

## **CABINET**

### **MINUTES OF MEETING HELD ON TUESDAY 6 APRIL 2021**

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

**Apologies:** There were no apologies.

**Also present:** Cllr Cherry Brooks, Cllr Simon Gibson, Cllr Nocturin Lacey-Clarke, Cllr Byron Quayle, Cllr Jane Somper, Cllr Tony Alford, Cllr Jon Andrews, Cllr Shane Bartlett, Cllr Simon Christopher, Cllr Kelvin Clayton, Cllr Jean Dunseith, Cllr Beryl Ezzard, Cllr Les Fry, Cllr Barry Goringe, Cllr David Gray, Cllr Matthew Hall, Cllr Brian Heatley, Cllr Rob Hughes, Cllr Nick Ireland, Cllr Sherry Jespersen, Cllr Carole Jones, Cllr Stella Jones, Cllr Paul Kimber, Cllr Val Potheary, Cllr Molly Rennie, Cllr Roland Tarr, Cllr David Tooke, Cllr Daryl Turner, Cllr Kate Wheller and Cllr Robin Cook

**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), Kate Critchel (Senior Democratic Services Officer), Vivienne Broadhurst (Interim Executive Director - People Adults), Theresa Leavy (Executive Director of People - Children), Antony Littlechild (Community Energy Manager), Dave Thompson (Corporate Director for Property & Assets), John Newcombe (Service Manager, Licensing & Community Safety), Karyn Punchard (Corporate Director for Place Services), Paul Rutter (Service Manager for Leisure Services) and Deborah Smart (Corporate Director – Digital & Change)

**112. Minutes**

The minutes of the meeting held on 2 March 2021 were confirmed and would be signed by the Chairman at a date in the future.

**113. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

**114. Public Participation**

There were 7 questions received from the public. These questions were read out by Matt Prosser, Chief Executive and Jonathan Mair (Corporate Director, Legal and Democratic Services) and responded to by the appropriate Portfolio Holder(s). A copy of the full questions and detailed responses are set out in Appendix 1 to these minutes.

#### 115. **Questions from Members**

There were 4 questions received from Councillors. These along with the detailed responses are set out in Appendix 2 to these minutes. *(Note: Cllr B Heatley withdrew his question at the meeting)*

#### 116. **Forward Plan**

The draft Forward Plan for April to July 2021 was received and noted.

#### 117. **Capital Programme 2021/22**

The Portfolio Holder for Finance, Commercial & Capital Strategy advised that in approving the 2021/22 budget on 16 February 2021, Dorset Council allocated £15m of new capital funding for specific projects that had not been prioritised at that stage.

The report asked members to note the current projects for 2021/22 and to note future expenditure. The Portfolio Holder reminded members that it had already approved significant capital expenditure on the St Mary's school site and he sought approval to pause any further release of funds at this stage.

It was proposed that a further review be carried out as part of the 2020/21 capital closedown process.

#### Decision

- (a) That the capital programme proposed by the Capital Strategy and Asset Management Group (CSAM) for the period 2021/22 to 2025/26 and beyond be noted and those projects scheduled to commence in 2021/22 be progressed;
- (b) That the impact on future capital budgets of the two approved projects, where there would be contractual commitments beyond 2021/22 be noted;
- (c) That any further release of funds be paused at this stage, given the commitment to the St Mary's school site.
- (d) That a further review be carried out as part of the 2020/21 capital closedown process.

#### Reason for decision

The budget process and timetable for 2021/22 was very tight and although a programme total was agreed, individual projects were not sufficiently developed and more time was needed to bring these investments forward.

#### 118. **Public Sector Decarbonisation**

The Portfolio Holder for Economic Growth, Assets and Property set out a report on grant funding received, totalling £19 million, for a Public Sector Decarbonisation Scheme and related Low Carbon Skills Fund. The report further sought the approval to proceed with the procurement exercise as the activity was over the £500k key decision threshold.

