executive Director for Place indicated that he was the officer lead in respect of the recovery process. A recovery coordinating group (RCG) were working in parallel to the LRF and within the framework of national guidance. The aim of the RCG was to enable and support progress which allowed individuals, families and communities to attain their proper level of functioning through the provision of information and resources. He further advised that the group would undertake an initial impact analysis and define the recovery strategy for Dorset, focusing on the economy and welfare and wellbeing of residents and employees.

In respect of the Place directorate, members were advised that many employees within the directorate provided key services and it had been important that these were maintained. Other employees had been redeployed to support the distribution of food and prescriptions to vulnerable people.

The Portfolio Holder for Highways, Travel and Environment reported that transport services were being adapted to ensure the safety of drivers and the general public. The council fleet had been moved to County Hall in order to free up the Old Radio Station site. He reported that it was essential to continue the work of the Climate and Ecological Emergency Executive Advisory Panel, although some officers had been temporarily re-deployed. It was also noted that vehicle movements within Dorset had reduced by 70% with this slightly peaked over the weekends.

The Portfolio Holder for Planning reported that the planning service had been adapting to new ways of working and business was being conducted remotely. Case Officers were having to change working practices as site visits were currently on hold, the planning services was continuing to operate. Progress continued on the local plan although there were some immediate impacts of COVID-19 that had put a halt to some work within the service.

However the Local Plan Executive Advisory Panel was to re-commence to oversee the achievement of key milestones and planning policy. He also referred to the work being carried out in respect of Neighbourhood plans and reported that government guidelines had been amended to indicate that plans awaiting referendums could be given significant weight in planning decision making.

The Portfolio Holder for Customer, Community and Regulatory Services took the opportunity to thank community and voluntary bodies for their support. He also referred to the Town and Parish Councils' work during the emergency period. He reported on the changes to the registration services, in particular for the registration of deaths, which were now being carried out by telephone appointment. Members were further advised of the work of Weymouth Crematorium which continued to provide funerals where close family and friends could attend. Plans were also in place to accommodate higher numbers of cremations over the next weeks and months, if that was required.

Trading Standards and Environmental Health were providing support and advice to businesses, helping them to navigate through business closure and social distancing requirements in the workplace. He also referred to the customer service activity which had been supported by library staff whilst the Dorset Library's were closed.

The Corporate Director for Legal and Democratic reported on the work of the emergency planning team and the excess death planning arrangements. These arrangements had been made and facilities put in place in the Dorset Council and Bournemouth, Christchurch and Poole Council areas in order that COVID deaths would be well managed and both the deceased and the bereaved treated with respect.

In respect of the workforce and their well-being, the Executive Director for Corporate Development advised that COVID-19 had impacted on businesses in many different ways. Dorset Council staff had been developing new services and working flexibly. An internal skills agency was being developed to ensure that key services could continue to be maintained.

The Portfolio Holder for Finance, Commercial and Assets advised that the full financial impact of the COVID-19 pandemic on Dorset Council was still being analysed whilst the emergency response was ongoing. There would be a significant impact from the suspension of income generating services, additional expenditure and incurred, and planned transformation savings that had not been achieved.

These would require mitigation during 2020/21 (and beyond) once the full compensation package from central government was known.

The Portfolio Holder for Corporate Development and Change and the Corporate Policy and Performance Officer reported that during the COVID-19 response, impact screening tools and assessments had been undertaken where a permanent change in service delivery had been made.

A draft EqIA for the COVID-19 pandemic was currently being produced which covered all the protected characteristics and the additional characteristics that Dorset Council consider important. Once finalised, the EqIA would be shared publicly, however, it should be noted that this was an ever-changing situation and the EqIA would need to be updated on a regular basis.

Following a set of round table conversations with councillors, a copy of the EqIA report would be presented to a future meeting of Cabinet.

The Chairman invited Scrutiny Chairmen to address the committee. The Chairman of Resources Scrutiny Committee asked Cabinet to support the recommendations and took the opportunity to set out how the Resources Scrutiny Committee would monitor and review its progress.

The Chairman of the Health Scrutiny Committee indicated that it was likely that a joint health scrutiny meeting would be held with BCP in the near future to discuss the areas' response to COVID-19 along side the two councils' partners including the NHS.

