

DORSET COUNCIL

MINUTES OF MEETING HELD ON THURSDAY 14 APRIL 2022

Present: Cllrs Rod Adkins, Tony Alford, Jon Andrews, Mike Barron, Pete Barrow, Shane Bartlett, Pauline Batstone, Belinda Bawden, Derek Beer, Richard Biggs, Dave Bolwell, Alex Brenton, Cherry Brooks, Piers Brown, Ray Bryan, Andy Canning, Graham Carr-Jones, Simon Christopher, Kelvin Clayton, Susan Cocking, Tim Cook, Toni Coombs, Jean Dunseith, Beryl Ezzard, Tony Ferrari, Spencer Flower, Les Fry, Simon Gibson, Barry Goringe, David Gray, Matthew Hall, Paul Harrison, Jill Haynes, Brian Heatley, Ryan Hope, Rob Hughes, Nick Ireland, Sherry Jespersen, Carole Jones, Andrew Kerby, Paul Kimber, Rebecca Knox, Nocturin Lacey-Clarke, Howard Legg, Robin Legg, Cathy Lugg, Laura Miller, Louie O'Leary, Jon Orrell, Emma Parker, Mike Parkes (Vice-Chairman), Andrew Parry, Mary Penfold, Bill Pipe, Val Potheary (Chairman), Byron Quayle, Molly Rennie, Belinda Ridout, Mark Roberts, Maria Roe, David Shortell, Jane Somper, Andrew Starr, Gary Suttle, Clare Sutton, David Tooke, Bill Trite, David Walsh, Peter Wharf, Kate Wheller, Sarah Williams and John Worth

Apologies: Cllrs Robin Cook, Janet Dover, Mike Dyer, Ryan Holloway, Stella Jones, David Morgan, Julie Robinson, Roland Tarr, David Taylor and Gill Taylor

Also present:

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

Matt Prosser (Chief Executive), Jonathan Mair (Director of Legal and Democratic), Aidan Dunn (Executive Director - Corporate Development S151), John Sellgren (Executive Director, Place), Claire Shiels (Corporate Director - Commissioning, Quality & Partnerships), Susan Dallison (Democratic Services Team Leader) and Lindsey Watson (Senior Democratic Services Officer)

74. Minutes

The minutes of the meeting held on 15 February 2022 were confirmed as a correct record and signed by the Chairman.

75. Declarations of Interest

There were no declarations of interest.

76. Chairman's Announcements

The Chairman announced the sad death of Honorary Alderman, Tina Roebuck. She invited Councillor Nick Ireland to pay tribute to her.

77. Public Participation - Questions and Statements

Public questions, statements and the responses from the Leader of the Council or the appropriate portfolio holder are set out in Appendix 1 to these minutes.

78. Public participation - petitions and deputations

There were no petitions or deputations.

79. Announcements and Reports from the Leader of Council and Cabinet Members

The Leader of Council advised members that his bulletin would be published following the meeting and areas that would be included were as follows:

- The Dorset Together network and Dorset Council's response to the Ukrainian crisis
- NHS lease of South Walks House
- Dorset Local Plan – meetings with Department for Levelling up, Housing and Communities (DLUHC)
- Dorset Centre of Excellence – opening of Coombe House

Councillors asked questions with regard to support provided associated with the Ukrainian crisis and opportunities for members to visit Coombe House.

80. Questions from Councillors

A question was received from D Gray. A copy of the question and the response is attached at Appendix 2 to these minutes.

81. Appointment of Harbour Committee Co-optees

The Chairman of the Harbours Committee introduced a report which sought the approval of two new co-opted independent members to the Harbours Committee.

It was proposed by M Roberts seconded by R Hughes

Decision

That Richard Tinsley and Philip Thicknesse be appointed as Co-opted Independent Members of the Harbours Committee, in line with the nominations of the Harbours Committee's Appointments Panel.

82. Meeting Arrangements and the Health and Wellbeing Board

Councillors considered recommendations made by the Audit and Governance Committee with regard to meeting arrangements and the Health and Wellbeing Board.

M Hall, Chairman of the Audit and Governance Committee proposed recommendations 1, 2, 3 and 5 as set out in the supplement to the agenda and these were seconded by R Biggs.

R Knox, Chairman of the Health and Wellbeing Board thanked the Audit and Governance Committee for their consideration of these issues and endorsed the recommendations.

