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CABINET

MINUTES OF MEETING HELD ON TUESDAY 7 NOVEMBER 2023

Present: Cllrs Spencer Flower (Chairman), Gary Suttle (Vice-Chairman), Laura Beddow, Ray Bryan, Simon Gibson, Jill Haynes, Andrew Parry, Byron Quayle, Jane Somper and David Walsh

Apologies: Cllrs

Also present: Cllr Jon Andrews, Cllr Shane Bartlett, Cllr Simon Christopher, Cllr Les Fry, Cllr David Gray, Cllr Brian Heatley, Cllr Rob Hughes, Cllr Sherry Jespersen, Cllr Carole Jones and Cllr David Taylor

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

Andrew Billany (Corporate Director for Housing), Gemma Clinton (Head of Commercial Waste and Strategy), Nina Coakley (Head of Change), Lisa Cotton (Corporate Director for Customer and Cultural Services), Kate Critchel (Senior Democratic Services Officer), Sean Cremer (Corporate Director for Finance and Commercial), Liz Curtis-Jones, Paul Dempsey (Corporate Director - Care & Protection), Graham Duggan (Head of Community & Public Protection), Aidan Dunn (Executive Director - Corporate Development S151), Katie Hale (Head of Revenues and Benefits), Theresa Leavy (Executive Director of People - Children), Jonathan Mair (Director of Legal and Democratic and Monitoring Officer), Janet Moore (Service Manager for Environmental Protection), Megan Rochester (Democratic Services Officer) and John Sellgren (Executive Director of Place)

Prior to the start of the meeting the Executive Director for Corporate Development made the following announcement: -

“It’s with great sadness that I announce the sudden passing of our colleague and friend, Cllr Tony Ferrari who died last night, while out running – something he loved doing. I know you will join me in sending our heartfelt condolences to Tony’s wife, Erika and all his family and friends.

There will be an opportunity to pay tribute to Tony at next month’s full council meeting, but for now, please stand with me for a moment of reflection.”

All those present stood for a moment of quiet reflection.

1. Minutes

The minutes of the meeting held on 3 October 2023 were confirmed as a correct record and signed by the Chairman.

2. Declarations of Interest

There were no declarations of interest to report.

3. Forward Plan

The draft Cabinet Forward Plan for December 2023 was received and noted.

4. Public Participation

There were 6 questions and 3 statements from the public. A copy of the full questions and the detailed responses were set out in Appendix 1 to these minutes.

5. Questions from Councillors

There were 3 questions from Councillors J Andrews, G Taylor, and B Bawden. Unfortunately, Councillor Taylor and Bawden were unable to attend the meeting to present their questions, but all the questions and responses were set out in Appendix 2 to these minutes.

6. Public Spaces Protection Order- Report on the findings form the Public Consultation

The Portfolio Holder for Culture and Communities set out the findings from the Dog-related Public Spaces Protection Order (PSPO) public consultation, as presented in the report. In presenting the report she took this opportunity to thank officers for their work, to the Place and Resources Overview Committee for their contributions and all the people who had participated in the consultation process.

The Portfolio Holder advised that she understood the difficulties that Lyme Regis had in balancing the needs of tourists against those of residents. However, it was appropriate to have consistency for all who use Dorset beaches during the winter.

The Portfolio Holder therefore proposed that (a) the DOG-related Public Spaces Protection Order be approved, as set out within the original report to Place and Resources Overview Committee of 5 October 2023 and (b) the PSPO be reviewed after the winter period by the appropriate committee with a focus on Lyme Regis Front Town Beach.

The amended recommendation was seconded by Cllr R Bryan.

In making this proposal, the Portfolio Holder advised that there wasn't the evidence in place to indicate that the Lyme Regis front town beach had more family visitors than other coastal towns beaches. Nor was there evidence on increased fouling or dog attacks for that area. But she was mindful of the comments given regarding this issue by the Overview Committee and wanted to give reassurance to the locality that the situation would be monitored going forward.

Non-executive members, including the Chairman of the Place and Resources Overview Committee, spoke in support of this proposal for the Lyme Regis front town beach and agreed that this was a fair compromise.

Cabinet members supported the proposal because it was important to have a fair approach across the Dorset Council area and failure to have a consistent approach could cause confusion to visitors. However, they supported the opportunity to review the decision in respect of Lyme Regis front town beach to ensure that it was fair and correct.

Decision

- (a) That the DOG-related Public Spaces Protection Order be approved, as set out within the original report to Place and Resources Overview Committee of 5 October 2023, (starting at paragraph 1.2 of the report) and
- (b) That the PSPO be reviewed after the winter period by the appropriate committee with a focus on Lyme Regis Front Town Beach.

Reasons for the decision

To protect public health, safety and animal welfare.

To provide a new PSPO as required by the Anti-social Behaviour Crime and Policing Act 2014.

To assist with the efficient use of enforcement resources.

To recognise the public's support, through the consultation responses, for certain restrictions required for public safety.

To recognise and implement the requirements of the Equality legislation.

7. Quarter 2 Financial Monitoring 2023/24

The Portfolio Holder for Finance, Commercial and Capital Strategy set out the Quarter 2 financial management report. He advised members that the council was forecasting a net budget pressure of £11.985m which represented 3.4% of the council's budget requirement (£347.6m). Overall, the Quarter 2 position had worsened by £1.6m since Quarter 1. He further reported that the Place Directorate remained the area under the most pressure due to inflation issues and the impact on the cost of travel.

The Portfolio Holder advised that he could not, at this point, give assurance for the outcome for the full year. Cllr G Suttle proposed the recommendation, and this were seconded by Cllr L Beddow.