In response, the Portfolio Holder for People Adult Services agreed that it was important that the council was part of an integrated health system. Members also agreed that being a unitary council had enabled them to respond to the crisis in a cohesive manner.

In response to questions from the Chairman for Place Scrutiny Committee, the Chairman confirmed that work on communication flyers be it electronic or in paper form continued. He would also discuss the possibility of contact details being made available on the local transport system with the communications team.

In respect of climate change, the Portfolio Holder for Highways, Travel and Environment agreed that it was essential that the council learnt lessons from the crisis, in order to work smarter in the future and these matters would be discussed at a future meeting of the Climate and Ecological Emergency Executive Advisory Panel.

The Chairman of the Audit & Governance Committee asked Cabinet about the 109 decisions taken by officers during the pandemic, were they operational or would they had required a scrutiny process? In response the Portfolio Holder for Adult Social Care and Health advised that these were decisions that had been taken at speed and within the council's scheme of delegation.

In respect of a question relating to local food banks, the council had been working with Public Health Dorset in respect of this provision and many had seen an increased need. The council had supported these food banks with social distancing, healthy start vouchers, lanyards, financial contributions and advice on how volunteers could remain safe. The council had been in weekly contact with all the food banks who provide data so that this information can be mapped and measured in the future.

In respect of questions around mental health support, the Portfolio Holder of Adult Social Care and Health agreed that this was critical, in supporting employees and local residents. Established multi agency groups were bringing together a tiered approach to cover areas of bereavement, well-being support, self help, skills training or telephone line support.

In response to a question on safety on school transport, the Portfolio Holder for Children, Education and Early Years advised that the council was waiting for further advice in respect of school transport provision.

The Chairman of People Scrutiny Committee asked the Cabinet about support in terms of children already being home schooled and those being looked after by the council.

The Portfolio Holder for Children, Education and Early Years confirmed that the council's focus had been around those children with social workers and those who were looked after children. Some of those were home schooled. The number of children within care had not changed during this period.

The Executive Director advised that schools were contacting children on the vulnerable list on a weekly basis. There were, however no secure beds available across the county and it remained a challenge to provide this type of care facility as it did prior to the COVID-19 pandemic.

The Chairman, thanked all those that had contributed to the creation of the report, including multi-agency partners and local residents.

Cllr P Wharf proposed an amendment to the recommendation set out within the report, this was accepted by Cabinet.

Decision

- (a) That the Council's response to the Covid emergency response is noted;
- (b) That all Council staff be thanked for their part in responding to the emergency;
- (c) That this report is referred to the Resources Overview and Scrutiny Committee for members to consider the effectiveness of Dorset Council's response and
- (d) That the focus of the work of the Resources Overview and Scrutiny Committee be to learn from Dorset Council's experience of responding to the Covid-19 emergency and not to scrutinise the effectiveness of other agencies and any decisions which are rightly the responsibility of the Council's partners.

Reason for the Decision

To ensure that cabinet are fully informed and assured of the way that services have been managed under the Council's response to the COVID-19 pandemic to date.

144. Approval for the transfer of assets to Portland Town Council

Members were advised that prior to the formation of Dorset Council some services and assets were agreed to be transferred to Weymouth & Portland Town Councils. Transfers to Weymouth Town Council had been dealt with as part of the formation of Weymouth Town Council. Portland Town Council already existed and therefore the asset transfer process was required to be completed separately.

The Portfolio Holder for Finance, Commercial and Assets sought approval for the authority to proceed with the proposed asset transfers to Portland Town Council on less than best consideration basis.

Decision

- (a) That the assets listed in Appendix A of the report of 5 May 2020 be transferred freehold to Portland Town Council at less than best consideration with no clawback provisions.
- (b) That the assets listed in Appendix B of the report of 5 May 2020 be transferred leasehold to Portland Town Council at less than best consideration with covenants to retain control of future use and ownership.
- (c) That the right to work the minerals be excluded on all transferring assets.
- (d) For Dorset Council to keep control of the Verne Common including areas covered by High Level Stewardship agreement and be able to licence the Town Council to hold suitable events.
- (e) That discussions with the Crown Estate and Portland Town Council progress to relinquish the management of assets currently managed by Dorset Council and owned by the Crown Estate.
- (f) That authority be delegated to the Executive Director for Place in conjunction with the Portfolio Holder for Commercial, Finance and Assets to make changes to the above.