Decision

1. That the Health and Wellbeing Board should meet informally online as its usual way of doing business.
2. That as a matter of course and for the duration of their appointment the co-opted members of the Health and Wellbeing Board should be given a dispensation from attending meetings in person.
3. That delegated authority be given to the Director of Public Health, after consultation with the Health and Wellbeing Board at informal online meetings, to make all decisions within the terms of reference of the Board.
5. That the above be subject to a review after 1 year.

R Biggs, Vice-chairman of the Audit and Governance Committee proposed recommendation 4 as set out in the supplement to the agenda and as set out below and this was seconded by S Cocking:

4. That the Chief Executive be given delegated authority:
 - (a) In exceptional circumstances and after consultation with the relevant chair, to convene informal online meetings of the Full Council, the Cabinet or any committee or sub-committee.
 - (b) After consulting members at informal online meetings to make any decision (save those that cannot by law be exercised by an officer) taking into account the views expressed by Members about the decision that they would have been minded to make had it been possible to hold a formal decision making meeting in person.

Views were expressed by members both against and in support of the recommendation. M Hall noted that there had been differing views expressed by members of the Audit and Governance Committee and this was the reason for dealing with the recommendation separately.

In accordance with procedure rule 19.5, a recorded vote was taken.

Those who voted in favour of the recommendation:-

Cllrs: P Batstone, B Bawden, D Beer, R Biggs, S Cocking, R Hughes, P Kimber, J Orrell and M Rennie.

Those who voted against the recommendation:-

Cllrs: A Alford, J Andrews, M Barron, P Barrow, S Bartlett, D Bolwell, A Brenton, C Brooks, P Brown, R Bryan, A Canning, K Clayton, T Cook, T Coombs, J Dunseith, B Ezzard, T Ferrari, S Flower, L Fry, S Gibson, B Goringe, D Gray, P Harrison, J Haynes, B Heatley, R Hope, N Ireland, S

Jespersen, C Jones, A Kerby, R Knox, N Lacey-Clarke, H Legg, C Lugg, L Miller, L O'Leary, E Parker, M Parkes, A Parry, M Penfold, B Pipe, V Pothecary, B Quayle, B Ridout, M Roberts, M Roe, D Shortell, J Somper, A Starr, G Suttle, D Tooke, D Walsh, P Wharf, K Wheller, S Williams and J Worth.

Those who abstained:-

Cllrs: R Adkins, G Carr-Jones, S Christopher, M Hall, R Legg, C Sutton and B Trite.

Following a recorded vote, 9 for, 56 against and 7 abstentions, the recommendation was **LOST**.

83. **Notification of Urgent Decision**

The Leader of Council introduced a report which provided the Council with notification of an urgent decision taken by the Chief Executive in accordance with the Council's procedural rules, and relating to entering into a 'safety valve' agreement with the Department for Education.

It was noted that on the advice of the Monitoring Officer and the Section 151 officer, the Chairman of the People and Health Scrutiny Committee had agreed that it was impractical to defer the decision and that the decision should be made on the grounds of urgency. In addition, the Chairman had agreed that the decision was so urgent, that under the Overview and Scrutiny Procedure Rules, it should be exempted from the potential to be called-in by the committee.

The Leader noted that a point raised with regard to additional funding required, would be considered and a response provided to members.

84. **Notice of Motion**

The following motion was proposed by C Sutton and seconded by M Roe and supported by: Cllrs: L Fry, D Beer, A Canning, P Kimber, N Ireland, R Hughes, B Heatley, B Ezzard, J Orrell, K Wheller, A Starr, M Rennie, A Brenton, K Clayton, S Jones, D Tooke and H Legg.

Notice of Motion

At this council's meeting on 15th February, the Leader was asked whether Dorset Council intends to play its part in addressing the climate crisis by prohibiting new attempts to exploit fossil fuel resources here in Dorset. Cllr Ray Bryan replied that: "Government has not revoked any of the petroleum exploration licences issued in Dorset or elsewhere, and National Planning Policy does not indicate that Mineral Planning Authorities should stop planning for oil and gas extraction. This means that we cannot simply prohibit all fossil fuel exploitation in the area but must consider each proposal on its merits".

Even if all the commitments made at COP26 in Glasgow last year are honoured, expert studies predict a rise of at least 2.7°C in global temperatures. Former Chief Scientific Advisor to the Government Professor Sir David King says, "What we do over the next three to four years [will] determine the future of humanity. We are in a very very desperate situation".

In this context, cross-party support for this motion would further underscore the commitment which Dorset Council has already shown to playing its part in protecting current and future Dorset residents, and those across the globe.