## Decision

- (a) Cabinet agreed to begin procurement exercises that were required in relation to the £18.7m Public Sector Decarbonisation Scheme (PSDS) grant; that comprises of individual procurement activity over the key decision threshold of £500k.
- (b) That following procurement, the further step of making any contract award be delegated to the Executive Director for Place in consultation with the relevant portfolio holders.

## Reason for the decision

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

### 119. **Transfer of Pinemoor Allotments and Open Green Space to Weymouth Town Council**

The Portfolio Holder for Economic Growth, Assets and Property sought approval for the land known as Pinemoor Allotments and Open Green Space to be transferred to Weymouth Town Council on a less than best consideration basis.

The Portfolio Holder advised that the land was within his local ward area, but confirmed that he had no personal interest in respect of the site.

Members were further advised that the transfer of the land required it to be used as allotments and open space.

## Decision

- (i) That the appropriation of the land known as Pinemoor Allotments and Open Green Space from being held by Dorset Council under the Town and Country Planning Act 1990 to being held under the Local Government Act 1972, be approved and
- (ii) That the disposal/transfer of the land at a disposal price of one pound (which is less than best consideration) to Weymouth Town Council on terms to be agreed by the Executive Director of Place, be approved.

## Reason for the decision

To promote and assist in the delivery of the proposed allotments in accordance with the provisions of the Section 106 Agreement dated 22 May 2006, varied by a Deed dated 8 March 2012. Where there is a Town Council for an area, the responsibility for allotments lies with them.

### 120. **Extension of Anti-Social Behaviour (ASB) Related Public Spaces Protection Orders (PSPO's)**

The Portfolio Holder for Customer and Community Services presented a report advising that the both the previous councils of West Dorset District Council (WDDC) and Weymouth & Portland Borough Council (WPBC) had Public Space Protection Orders (PSPO's) in place to ensure anti-social behaviour could be controlled and managed.

Dorset Council was now considering putting into place a county-wide approach to PSPO's and in the meantime the Portfolio Holder requested for a 12 month extension to the WDDC and WPBC existing orders. She further confirmed that any new order needed to be widely consulted upon before being put into place.

Decision

That the extension of the West Dorset and Weymouth & Portland Anti-Social Behaviour (ASB) related Public Spaces Protection Orders (PSPO's) to 22 April 2022 and 19 August 2022 respectively, be approved.

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

- (i) To comply with legislative requirements
- (ii) To ensure openness and transparency in the Council's decision making and to ensure that those persons affected by ASB continue to be afforded the protection provided by the Orders.

#### **121. Dorset Council's Digital Vision**

The Portfolio Holder for Corporate Development and Change presented the Council's Digital Vision and action plan for adoption by the committee.

The creation of the document was the result of working with community partners, including the NHS, the voluntary sector, business community and staff consultation. There had also been extensive input for councillors through the ICT EAP and the Place and Resources Overview Committee.

The Portfolio Holder confirmed that the Place and Resources Overview Committee had considered the final document and action plan and had recommended its approval.

Decision

That, subject to any final changes, the Dorset Council's Digital Vision and action plan be adopted.

#### **Reasons for the decision**

The Place and Resources committee met in December 2020 and February 2021 to finalise the digital vision and recommend areas of focus. The later have been pulled together and are reflected in the accompanying delivery plan. Subject to any typographical or minor changes, these documents have been recommended by that committee to Cabinet for adoption.

122. **Barbeques and other related fire activities options paper**

The Portfolio Holder for Highways, Travel and Environment set out a report on detailed options that address both the legislative as well as other alternatives available to control or prohibit barbeques and other fire related activities in the Dorset Council area. He advised that the paper set out a two-step approach including Public Space Protection Orders (PSPO's) as a method of formal control, but acknowledged that these take some time to put into place.

In response to a question in respect of widening the scope of the activities to include beaches. The Portfolio Holder for Customer and Community Services advised that some of the beaches referred to were private and would not be covered by a PSPO. However she would continue to work with private landowners to support how they address some of these issues.