Reason for the decision

To confirm the assets to be transferred and the basis of transfers to Portland Town Council.

Weymouth & Portland Borough Council carried out services which are more typically that of a Town Council, such as allotments and parks. Prior to the formation of Dorset Council some services and assets were agreed to be

transferred to Weymouth & Portland Town Councils. Transfers to Weymouth Town Council were dealt with as part of the formation of Weymouth Town Council. Portland Town Council already existed and therefore the asset transfer process is required to be completed separately.

Member authority is required to transfer assets (some with values reported in excess of £100,000) at less than best consideration, ie at less than market value.

145. **Transforming Cities Fund (TCF) Delivery**

The Portfolio Holder for Highways, Travel and Environment reminded members that Cabinet had considered a report in November 2019 seeking delegated authority for the submission of the Transforming Cities Fund (TCF).

The scheme aimed to deliver improved cycle, walking and public transport. The scheme also proposed aims to increase the amount of sustainable low carbon, travel and would form part of the ongoing efforts to reduce carbon emissions from transport.

Cabinet was now being asked to consider a report setting out the proposed governance framework and delivery plan for the TFC. In response to a questions, the Chairman confirmed that scrutiny was essential to ensure that this joint project with BCP was transparent and he would look to see what scrutiny functions had been included within the governance arrangements.

Decision

- (a) That, in principle, the proposed three-year delivery programme in line with the TCF Strategic Outline Business Case, already approved by Cabinet, and guidance set out by the DfT in the Assurance Framework, be approved;
- (b) That the proposed Governance Framework be approved and authority be delegated to the Head of Highways in consultation with the Portfolio Holder for Highways, Travel and the Environment through the TCF Council Governance Board (CGB), for approval of future TCF proposals, detailed programme delivery decisions and the detailed design of each element of the programme;
- (c) That the principle of regular TCF update reports going to the CGB and from there to DfT as stipulated within point 8 of the award letter, with consideration of Traffic Regulation Orders (TROs) associated with the programme being considered in line with current Dorset Council approvals, be approved.

Reason for the decision:

The delegations were designed to:

- (i) Allow maximum flexibility in meeting the strict DfT timeline for delivery over the next three years, with appropriate Dorset Council approvals in place.

- (ii) To ensure that the authority is best placed to progress scheme delivery at the pace required to meet the funding profiles set by the DfT.

146. Jurassic Coast Partnership Plan 2020 - 2025 and future funding agreement with the Jurassic Coast Trust

Cabinet considered a report on the Jurassic Coast Partnership Plan 2020 – 2025. This set out the management framework for the Dorset and East Devon Coast World Heritage Site, also known as the Jurassic Coast.

Since 2017 the Jurassic Coast Trust has taken the lead in setting out and coordinating delivery of site management, delivering the obligations of both Dorset Council and Devon County Council in respect of site management. It used a Partnership Advisory Committee and Board of Trustees to provide advice towards the management and policies of the site as well as collaborating with a wide range of partners, groups, visitor centres and museums.

The Portfolio Holder for Highways, Travel and Environment advised that together with Devon County Council, Dorset Council had an ongoing agreement to fund the core work of the Jurassic Coast Trust as it offered an effective and sustainable financial model to both councils to deliver management of the site.

In response to a question relating to little reference being made of marketing the site within the documents, the Portfolio Holder advised this was included within the Management Plan under protecting the world heritage site. However he confirmed that he would discuss this issue further with the Jurassic Coast Trust and report back directly to the member concerned at a later date.

Assurance was sort regarding the protection of elements of the Jurassic path in respect of cliff fall and erosion of footpaths that sat on the East Devon Coastline of the Jurassic path; the Portfolio Holder confirmed that he would discuss these concerns with his East Devon colleagues.