"The motion:

- Dorset Council will lobby national government urgently, strongly, at every opportunity and at all levels to revise the Minerals section of the National Planning Policy Framework to enable Dorset (and other) Planning Authorities to decline planning permissions on the grounds of climate impact alone if they so wish *and*
- Dorset Council will lobby the Local Government Association to do the same."

A number of views were expressed by members both in support and against the motion.

In accordance with procedure rule 19.5, a recorded vote was taken.

Those who voted in favour of the recommendation:-

Cllrs: J Andrews, P Barrow, S Bartlett, B Bawden, R Biggs, D Bolwell, A Brenton, A Canning, K Clayton, S Cocking, T Cook, B Ezzard, L Fry, D Gray, M Hall, B Heatley, R Hope, R Hughes, N Ireland, P Kimber, R Legg, H Legg, J Orrell, M Rennie, M Roe, A Starr, C Sutton, D Tooke, K Wheller and S Williams.

Those who voted against the recommendation:-

Cllrs: R Adkins, A Alford, M Barron, P Batstone, C Brooks, P Brown, R Bryan, G Carr-Jones, S Christopher, T Coombs, J Dunseith, T Ferrari, S Flower, S Gibson, B Goringe, P Harrison, J Haynes, S Jespersen, C Jones, A Kerby, R Knox, N Lacey-Clarke, C Lugg, L Miller, L O'Leary, E Parker, M Parkes, A Parry, M Penfold, B Pipe, V Potheary, B Quayle, B Ridout, M Roberts, D Shortell, J Somper, G Suttle, B Trite, D Walsh, P Wharf and D Worth.

Those who abstained:-

Cllrs: There were no abstentions.

Following a recorded vote, 30 for, 41 against and 0 abstentions, the motion was **LOST**.

85. **Notice of Motion**

The following motion was proposed by S Flower seconded by L O'Leary and supported by: Cllrs C Jones, B Quayle, G Suttle, M Parkes, J Somper, T

Ferrari, D Walsh, G Carr-Jones, P Harrison, R Adkins, C Lugg, R Cook, J Dunseith, S Jespersen and E Parker.

Notice of Motion

To move that:

1. Mindful of the current experience of global conflict and uncertainty, Dorset Council urges the Government to introduce an energy policy with the principal objective of securing permanent UK energy self sufficiency from as early a date as possible, utilising whatever forms of energy generation sourced from within the UK are necessary to this end. The Council calls on the Government still to meet its declared 2050 net zero carbon target, through a continuous reduction in the reliance on fossil fuels and by strategies designed to alter present patterns of energy demand and consumption;
2. In the shorter term, the Council urges the Government to introduce flexibilities when considering the need for national energy self sufficiency. This will recognise the serious, long lasting national security implications of the instability that accompanies the present but unavoidable need to import energy, and which is also a principal driver in the cost of living crisis now facing this country;
3. Dorset Council strongly recommends the Government to include in the forthcoming Planning White Paper a review of the Minerals section of the NPPF, in order that Planning Authorities may have due and proper regard to the implications of climate change;
4. The Council calls for the Local Government Association to reinforce the national case for changes that will enable Local Planning Authorities to have significantly greater influence in the determination of planning applications relating to the extraction of minerals in their areas.

At 8.22pm, the Chairman adjourned the meeting due to a disturbance in the Council Chamber.

The meeting of the Full Council was moved to another meeting room to which members of the public could attend. The Chairman re-started the meeting at 8.52pm.

The Chairman announced that she would move to the vote in respect of the item.

In accordance with procedure rule 19.5, a recorded vote was taken.

Those who voted in favour of the recommendation:-

Cllrs: R Adkins, A Alford, J Andrews, M Barron, S Bartlett, P Batstone, C Brooks, P Brown, R Bryan, G Carr-Jones, S Christopher, S Cocking, T Coombs, J Dunseith, T Ferrari, S Flower, L Fry, S Gibson, B Goringe, P Harrison, J Haynes, S Jespersen, C Jones, A Kerby, R Knox, C Lugg, L

Miller, L O’Leary, E Parker, M Parkes, A Parry, M Penfold, B Pipe, V Potheary, B Quayle, B Ridout, M Roberts, D Shortell, J Somper, G Suttle, B Tritte, D Walsh, P Wharf and J Worth.

Those who voted against the recommendation:-

Cllrs: B Bawden, K Clayton, B Heatley, R Hughes, P Kimber, J Orrell, A Starr, C Sutton and K Wheller.