In response to questions and comments from non-executive members, the Portfolio Holder and the Executive Director for Corporate Development confirmed that:-

- In respect of travel costs, officers were working on route optimisation to see how the council could reduce costs by getting children to school safely, but at a lower cost. The Portfolio Holder hoped to see some

reduction in these costs by the 3rd Quarter. However, it was acknowledged that this was also a national problem.

- In respect of the reserves there was approximately £140m of earmarked reserves, some of which could be repurpose if it was required.
- Officers' assessments indicated that the council was in a high-risk financial situation, and this was the internal messaging being passed on to staff. However, Dorset Council was not on any government high-risk financial list because the council currently had a healthy level of reserves in place.
- The transformation programme under "our Future Council" would be fundamental shift in how services were provided by the council, and in doing so would make efficiencies and savings.
- That, outside of the meeting the Portfolio Holder and Section 151 officer would meet with the Chairman/Vice Chairman of Scrutiny to discuss the budget shortfall.

Cabinet members acknowledged the current position and supported the recommendations.

Decision

- (a) That the senior leadership team's forecast of the full year's forecast outturn for the Council, made at the end of Quarter 2, including progress of the transformational and tactical savings incorporated into the budget, be noted.
- (b) That Cabinet identify the priority areas for changes to be made to close the in-year budget gap.
- (c) That Portfolio Holder's work with officers to continue to identify and develop further in-year efficiencies and savings to minimise use of reserves.
- (d) That the capital programme for 2023/24 and updated capital plan for 2023/24 – 2027/28 be noted.

Reason for the decision

The Council has responsibilities to deliver within its corporate plan and it must do this within the resources made available through the revenue and capital budgets for 2023/24. This report summarised the Council's forecast financial performance for the year at the end of the second quarter.

8. Medium Term Financial Plan (MTFP) and Budget Strategy

The Portfolio Holder for Finance, Commercial and Capital Strategy set out the report providing a framework for the budget for 2024/25 and the Medium-Term Financial Plan (MTFP) for 2024-2029.

It was proposed by Cllr G Suttle seconded by Cllr R Bryan

Decision

- (a) That the updated cost pressures set out in this paper and the validation work that has been carried out on them, be noted.
- (b) That the assumptions being used in the Medium-Term Financial Plan (MTFP), be agreed.
- (c) That the financial gap arising from (a) and (b) above be noted.
- (d) That 2024/25 principles for budget setting, be agreed.
- (e) That the approach to closing the budget gap set out in this paper, recognising that this is work in progress, be noted.
- (f) That Cabinet continue to press local MPs and work with peers to press the case for additional funding.
- (g) That Portfolio Holders work with officers to continue to identify and develop further efficiencies and savings.
- (h) That the next steps and timetable leading up to the 2024/25 budget which would presented to full Council on 13 February 2024, to be endorsed.

Reason for the decision

Councils were 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.

The report before Cabinet on 7 November 2023 provided an update on the budget gap for 2024/25 and the subsequent years of the MTFP and gave an update on progress on action/savings to date including the 2023/24 forecast performance against budget.

9. Local Council Tax Reduction Review

The Portfolio Holder for Finance, Commercial and Capital Strategy presented a report that recommended to Council the adoption of a new Council Tax Reduction Scheme. It was proposed that a simplified banded/income approach, as set out in the report should be implemented as the scheme for Dorset Council.

It was proposed by Cllr G Suttle seconded by Cllr S Gibson.

Recommendation to Council

That the new Council Tax Reduction Scheme 2024/25 be adopted with effect from 1 April 2024.

Reason for the recommendation

Each year the Council is required to review its Council Tax Reduction (CTR) Scheme in accordance with the requirements of the schedule 1A of the Local Government Finance Act 1992 and to either maintain the scheme or replace it.

10. Our Future Council

The Portfolio Holder for Corporate Development and Transformation presented a report providing an update on the current progress of the “Our Future Council” transformation programme. The Portfolio Holder sought endorsement for the work so far and approval to initiate the next phase of work to support addressing the council’s future financial challenges as set out in the Medium-Term Financial Plan.

The purpose of transformation was to fundamentally change and or redesign systems, processes, and services across the organisation to achieve measurable improvements in efficiency, effectiveness, and customer experience. And to support the council in delivering a balance budget.

A non-executive member spoke in support of the transformation programme with a particular focus on value for money and increased commercial approach.

It was proposed by Cllr J Haynes and seconded by Cllr G Suttle

Decision

- (a) Cabinet endorsed the progress made on the Our Future Council programme, Phase 1, as described in section 1.4. of the report to Cabinet on 7 November 2023.
- (b) That the continued expansion of Phase 1 to deliver identified and further savings across the organisation, aligned to the activity described in section 1.4. 3. of the report, be approved.
- (c) That the initiation of Phase 2 of Our Future Council programme aligned to and in support of the ongoing budget process and medium-term financial strategy, be endorsed.
- (d) That existing governance in place, to oversee the programme as it develops, through the council’s performance board and Our Future Council Programme Steering Group and officer board, be acknowledged.

(e) That an update report on Phase 2 progress be received in early 2024.

Reason for the decision

Dorset Council has embarked on an ambitious programme called 'Our Future Council' putting our customers first and exploring new ways of working. The primary goal of this programme was to bring about sustainable change and create a streamlined, digital and unified customer experience, resulting in better outcomes at a lower cost.

The council aims to move beyond convergence and comprehensively review how it is organised. Central to this transformation was a renewed emphasis on our priorities, customers, and communities, with a resolute commitment to placing people and outcomes above our internal organisational boundaries and bureaucracy.

11. Expansion of funded childcare offer from April 2024

The Portfolio Holder for Children, Education, Skills, and Early Help presented the report and set out the People and Health Overview Committee's recommendation.