**Decision**

- (a) That a two-step approach be adopted to the control of disposable barbeques and other fire related activities firstly focussing on increasing public awareness about the risks and the wider impacts through campaigns, policies and schemes, then if necessary, introducing legislation which will result in penalties for those in contravention.
- (b) To achieve this the following options were approved:
- (1) Not to pursue designating areas or Dorset Council areas with a PSPO relating to BBQ's and fire related activities this year but evaluate 2022 (Option 1)
  - (2) Not to pursue having a specific byelaw at this current time (Option 2)
  - (3) The Sky Lantern and Balloon Policy and the new BBQ and campfire/Wildfire Policy be adopted by Dorset Council (Option 3)
  - (4) Moors Valley to investigate the gas/electric communal style BBQ option with Forestry England later (Option 4)
  - (5) Officers be asked to investigate partnership funding options to support having a new Firewise voluntary warden scheme delivered through the Dorset Firewise project (Option 5)
  - (6) The campaign and communication work be supported and developed and taken forward for 2021 season in line with any recommendations from the report to Cabinet of 6 April 2021. (Option 6)
  - (7) Dorset Council initiate a coordinated approach to the banning of disposable BBQs in agreed high risk area's locations. This work should link with Option 3, 5 and 6 (Option 7).

**Reason for Recommendation:**

This two-step approach considered the cost, the length of time it takes to introduce new legislation and difficulties in enforcement as well as the effectiveness of various control methods. The recommended approach aims to balance the various options presented to Cabinet.

**123. Dorset Council Climate and Ecological Emergency Strategy**

Decision (unanimous)

That the report be deferred until the next meeting of Cabinet on 18 May 2021.

**Reason for the decision**

To consider the comments and issues raised by the Place and Resources Scrutiny Committee of 25 March 2021 and the (withdrawn) question received from Cllr B Heatley.

**124. Dorchester Office Strategy**

Cabinet considered a report on the rationalisation of the council's property asset for office accommodation in Dorchester following the reorganisation of local government in Dorset. A number of options had been considered by officers and the changes in technology and access to information were also taken into account.

The Portfolio Holder for Economic Growth, Assets and Property advised that the Place and Resources Scrutiny Committee had reviewed the Cabinet report at its meeting of 25 March 2021 and had made the following recommendations:

1. Agree to the principle of consolidating the Council's office requirements on the County Hall/Colliton Park site as a 'public service civic hub' subject to the Council ensuring that it takes due regard to the requirements of the Equality Act 2010
2. Agree to the principle of utilising any surplus space within the County Hall/Colliton Park site for use by third sector and other public sector bodies and to review the possibility to repurpose and refurbish any such assets currently leased to and in use by them for residential purpose or for disposal
3. Agree to retain the Library facility in South Walks House with a Customer Access Point
4. Reaffirms the principle that we are a member-led authority and that local Members should always be consulted on issues affecting their Wards.
5. Agree to the Council seeking planning permission to repurpose South Walks House and South Annexe for residential use through a process of refurbishing or redeveloping the existing buildings whilst retaining the Library facility in South Walks House and a Customer Access Point.

The Portfolio Holder proposed the above recommendations for approval with the following addition set out as 6 below. Recommendations 1 to 6 were also seconded by Cllr J Haynes.

6. Agree to the Council, whilst planning consent is being sought for the repurposing of South Walks House and South Annexe for residential use, to continue to explore and investigate alternative uses so as to ensure that the Council achieves best commercial (including hotel use), social and economic value prior to bringing forward the final recommendation to Cabinet for approval as to future use.

In response to questions, the Portfolio Holder confirmed that:-

- Local ward Councillors would be kept fully informed of progress;
- The use for government offices was explored with no success;
- When the final recommendations report comes forward it would be made available to Place and Resources Scrutiny Committee before being considered by Cabinet for approval.

Upon being put to the vote recommendations 1-6 were approved.