Those who abstained:-

Cllrs: P Barrow, R Biggs, A Brenton, A Canning, T Cook, B Ezzard, D Gray, M Hall, N Ireland, H Legg, M Rennie.

Following a recorded vote, 44 for, 9 against and 11 abstentions, the motion was **CARRIED**.

86. Urgent items

There were no urgent items.

87. Exempt Business

There was no exempt business.

APPENDIX 1 - PUBLIC PARTICIPATION - QUESTIONS AND STATEMENTS

**Full Council
14 April 2022**

Questions and Statements submitted for the Public Participation Period

Question – submitted by Jane Ashdown

The Council has recently hired Hyas Associates to engage in master planning for the proposed DOR 13 development included in the current draft Local Plan. This development of 4,000 houses north of Dorchester is being pursued as a “Garden Community” following the Council’s successful bid to join the Homes England Garden Communities programme. The government guidance on garden communities (<https://www.gov.uk/guidance/garden-communities>) draws attention to the need to assess viability of a garden community and specifically notes that the following actions should be taken:

review scheme viability at the plan-making stage to test deliverability and inform policy development

consider retesting viability at the master planning stage, and when development details become more refined

When will these tests of viability be undertaken and when will the findings from these viability tests be published and available for public consideration?

Response by Cllr David Walsh

Consultants have been commissioned to undertake viability testing for the whole Local Plan, and they will work with Hyas in respect of the North of Dorchester site. The results of the viability work will be made available at the 'publication' stage of plan preparation, when a revised plan is published and there is a further opportunity for people to comment, before the plan is submitted for examination. The programme for the local plan is currently being reviewed and so we do not have a date set for this stage.

Statement – submitted by Giles Watts

Councillor Flower, my name is Giles Watts and I am representing the “Dorset Deserves Better” Campaign. We are a non-political, Dorset-based organisations with the aim of persuading Dorset Council to re-think the draft Local Plan. We laid out the basis for our request to you in an open letter sent on 17th January and currently have the support of 41 community-based organisations and 16 town or parish councils representing over 68,000 Dorset Residents (about 18% of the county).

We thank you for the open exchange we have had on this subject via email. We are encouraged by many of the things you have said publicly – that you seek a Local plan which is right for the people of Dorset and which promotes sustainability rather than chasing housing targets and which recognises the ambitions of the Climate and Ecological Emergency Strategy (CEES). We also welcome your approach to ministers for various exemptions and protection while a new plan is being built.

However, the current situation is perilous. All existing local plans are now technically out-of-date and the presumption in favour of development is starting to be applied and there is no guarantee the government will respond quickly or in full to your requests. This has created a situation of great uncertainty and risk. Uncertainty in your plans and the risk of pre-emptive and uncontrolled development that will not provide many of the things that Dorset needs such as: affordable and social housing, developments to grow our economy with green jobs, reduction of our carbon emissions and the restoration and protection of the environment.

For these reasons, we urge your Council address the following three issues as soon as possible:

1. Be transparent about the scope and timetable for the new Local Plan, and make sure that it is robust even if concessions are not forthcoming from central government. This should include a detailed analysis of last year's consultation exercise and the publishing of all evidence underpinning the Local Plan.
2. Put in place options to prevent a breakdown in the planning process and reduce the risk of pre-emptive development while the new Plan is being developed.
1. Start a process of public engagement to involve local organisations in rethinking and rebuilding the Local Plan.

Our Alliance members are keen to support this process and to meet with you soon to discuss how we may work together to support the development of a new Local Plan. Indeed, an early meeting would do much to allay the uncertainties and to create a more powerful route to a better future for the people of Dorset.

Thank you very much for your time and attention.

APPENDIX 2 - QUESTIONS FROM COUNCILLORS

**Full Council
14 April 2022**

Questions submitted by Councillors

Question – submitted by Cllr David Gray

Since the press reports about the level of executive pay within Dorset Council and the recent resident survey results suggesting that only 37% of residents in the Dorset Council area think they get 'Value for Money' from Dorset Council.

Is it time during this phase of transformation and in our final 2 years of this Council to revisit the Senior Management structure and remuneration packages to gauge whether they are fit for purpose.

Response by Cllr Spencer Flower

Thank you, Cllr Gray, for this question, which seems to conflate two main issues that are not, in my opinion directly connected. You refer to the Resident Survey that was carried between October and December last year, and as Cllr Gray will know we publish information on all of our senior salaries at the budget full council meeting in February, but this was not reported by the local media until the TPA produces its annual article in April. I note that you voted for the Annual Pay Policy Statement.