The report set out an overview of the implementation of a new national policy to increase the eligibility for funded early years education/childcare with the effect from April 2024. It also set out the implications for the council, and how it would support the sector to deliver the approach.

It was proposed by Cllr B Quayle seconded by Cllr A Parry

Decision

That the approach to the expansion of funded childcare offer from April 2024 be adopted.

Reason for the decision

To ensure compliance with statutory duties and any subsequent related statutory guidance to ensure there was sufficient childcare for working families.

12. Making Care Experience a Protected Characteristic - local adoption

In setting out the report, the Portfolio Holder for Children, Education, Skills, and Early Help proposed the recommendation, as presented to People and Health Overview Committee of 17 October 2023.

"Care Experience" was not classified as a protected characteristic and the term had no statutory basis but was an umbrella term used to refer to individuals who were, or had been, in care. By treating care experience as if it

was a protected characteristic, Dorset Council must actively and explicitly take the needs of this cohort into account in all future policy and decision making.

It was proposed by Cllr B Quayle and seconded by Cllr S Gibson

Decision

- (a) That the development of an agreed definition of care experienced for the purpose of making this a protected characteristic, be supported.
- (b) Cabinet agreed that 'care experience' would be treated as if it were a Protected Characteristic under the Equalities Act 2010 so that decisions on future services and policies made and adopted by Dorset Council were assessed and considered the impact on people with care experience.
- (c) That the amendment of Dorset Council's Equality, Diversity and Inclusion Strategy 2021-2024 to reflect 'care experience' being treated as if it were a protected characteristic and the development of specific actions to reduce the disadvantage and discrimination that care experienced people face, be approved.

Reasons for the decision

Making care experience a protected characteristic would help to remove barriers to success for our care experienced young people and was in line with the recommendation to do so in the Independent Review of Children's Social Care, published in May 2022.

13. Families First for Children Pathfinder

The Portfolio Holder for Childrens, Education, Skills and Early Help presented the report and the recommendations of the People and Health Overview Committee of 17 October 2023.

The report set out an overview of the approach the council was taking to implement the Families First for Children Pathfinder delivering the Government's Stable Homes, Built on Love Strategy. He continued that this was an opportunity for Dorset to shape the national transformation of children and families strategy and policy, to ensure that Dorset Council was well placed to implement these policy changes when they were rolled out nationally.

It was proposed by Cllr B Quayle seconded by Cllr S Gibson

Decision

That the approach to delivering the Families First for Children Pathfinder, as set out in the report to People and Health Overview Committee of 17 October 2023, be approved.

Reason for the decision

Participation in the Pathfinder programme was a huge opportunity for Dorset to shape the national transformation of children and families strategy and policy and to ensure that Dorset Council was well placed to implement these policy changes when they were rolled out nationally. Department for Education funding would be made available and would be used to support the required change.

14. Chesil Bank Neighbourhood Plan 2022-2023

The Portfolio Holder for Planning presented the report and proposed the recommendations. He confirmed that the Council had held a referendum on 28 September 2023 with the area covered by the referendum being the Civil Parishes of Portesham, Abbotsbury, Langton Herring and Fleet. 167 people (75.2%) voted in favour of the plan with 55 people (24.7%) voting against it. The turnout was 19.8%.

Due to a regrettable error when administering the referendum one polling district was inadvertently excluded. This meant that 35 residents who could have chosen to vote were unable to do so. If all 35 residents affected by the error had voted against the plan this would not have altered the outcome, but the Portfolio Holder acknowledged that it was important that all of those entitled to vote were able to do so. Letters of apology had been sent to those affected and steps had been put into place to ensure that the error could not occur again.

As the local ward Member, Cllr M Roberts spoke in support of the recommendation.

It was proposed by Cllr D Walsh seconded by Cllr J Haynes

Decision

- (a) That the Council makes the Chesil Bank Neighbourhood Plan 2022 – 2032 (as set out in Appendix A) part of the statutory development plan for the Chesil Neighbourhood Area.
- (b) That the Council offers its congratulations to Chesil Bank Parish Council and members of the Neighbourhood Plan Group in producing a successful neighbourhood plan.

Reason for the decision

To formally make the Chesil Bank Neighbourhood Plan 2022 - 2032 part of the statutory development plan for the Chesil Bank 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 Councils and the Group on their success.

15. Wiltshire Local Plan Regulation 19 consultation response

The Portfolio Holder for Planning set out the report regarding Dorset Council's response to the consultation on the publication version (Regulation 19) of the Wiltshire Council Local Plan.

This was the final consultation stage in the production of the Wiltshire Local Plan prior to submission to the Secretary of State for examination in public. The initial response was set out in the appendix to the report, but due to tight timescales, it was proposed that the final detail should be agreed with the Portfolio Holder for Planning prior to being submitted to Wiltshire Council.

It was proposed by Cllr D Walsh seconded by Cllr J Haynes

Decision

- (a) That the key issues upon which a detailed response be made to the Wiltshire Local Plan consultation as outlined in the report of 7 November 2023, be acknowledged.
- (b) That the responses to Wiltshire Council to the key issues be finalised in consultation with the Portfolio Holder for Planning.

Reason for the decision

To input into the Wiltshire Local Plan as it moves towards examination thereby fulfilling the Council's obligations under the Duty to Cooperate.

16. Blandford Waste Management Centre - Update on finance and land acquisition

The Portfolio Holder for Culture and Communities presented a report updating members on the finance and land acquisition for the new Blandford Waste Management Centre. The Portfolio Holder advised that this was an important site and negotiations had been taking place over a considerable amount of time. To date an agreement had not been reached. Therefore, compulsory purchase powers were being sought to enable the project to progress if the land and necessary rights could not be acquired by agreement.