Decision

- (a) That the Cabinet Jurassic Coast Partnership Plan 2020 - 2025 be adopted;
- (b) That the current funding contribution made to the Jurassic Coast Trust continue until to March 2023.
- (c) That with the Portfolio Holder for Highways, Travel and Environment, authority be delegated to the Executive Director of Corporate Development (Section 151 Officer) to approve a new funding agreement with the Jurassic Coast Trust

Reason for Decision

The Jurassic Coast Partnership Plan and Dorset Council's continued support of the Jurassic Coast Trust helps us to deliver a number of actions outlined in the Corporate Plan in an effective and cost efficient way; delivering services that protect our natural, historic and cultural environments, capitalising on Dorset's unique environmental assets to support our priorities and providing an

environment that attracts business investment, tourism and a skilled workforce. The partnership plan enables us to meet UNESCO and UK Government requirements with regard to management of the World Heritage Site.

147. Making of Bridport Neighbourhood Plan 2020-2036

The Portfolio Holder for Planning presented a report seeking formal adoption of the Bridport Area Neighbourhood Plan as part of the statutory development plan for the Bridport Neighbourhood Area. In addition he took the opportunity to congratulate and thank those involved in preparing the plan.

Decision

- (a) That the council make the Bridport Area Neighbourhood Plan (as set out in appendix A of the report to 5 May 2020) part of the statutory development plan for the Bridport Neighbourhood Area;
- (b) That the council offers its congratulations to Bridport Town Council and the Joint Council Committee in producing their neighbourhood plan.

Reason for Decision

To formally adopt the Bridport Area Neighbourhood Plan as part of the statutory development plan for the Bridport Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by the Joint Council Committee in preparing the neighbourhood plan, congratulating them on their success.

148. Making of Upper Marshwood Vale Neighbourhood Plan 2018 to 2033

The Portfolio Holder for Planning set out a report seeking formal adoption of the Upper Marshwood Vale Neighbourhood Plan as part of the statutory development plan for the Upper Marshwood Vale Neighbourhood Area, following a successful referendum. He also took the opportunity to thank those who were involved in preparing the plan.

Decision

- (a) That the council make the Upper Marshwood Vale Neighbourhood Plan (as set out in the appendix A of the report of 5 May 2020) part of the statutory development plan for the Upper Marshwood Vale Neighbourhood Area;
- (b) That the council offers its congratulations to Upper Marshwood Vale Neighbourhood Plan group in producing their neighbourhood plan.

Reason for Decision

To formally adopt the Upper Marshwood Vale Neighbourhood Plan as par of the statutory development plan for the Upper Marshwood Vale Neighbourhood area. In addition, to recognise the significant amount of work undertaken by the Upper Marshwood Vale Neighbourhood Plan group in preparing the neighbourhood plan, congratulating them on their success.

149. **Making of the Sutton Poyntz Neighbourhood Plan 2016 to 2031**

The Portfolio Holder for Planning set out a report seeking formal adoption of the Sutton Poyntz Neighbourhood Plan. As the local ward member, Cllr T Ferrari took the opportunity to thank all those involved in the preparation of the plan which demonstrated local democratic engagement.

Decision

- (a) That the council make the Sutton Poyntz Neighbourhood Plan (as set out in Appendix A of the report of 5 May 2020) part of the statutory development plan for the Sutton Poyntz Neighbourhood Area;
- (b) That the council offers its congratulations to Weymouth Town Council and the Sutton Poyntz Society in producing their neighbourhood plan.

Reason for Decision

To formally adopt the Sutton Poyntz Neighbourhood Plan as part of the statutory development plan for the Sutton Poyntz Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by the Sutton Poyntz Society in preparing the neighbourhood plan, congratulating them on their success.

150. **Climate & Ecological Emergency Executive Advisory Panel Update**

The Portfolio Holder for Highways, Travel and Environment reported that the Executive Advisory Panel would continue to meet and aimed to feedback its action plan to Full Council later in the year.

151. **Urgent items**

There were no urgent items considered at the meeting.

152. **Exempt Business**

It was proposed by Cllr P Wharf

Decision

That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The committee logged out of the MS Teams Live Event to consider the following item under exempt business

153. **Major Waste Disposal Contracts following competitive tender process**

Cabinet considered a report on the awarding of the residual waste contract.

Decision

That the award of the residual waste contract be approved.

Reason for Decision

To allow cost effective management of waste.

Duration of meeting: 10.00 am - 1.10 pm

Chairman

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