The 2022/23 Council budget was approved by the Councillors on this full council in February this year with 61 out of 69 members who were present voting in favour of it, including yourself Cllr Gray. The budget was approved following an unprecedented 22 hours of member engagement, briefing, scrutiny and discussion. At no point during these discussions was the issue of the cost of, or structure of, the senior management raised by you or your group, so I am surprised that 14 days into the new financial year that this is being raised at full Council now – maybe a bit of opportunistic politicking being played at the expense of hard working officers – of which I am not a fan – indeed I see that the local Liberal Democrats have taken out a paid for Face Book advert that reproduces the local newspaper article on senior salaries and suggests “now we know the reason for high council tax and car parking charges”. I have to say I wonder if the Lib Dems were actually taking part in the same budget process as I was, to show such a lack of understanding of our budget and poor personal judgement in placing such a comment? The reason for increased council tax is clear, additional money into Adult Social

Care £12.5M; Children's Services £2.7M; Housing £0.75M; Place Services £6.8M.

Need I remind members that we brought together six former councils into one just over three years ago – with the aim being to protect services, and we have done that. It has meant reducing expenditure on senior management (£10 million saved each and every year since) to reinvest into front line services to protect the vulnerable in our society, the very youngest and the oldest and those who just need a helping hand. Clearly we have more to do so that people understand the services that we provide in order that they can make better value judgements – but this is something Councillors as Community Leaders can do – not just chuck rocks in my opinion at the officers who work under our collective political leadership.

I often hear people say “what do I get for my Council Tax”, which gives me the opportunity to remind people that Council Tax is just that, a tax, and is not a payment for services rendered. However, we deliver over 450 different services, which many people take for granted on a daily basis from the waste and recycling service that is visible, to the highways and footpaths, we drive, walk and cycle on, the environmental health teams that ensure if you eat out the food is prepared safely, the trading standards teams to protect you from scams and poor standards, the planning and building control teams, the countryside management and stewardship, the housing team, our revenues and benefits team supporting those in need and of course our adult social care and children's services team, supporting, protecting, caring and safeguarding our most vulnerable. Much of this work might only be visible to those in receipt of it – but that does not mean we don't need to do it, and it has to be paid for.

That said, the structure of the Senior Management, and indeed of the organisation, is kept under continuous review both by the Cabinet at a senior level and on a whole organisation basis which is the responsibility of the Chief Executive (who is the Head of Paid Service), just last week the posts of Corporate Director of HR and OD, and the head of the chief executive office were deleted, and the post holders made redundant as we continuously move resources to where they are needed (i.e. Climate Change which is a priority now). But our senior leaders, who work incredibly hard in challenging circumstances leading a very large and diverse organisation with 4613 colleagues, are delivering against the political budget that we, the full council, set them. Their pay is set by using national benchmarks and agreed by us at full council – any increase in salary is negotiated nationally and applied locally – Senior leaders received a 1.5% increase in pay, no bonuses, no lease cars, no incremental points, but 1.5%. When appointing we are doing so in competition with a national search for talent – and I for one will always keep this under review to ensure we have the right people at the right pay in order to deliver for Dorset.

In summary – we do and are continuously looking at the structure of the organisation, and have made recent changes that have reduced the number of officers on the Senior Leadership Team – but Cllr Grey the 1.5% increase in pay for our most Senior Leaders (all other staff received 1.75%) from last

year is most certainly not the reason that council tax and car parking charges have been increased – perhaps I can remind him of the budget that he VOTED FOR and the additional money put into Adult Social Care – to meet the needs of our residents at their time of need – these costs go up because we have more older people living in Dorset, care needs are getting more complex and the cost of providing that care is increasing every year too; can I remind him of the additional resources we have put in to Children’s Services (judged as Good across the board with Outstanding Leadership I might add by OFSTED) that are keeping our children safe and providing the right education for our children with Special Educational Needs and Disabilities; can I mention the additional resources put into our Highways team to invest in our roads and infrastructure to keep the county and its residents and economy moving. I could go on – but I think everyone gets the picture.

This is a large and complex multi-million-pound business and needs good leadership, both political and managerial. I believe we have that and am disappointed in any politicians who seek to take aim at officers rather than looking at the decisions we rightly make as politicians elected to represent our communities on Dorset Council.

Duration of meeting: 6.30 - 9.00 pm

Chairman

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