It was proposed by Cllr L Beddow and seconded by Cllr G Suttle.

Decision

- (a) That the financial position of the project and progress to date be noted.
- (b) That the draft Order documents, including the latest draft Order Plan, as attached to the report of 7 November 2023, be agreed.

Reason for the decision

To deliver works approved by Cabinet to secure critical infrastructure in Blandford for the development of a strategic waste transfer facility in central Dorset which would provide the capacity to maximise the benefits of operational efficiency and resilience to provide business continuity.

17. Weymouth Regeneration - Levelling Up Funding and Approach

The Portfolio Holder for Economic Growth and Levelling Up presented a report setting out the progress of the successful Weymouth Waterside Regeneration bid and sought commitment from Cabinet to match fund to the project.

The Portfolio Holder paid tribute to Cllr T Ferrari for all the work that he had carried out towards the project to date. He also acknowledged his contribution in obtaining the successful Levelling Up fund bid.

In response to comments from the local ward member and the Chairman of the Harbours Advisory Committee, the Portfolio Holder confirmed that the paper focused on the long-term prosperity for Weymouth as well as short-term wins.

It was proposed by Cllr S Gibson seconded by Cllr A Parry.

Decision

- (a) That the successful bid to the Levelling Up fund and the approach and progress to date, be noted.
- (b) That the sum of £3.5m, be allocated to match funding as proposed to Department for Levelling Up, Housing and Communities (DHLUC) in the Council's LUF (Levelling Up Fund) Bid from the approved Capital Programme.
- (c) That subject to agreement of DHLUC, authority be delegated to the Executive Director of Place, in consultation with the Portfolio Holder for Levelling Up and the Executive Director of Corporate Development, the decision to reallocate Levelling Up Funds from the proposed New Bond Street scheme to Weymouth Bowl site scheme, and other sites as appropriate.
- (d) That a further report to agree the approaches to development on the relevant sites be presented to a future meeting of Cabinet.

Reason for the decision

This decision brings members up to date on the progress of the Weymouth Waterside Regeneration bid to the Levelling Up Fund and takes the next steps to allow further progress.

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

There were no referrals to report other than those already on the Forward Plan. Portfolio Holder reports were attached at Appendix 3 to these minutes.

19. **Urgent items**

There were no urgent items considered at the meeting.

20. **Exempt Business**

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 & 4 of schedule 12 A to the Local Government Act 1972 (as amended).

Reason for taking the item in private.

Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Paragraph 4 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

The live streaming was concluded at this juncture.

21. **Acquisition of the freehold for leased land at Woodleaze, Furzehill**

The Portfolio Holder for Property and Assets presented the exempt report and its recommendations.

It was proposed by Cllr A Parry and seconded by Cllr R Bryan

Decision

That the recommendations set out in the exempt report to Cabinet of 7 November 2023, be approved.

Reason for the decision

To agree the approach for the acquisition of leased land at Woodleaze, Furzehill.

22. **The Proposed Sale of Clapcotts Farmstead, Spetisbury**

The Portfolio Holder for Property and Assets presented the exempt report and its recommendations.

It was proposed by Cllr A Parry and seconded by Cllr L Beddow

Decision

That the recommendations set out in the exempt report to Cabinet of 7 November 2023, be approved.

Reason for the decision

To agree the approach for the proposed sale of the Clapcotts Farmstead, Spetisbury.

23. Grant funding from CIL for nitrogen mitigation, Poole Harbour Catchment

The Portfolio Holder for Planning presented the exempt report setting out the recommendations for decision.

It was proposed by Cllr D Walsh and seconded by Cllr J Haynes

Decision

That the recommendations set out in the exempt report to Cabinet of 7 November 2023, be approved.

Reason for the decision

To agree the approach for grant funding from CIL for nitrogen mitigation, Poole Harbour Catchment.

24. Blandford Waste Management Centre - Update on finance and land acquisition

The exempt appendix associated with the report “Blandford Waste Management Centre – Update on finance and land acquisition” had been made available to members of Cabinet. However, the meeting did not need to move into exempt business to discuss the information.

25. Weymouth Regeneration - Levelling Up Funding and Approach

The exempt appendix associated with the report “Weymouth Regeneration – Levelling Up Funding and Approach” had been made available to members of Cabinet. However, the meeting did not need to move into exempt business to discuss the information.

Appendix 1 Public Questions and Responses

Appendix 2 Councillor Questions and responses

Appendix 3 Portfolio Holder Reports

Duration of meeting: 10.00 am - 12.31 pm

Chairman

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Cabinet – 7 November 2023

Question from the Public

1. Question from Cllr David Sarson

As mayor of Lyme Regis, I am conveying Lyme Regis Town Council's strong support of the recommendation from the Place and Resources Overview Committee to include in the Dog-Related PSPO the requirement for dogs to be kept on a lead on Lyme Regis Front Town Beach during the winter.

The town council wants to see a total ban on dogs on Lyme's front beaches all-year-round, a view we shared with Dorset Council but unfortunately has not been taken into consideration. This was not one of the options in the questionnaire and we have serious concerns about the integrity of the consultation. We were forced to choose a 'best fit' response, as I'm sure many other respondents were, which potentially skewed the survey results.

As local councillors, our opinion has been formed by talking to people in the community, by listening to the complaints we receive and with consideration of the tragic events related to dogs we are hearing of nationally. We were therefore very concerned the findings of the public consultation were informed by a large majority of non-residents. The town council is here for Lyme residents, 54% of whom favoured dogs on leads during the winter. I'm sure there are more but the silent majority cannot be accounted for.