Decision (unanimous)

- (a) That the principle of consolidating the Council's office requirements on the County Hall/Colliton Park site as a 'public service civic hub' subject to the Council ensuring it takes due regard to the requirements of the Equality Act 2010, be agreed;
- (b) That the principle of utilizing any surplus space within the County Hall/Colliton Park site for use by third sector and other public sector bodies be agreed and to review the possibility to repurpose and refurbish any such assets currently leased to and in use by them for residential purpose or for disposal;
- (c) Agree to retain the Library facility in South Walks House with a Customer Access Point;
- (d) That Cabinet reaffirms the principle that we are a member led authority and that local Members should always be consulted on issues affecting their Wards;
- (e) That planning permission be sought to repurpose South Walks House and South Annexe for residential use through a process of refurbishing or redeveloping the existing buildings whilst retaining the Library facility in South Walks House and a Customer Access point;
- (f) Agree to the Council, whilst planning consent is being sought for the repurposing of South Walks House and South Annexe for residential use, to continue to explore and investigate alternative uses so as to ensure that the Council achieves best commercial (including hotel use), social and economic value prior to bringing forward the final recommendation to Cabinet for approval as to future use.

## **Reason for the decision**

The effective use of the asset base will help enable the Council to meet its social and financial challenges through asset disposals, generation of capital receipts, savings in costs through the reduction, rationalisation and improved efficiency of the estate and more importantly the generation of value through income generation and the repurposing, redirecting and reuse of land and buildings for housing, schools and other essential service needs.

### **125. Update(s) on Policy Development Matters referred to an Overview Committee for Consideration**

There were no referred matters to report.

### **126. Portfolio Holder - Lead Member(s) Update Summary**

The Chairman invited Cllr A Parry the Portfolio Holder for Children, Education, Skills and Early Years to address the committee. He verbally updated members on the following:

- That he had met with Bridport Area members to informally discuss matters relating to Children & Education in their area. This has proved a good way to understand very local issues and Lead Members are active in following up these matters.
- Also met with Portland Members to discuss way forward for strengthening Youth Provision, on the Isle.
- All Dorset Schools welcomed pupils back into a classroom setting. The attendance rating reported, has been excellent.
- Lead Members have been in attendance and provided support for Portfolio Holder at a range of events including Schools Forum.
- The Portfolio Holder invited Cllr Jane Somper to update members on her role as the Lead member for Safe Guarding.

This and the other available written portfolio holder reports are attached to these minutes as Appendix 3.

### **127. Climate & Ecological Emergency Executive Advisory Panel Update**

There was no update to report.

### **128. Urgent items**

There were no urgent items considered at the meeting.

### **129. Exempt Business**

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

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 Chairman closed the public element of the meeting and the MS Teams Live Event ended**

**130. Leisure Services Future management Arrangements**

The Portfolio Holder for Customer and Community Services presented a report on future management arrangements for Leisure Services.

Decision

That a public consultation be undertaken to consider the implications of an alternative operating arrangement for the management agreement of Leisure Services and a report be brought back to Cabinet in the summer for consideration.

**Reason for the decision**

To consider Leisure Services future management arrangements and ensure this provides value for money.

**131. Letting of the Sherborne Hotel, Weymouth**

The Portfolio Holder for Economic Growth, Assets and Property presented a report on the letting arrangement for the Sherborne Hotel, Weymouth, Dorset.

Decision

That Cabinet authorise the letting of The Sherborne Hotel, 116 The Esplanade, Weymouth on term to be agreed by the Executive Director of Place.

**Reason for the decision**

To bring the hotel back into service and enable the provision of good quality hotel and guest house provision in Weymouth. To help support and assist the local economy.

**132. Transfer of Pinemoor Allotments and Open Green Space to Weymouth Town Council - exempt appendix C**

An exempt appendix associated with the report 'Transfer of Pinemoor Allotments and Open Green Space to Weymouth Town Council' was made available to members. However, cabinet did not move into exempt business in order to discuss the information at the meeting.

**133. Dorchester Office Strategy - exempt appendices 2, 4 to 8**

The exempt appendices associated with the report 'Dorchester Office Strategy' had been made available to Cabinet. However, Cabinet did not move into exempt business in order to discuss the confidential information at the meeting.

**Appendix 1 - Public Participation Q&A's**

**Appendix 2 Councillor Q&A's**

**Appendix 3 - Portfolio Holder Update Summary - April 2021**

**Duration of meeting:** 10.00 - 11.43 am

**Chairman**

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