The town council is responsible for people who use the public areas under our management and we want people to be prioritised over dogs. A dog off a lead is not under control and all we are asking is for dogs to be kept under control while using the Lyme's only sand beach. We feel it's reasonable to retain just one of our four beaches as a safe place for people to play, walk and relax without fear of being knocked over by a loose dog, or heaven forbid, being attacked by an out-of-control dog.

The argument that there are no other accessible places in Lyme Regis where dogs can have off-lead exercise is simply not true. There are many other open spaces, including beaches, fields and bridleways, which are safe and accessible.

The argument that Lyme's beaches aren't busy in the autumn and winter is also untrue. The 'winter period' would include October and February half terms, the Christmas and New Year break and often Easter, our busiest times.

As landowner of the sand beach, the town council is responsible for public safety, enforcement and cleaning; to help us fulfil these responsibilities, we feel it's absolutely essential dogs are not allowed to run loose on the beach.

If Dorset Council allows dogs off lead during the winter, will it take responsibility for public liability, enforcement and cleaning if an accident happens as a result of dogs running freely?

Response from the Portfolio Holder for Culture and Communities

Allowing a dog to foul without proper removal whether on or off lead is an offence under the Order. Both the Town Council and Dorset Council officers are authorised to serve fixed penalty notices should an offence be witnessed. Where dog mess remains and is notified to Dorset Council, our Waste services will arrange for its removal.

The introduction of the new PSPO will not change this.

Dogs must not be allowed to be 'dangerously out of control' in a public place, which means injuring someone or making someone fear they may be injured. This applies to any breed or type of dog. Owners (or the person in charge of the dog at the time) who allow a dog to hurt a person or other dog may be prosecuted and disqualified from owning a dog. Penalties are also available in situations where a dog is allowed to be dangerously out of control and a person is in fear of being injured even without any injury occurring.

Liability for any injury will rest with the owner/person in charge of the dog. Victims of dog attacks can claim compensation if the dog owner is found to have been negligent, which includes the inability to control their dog.

The Town Council is reminded that variations to the Order can be made if significant concerns about public safety arise. Incidents of reported dog fouling or aggressive behaviours will be monitored as part of the normal review process.

2. Question from Debbie Conibere

I fully support the initial recommendation from the Consultation Report point 1.7.3 to harmonise all Dorset Beaches by permitting dogs off leads on the Lyme Regis Town Beach in the winter period, noting that the majority were in favour of dogs off leads. Given that Officers have found the adjacent beaches are not suitable for anyone with mobility issues it is extremely important that dogs are permitted off lead on the Lyme Regis Town Beach to allow those with mobility issues or disabilities to have a safe and accessible space to exercise their dog off lead as per the Animal Welfare Act 2006. Permitting dogs off leads works well on all the other Dorset Beaches under the PSPO and to include Lyme Regis Town Beach would bring consistency across Dorset.

To not permit dogs off leads would go against the majority in favour of dogs off leads and question the reliability of participating in future Consultations should the majority be ignored. It would also go against the statement in point 1.6.1 in gaining consistency across Dorset. A dogs on leads restriction would be neither appropriate nor proportional given the findings in point 1.7.3 that there is no evidence of significant use of this beach compared with other Dorset beaches without restrictions. For the past 2.5 years I have taken daily photographs of the empty Lyme Regis Town Beach which I have submitted as evidence that confirms there is no significant use of the Town Beach during the winter months. Given that many with mobility issues already face huge obstacles in their life being refused to have their companion dog off lead could impact negatively on mental well-being.

I ask Cabinet to please adhere to the initial recommendations from the Consultation Report for dogs off leads on the Lyme Regis Town Beach. This would support a harmonisation of restrictions and would provide an inclusive space for everyone, including law abiding dog owners, especially those with mobility issues or disabilities, to exercise their dogs off leads.

What can Cabinet do to ensure that Lyme Regis Town Beach is in harmony with the other Dorset Beaches under the PSPO to become an inclusive space for everyone to address the issues of those with mobility issues?

3. Question from Richard Daw

Since I have become disabled myself with severe mobility problems, I have realised that Lyme Regis does not have any safe suitable places to walk my dog off lead except the Town Beach and Dorset Council Officers have agreed with this. 54% of respondents were in favour of dogs off leads, leading to the initial recommendation for dogs off leads as per point 1.7.3 of the consultation report which I fully support. To have dogs off leads on the Lyme Regis Town Beach would harmonise all Dorset Beaches . It is extremely important that dogs are permitted off lead on the Lyme Regis Town Beach to allow those with mobility issues or disabilities to have a safe and accessible space to exercise their dog off lead as per the Animal Welfare Act 2006. Permitting dogs off leads works well on all the other Dorset Beaches under the PSPO and to include Lyme Regis Town Beach would bring consistency across Dorset.

To not permit dogs off leads would go against the majority in favour of dogs off leads and would cause people to believe that democracy does not work. If the majority of respondents were ignored then one would question what would be the point of participating in any future consultations. To not permit dogs off leads would also go against the statement in point 1.6.1 in gaining consistency across Dorset beaches. Given the findings in point 1.7.3 a dog's on leads restriction is not proportionate especially given there has been no evidence of usage between the Town Beach and other Dorset Beaches that do permit dogs off leads.

Living with a disability is already difficult, by not providing a safe and accessible space for dog off lead exercise has a severe negative affect on mental well-being as it feels the decision makers do not care for those who with mobility issues Please could Cabinet consider those who are less mobile and go with the initial recommendations from the Consultation Report for dogs off leads on the Lyme Regis Town Beach. This brings all beaches in line with the restrictions and would provide an inclusive space for all to enjoy.

I wish to ask Cabinet how will you ensure the Officers concerns about adjacent unsuitable beaches are taken into account when deciding about year round dog off lead access on the Lyme Regis Town Beach (as a disability doesn't vanish in the summer), taking into consideration those with disabilities so that we are not treated like a second class citizen due to not providing us with a safe and accessible space for dog off lead exercise?

4. Question from Helen Davey-Smith

Given that the Consultation Report findings have led to the recommendation for dogs to be permitted to be off lead during the off-season months of 1st October - 30 April in line with other Dorset beaches, a recommendation that I would like upheld, and that the Consultation Report was the result of Dorset Council's transparent democratic online Consultation that resulted in 54% voting in favour for the current PSPO restriction of dogs on lead in those off season months to be removed, what would be the reason for ignoring that 54% majority requesting dogs to be permitted off lead - as Lyme Regis Town Council seems to want?'

5. Question from Martin and Kay Pennycott

The consultation for the new PSPO, as stated in your terms of reference, "will be a chance for people, residents, business owners, organisations and visitors, to have their say on where and when they think there should be restrictions on dogs in public places, including beaches". The consultation closed on Friday 25th August 2023 with no further comments accepted.

Question - Can the council confirm that all the above views from all stated parties will be included and honoured from the consultation and that any information submitted outside of the above timeframe (including any supplementary information from the LRTC following the meeting on Thursday 5th October 2023) will be discounted and will not influence the recommended decision in anyway?

For Lyme Regis, this would mean going with your own officer's recommendations - a majority vote of 54% for off lead on Sandy Beach in the winter months when the beach is much, much quieter; allowing those with mobility issues to have access to a safe space (alternatives are not safe nor accessible) and will harmonise Lyme Regis with all other areas in Dorset.

Lyme Regis Town Council have a very negative view of dog ownership and seem to be allowing personal opinions to influence their recommendations, which is not representative of all residents at all. Stating that all constituents are against dogs being allowed off lead in the winter months is not my experience nor those of the many people I talk to - both dog owners and non dog owners. Lyme Regis, outside of the Town Council's bubble, is generally a very dog friendly and welcoming place with many of the restaurants, cafes and shops all being dog friendly. The Town Council's view is contrary to this and should not be allowed to sway the decision of a fair and open consultation process.

6. Question from Shaun McConnell

Preamble:

I am in the process of moving to Lyme Regis from Derbyshire. One of the reasons for choosing this delightful town as a place to live is its dog-friendliness, in that the vast majority of shops, pubs and restaurants in Lyme Regis welcome dogs with open arms.

Question:

What direct and documented evidence has been presented to the Cabinet, which would go against the recommendation for permitting dogs off leads in winter, on the front beaches in Lyme Regis?

Response from the Portfolio Holder for Culture and Communities (for questions 3 - 7

Thank you all for your questions. This is a very emotive subject and there are strong feelings held by dog owners and non-dog owners alike. During the whole period of this process, we have received not only impassioned but well-constructed responses and viewpoints from residents, visitors and others. We have tried very hard to give each our full consideration and where necessary have asked for appropriate legal or equality advice from colleagues and other agencies.

We are confident that the process we have undertaken to make the new Dog Related Public Spaces Protection Order has been robust and has followed all the required steps of both the statutory and democratic processes. Due regard has been given to the Equality Act 2012 and our Public Sector equality duty and in setting out our recommendations, we have sought to have a balanced and fair approach to our decision making.

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Cabinet 7 November 2023

Public Questions

1. Question from Councillor J Andrews

Over the past few years residents have been asking for various improvements to highways and in particular people parking in an irresponsible manner even though there are no parking restrictions. I have explained the unusually long and bureaucratic TRO system required to put parking restrictions in place and I know that not only myself but officers and other members get frustrated by it. Also the cost to put TRO's through the system. For instance to put an additional 20 metres of Double yellow lines in place would require a TRO at a cost of between £5-6K and possibly 12-18 months.

Has Dorset council raised this issue with the DoT and could a fast track TRO for small improvements be implemented in the example above?

Response from the Portfolio Holder for Highways, Travel and Environment

The Traffic Regulation Order (TRO) process is a statutory process as per the Road Traffic Regulation Act 1984. This restricts the ability to change or deviate from the current process and, therefore wouldn't allow for a fast-track TRO process to be created as the time taken to implement a TRO can vary significantly depending on its nature and the level of objections received.

To ensure that the impact from the available budget is maximised we prioritise community requests based on safety and improved network management needs. A TRO is required to be used as a last option when considering traffic management issues on the road network and any issues should be passed through to the Community Highways Team for consideration and impact scoring. The cost of a TRO is case by case however is mostly made up of the advert costs (which is part of the statutory process) and the site-specific requirements for the restriction being proposed. This can range from a minimum of £2 - £10k. The DfT is currently developing a digital approach to TRO's (recently referenced in the DfT's Plan for Drivers release Oct 23) which will help reduce some of the current time frame restrictions of the process, however, does not go as far as to remove the need for advertising in the local newspaper, therefore will always remain somewhat timebound to ensure proper process is followed.

2. Question from Councillor G Taylor

My questions relate to the placement of our SEND children and Dorset Councils relationship to Coombe House School. I these questions of the Leader of the Council and was asked to put them onto this Cabinet agenda for answers.

I am clear and understand that we need to keep a distance from Coombe House School, as it is an independent school, while accepting that we do own the site and have invested in it. We also have a responsibility to ensure that we are placing children in a SEND facility that meets their needs.

I therefore seek:

- Assurances that if an establishment does not meet the needs of a child / children, that child/ children will be withdrawn and placed elsewhere or will not be recommended to the specific establishment regardless of the financial implications to that establishment. In effect that the financial viability of a SEND establishment is not a factor in the recommendation of the placing of a child but that the quality of support for the child is the over-riding factor.
- Assurances that all SEND establishments in Dorset in the independent sector are treated the same as Coombe House and supported in the same way as and if required.
- Assurance that any support we have been giving to Coombe House has been at no cost to Dorset Council and that the Dorset Council staff time that has been used in support of Coombe House has been invoiced accordingly. I appreciate that some of our support will be as a result of our responsibilities as the owner of the site however I am referring to any support that we have given the to enable the school to function with the exception of those services included in the contract when the school was set up.

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

Thank you for your question. We are ambitious for all our children in Dorset and work with a variety of providers to ensure they all have a good school place . Where a child has an Education, Health and Care plan we are governed by the SEND Code of Practice for admission. All admissions to Coombe House school follow their published and Ofsted approved admissions policy and are undertaken in consultation with families and their understanding of whether or not the school can meet the needs of the child, as set out in their Education, Health and Care plan.

The financial viability of the establishment is not a factor in this. As with any other school, if there are concerns about whether they can meet the needs, then discussions would take place to understand what is required to be put in place to minimise disruption to that child's education and in exceptional circumstances to search for another education placement. When we have concerns about any Independent School in our county, we use our contractual arrangements to identify the most appropriate response. This includes requesting and supporting improvement plans based on what is required. All support offered to Coombe House is in line with the service contract, which in this case was to enter into a period of enhanced cooperation.

As described at the last Shareholder committee Coombe House School continues to make strong progress in all areas. Ofsted visited to undertake a three-day

unannounced joint inspection, combining the first standard inspection with a monitoring inspection. Inspectors were complimentary about the progress that had been made. since their last visit and gave positive feedback to the leadership and governance teams the school was assessed as meeting the Independent School Standards the board also heard about excellent community engagement and feedback.

3. Question from Councillor B Bawden

I'd like to thank the members of the People and Health Overview Committee who listened to the Mayor of Lyme Regis and me when we explained the concerns we had about dogs being allowed to run loose on our front beaches.

I'm very grateful too to the Environmental Health officers who walked round Lyme with me so I could show them our other beaches offered plenty of space, especially at low tide, for dogs to run off lead without compromising the safety and enjoyment of our beach goers.

I'd also like to challenge the assertion made in discussions that the survey had not been influenced by an organised campaign in favour of having no restrictions on dogs in the winter. I have sent several pages of one of the pro-dog campaigns conversations on social media, clearly showing:

- A) The celebrations and claims of success that the campaigning originally achieved a 54% majority overall in the public consultation
- B) The influencing of people to lobby the Cabinet against the Place and Resources Overview Committee recommendation.

Since the publication of the survey results, many people have assumed that dogs can be left to run loose on our town beaches and sadly, some dog owners are abusive to our Enforcement Officers when they are asked to put their dogs on leads. Since the officer recommendation was changed at the Place and Resources Overview Committee, the town council's notices saying 'Dogs on Leads' along the seafront have been removed or vandalised in attempts to take them down. The hostility meted out to me and to town councillors on social media is based on misleading information and is abusive, unacceptable and upsetting. Worst of all, several people have emailed in to thank me for standing up for the 'Silent Majority' but asked to remain anonymous, since they feel so intimidated by the 'Doggy Lobby'.

I'm very disappointed, therefore, that Dorset Council did not publish the local residents' survey responses, otherwise the 54% in favour of the 'on leads' restriction to remain would have been in the public domain.

Another town councillor and I raised the point one of the PRO Committee members also made that in a survey where 62% of respondents were dog-owners, the results should have been adjusted to reflect the national average of dog-ownership, in order for the statistics to be representative.

Does Dorset Council really think it is fair and equitable to the residents of Lyme Regis and those visitors preferring dogs to be kept under control on our beaches in winter, to allow a well-organised campaign to influence the decision when nearly two-thirds of respondents were dog-owners and nearly three quarters voting against restrictions in Lyme do not live locally?

Response from the Portfolio Holder for Culture and Communities

The legislation and guidance allow for responses from those living, working and visiting the area. The opinion of visitors is important in terms of the benefits for local businesses. To be fair and balanced and provide confidence in the consultation process, we must represent everyone who responds. Strong opinions were received both for and against a winter restriction, whether or not a dog owner.



PORTFOLIO HOLDER/LEAD MEMBER UPDATE SUMMARY

PORTFOLIO:¹

Property & Assets

7.11.2023

KEY ACTIVITIES SINCE THE LAST REPORT:²

County Farms Liaison Panel. I am grateful to the committee under the chairmanship of Cllr Pauline Batstone, who in addition to Committee discussions arranged for site visits to 2 of our tenanted farms in the Sixpenny Handley area.

Commitment to our County Farm Estate remains a priority for this council.

DELEGATED DECISIONS MADE:³

Tender approvals for:
Facilities upgrade to Meeting Room 1, including improvements for disability access and engagement.

ANTICIPATED ACTIVITIES/MILESTONES FOR NEXT PERIOD:⁴

Progress matters regarding Woodleaze, Furzehill
Commencement of demolition at former Council Officers at North Quay.

¹ Enter the portfolio area

² Provide brief details of the meetings attended, key activities or project milestones completed since the last report

³ Enter details of any delegated decisions made since the last meeting

⁴ Provide details of key activities, project milestones or significant meetings anticipated in the next period

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PORTFOLIO HOLDER/LEAD MEMBER UPDATE SUMMARY

PORTFOLIO:¹

Byron Quayle - Children, Education, Skills & Early Help

CABINET DATE:²

07.11.23

KEY ACTIVITIES SINCE
THE LAST REPORT:³

Children’s Services Workforce Awards – 05.10.23

I attended the annual event which took place at the George Albert Hotel this year. In attendance were many officers and staff from across the Service who had been nominated for an award. Not only did CS officers attend but many groups or organisations from across Dorset who support young people also attended.

This was a truly inspirational evening which highlighted all the good work that is taking place to support and promote young people.

Meetings which I attended over the past month

Dorset Virtual School Full Governing Body – 09.10.23

I attended the Virtual School Governing Body meeting which was chaired by Amanda Davies. Our VS continues to go from strength to strength.

Performance Board Meeting – 11.10.23

Hayeswood Open Afternoon – 11.10.23

Hayeswood is the newly established short breaks home, for children who have a learning disability or autism. The home will offer a nurturing, supportive environment, providing new experiences and opportunities for children, and a much-needed break for the family.

The opening of Hayeswood addresses a much-needed requirement for such a service in the East of the County.

SEND Partnership Board - 12.10.23

B2SA Partnership Board - Service Delivery Model Option

Following two years of work to bring Children’s, Adults and Health together to establish a new operating model, which was put forward for a new way of working. This will be finalised in the coming months before being rolled out next year.

Pimperne Primary School Visit – 17.10.23

¹ Enter the portfolio area

² Insert the date of the Cabinet meeting to which this summary update is to be reported

³ Provide brief details of the meetings attended, key activities or project milestones completed since the last report

Along with the Lead Member for Education, Cllr Penfold and local member Cllr Jespersen, I attended a school visit to Pimper Primary School.

Initial Housing Board Meeting – 19.10.23

People and Health Scrutiny Committee – 31.10.23

Tricketts Cross Centre Meeting – 02.10.23

Along with Cllr Cathy Lugg, I spent the morning looking at the working model of our 'flagship' Family Hub model which is called The Centre and based in Ferndown.

DELEGATED DECISIONS
MADE:⁴

B2SA Partnership Board - Service Delivery Model Option

ANTICIPATED
ACTIVITIES/MILESTONES
FOR NEXT PERIOD:⁵

To come to Cabinet:

- 1. EXPANSION OF FUNDED CHILDCARE OFFER FROM APRIL 2024**
- 2. MAKING CARE EXPERIENCE A PROTECTED CHARACTERISTIC -LOCAL ADOPTION**
- 3. FAMILIES FIRST FOR CHILDREN PATHFINDER**

As well as a very busy calendar of day-to-day CS work.

⁴ Enter details of any delegated decisions made since the last meeting

⁵ Provide details of key activities, project milestones or significant meetings anticipated in the next period



PORTFOLIO HOLDER/LEAD MEMBER UPDATE SUMMARY

PORTFOLIO:¹

Adult Social Care, Health and Housing

CABINET DATE:²

7 November 2023

KEY ACTIVITIES SINCE THE
LAST REPORT:³

Budgetary pressure

The directorate is accountable for two demand led budget areas where it in nationally recognised new demand is driving challenging conditions. Since the last cabinet update, we have seen further improvements in our budget with a significant reduction in the ASC overspend. The plans we have put into action are maturing and there is evidence that their impact will continue to bring the ASC overspend down further ahead of the winter period. Housing pressures remain significant due to demand rising but also the impact of rents and temporary accommodation charges rising further above the frozen Local Housing Allowance cap, and the amount recoverable from Housing Benefit.

ASC Savings

We continue to drive forward our savings programme and although we have a very challenging task in year of £8.773m, however our careful our transformation plan has allowed us to deliver £7.194m (82%) as of the end of October 2023. As with all demand led budgets we continue to closely monitor activity to help for inform the year end forecast.

ICS System – CQC inspection

¹ Enter the portfolio area

² Insert the date of the Cabinet meeting to which this summary update is to be reported

³ Provide brief details of the meetings attended, key activities or project milestones completed since the last report

We have recently supported our Dorset's ICS as part of a System CQC assurance assessment. Dorset ICS is one of two national pilot sites. The aim of the assessment is to understand how the system is working to support people to access the care, support, and treatment. The assessment is structured around: quality and safety, integration, and leadership. As a partner, we look forward to receiving the outcome and supporting the any actions which come forward.

Housing is a stated priority for the ICS, ranging from hospital discharge, appropriate housing for those admitted to hospital for mental ill-health and the housing for those working within the ICS. Work to align strategies and operational delivery to achieve realistic and effective housing solutions is under way and will report to the ICB in January 2024.

ASC Operations redesign

As part of our transformation plan we are redesigning our operational services to improve our early intervention offer and how we more effectively support people's wellbeing in the community. Data and insight work is progressing well giving us a greater understanding of our demand and we are using this data to target interventions to make the changes.

ASC Working Age Accelerator

The commissioning programme continues to deliver efficiency and capacity improvements in services for people of all ages. In the working age cohort, we have developed a programme focussed on learning disabilities which aims to deliver improvements in process time and release capacity to eliminate waiting lists and to provide the right care in the right places . Alongside this, we continue to collaborate with the market to build sustainable partnerships to deliver our Dorset Care Framework. This follows similar success we have had in the Homecare Optimisation programme.

Housing Board

Following agreement at Cabinet in September 23, work has progressed to define the Housing Board. A meeting of Cabinet Portfolio Holders, chaired by Cllr Somper, scoped the Board's purpose, scope and terms of reference. The Housing Board will support a cross-Council and multi-agency approach to drive forward our Housing ambitions. It will have a key role in

overseeing and driving the delivery plan of the new Housing Strategy.

DELEGATED DECISIONS
MADE:⁴

N/A

ANTICIPATED
ACTIVITIES/MILESTONES
FOR NEXT PERIOD:⁵

People & Health Overview – 30 November
Housing Strategy

Cabinet – 5 December
Housing Strategy

⁴ Enter details of any delegated decisions made since the last meeting

⁵ Provide details of key activities, project milestones or significant meetings anticipated in the next period

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