

# Supplementary Papers for Place Overview and Scrutiny Committee



Date: Wednesday, 21 September 2022

## 5. Public Issues

To receive any public questions, statements or petitions submitted in accordance with the Constitution. Further information on the requirements for submitting these is available to view at the following link:-

<https://democracy.bcpCouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

**The deadline for the submission of public questions is normally 4 clear working days before the meeting. However, due to the late publication of the reports relating to items 8 and 9, the deadline for the submission of questions has been extended to Friday 16 September 2022 for questions relating to these two items only.**

The deadline for the submission of a statement is midday the working day before the meeting.

The deadline for the submission of a petition is 10 working days before the meeting.

## 6. Update on Bus Services within the Bournemouth, Christchurch and Poole Area

To consider a verbal update from the Portfolio Holder for Sustainability and Transport to provide the committee with information on Yellow Busses ceasing operations and the wider impact on bus services in the area along with information on the Bus Service Improvement Plan (BSIP) Implementation report which was considered by Cabinet on 7 September.

(Please note that the original wording for this item within the published agenda referred, incorrectly to an unrelated Cabinet report and this has therefore been amended and republished for clarity)

## 8. Bereavement Services business plan phase one update report and options appraisal for the future Poole Crematorium facility

**PLEASE NOTE: An earlier draft version of the report was previously published in error which should be disregarded.  
This paper is the final and correct version for consideration.**

To provide a progress update on the delivery of Bereavement Services Business Plan 2020 - 2026.

This paper sets out an options appraisal, data and evidence for the future Poole Crematorium facility which is a non-statutory service provision requirement for Local Authorities

The current provision contributes towards the Council's income supporting the Medium Term Financial Plan within the context of an increasingly competitive and changing market environment.

**9. Update on the Bournemouth Development Company LLP**

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To consider an update on the Bournemouth Development Company.

The Committee is asked to scrutinise and comment on the report and if required to make recommendations or observations as appropriate.

Cabinet members invited to attend for this item: Councillor Phil Broadhead,  
Portfolio holder for Development, Growth and Regeneration

Published: 21 September 2022

**PLEASE NOTE: An earlier draft version of the report was previously published in error which should be disregarded.  
This paper is the final and correct version for consideration.**



## Cabinet

Report subject	<b>Bereavement Services business plan phase one update report and options appraisal for the future Poole Crematorium facility</b>
Meeting date	28 September 2022
Status	Public
Executive summary	<p>To provide a progress update on the delivery of Bereavement Services Business Plan 2020 - 2026.</p> <p>This paper sets out an options appraisal, data and evidence for the future Poole Crematorium facility which is a non statutory service provision requirement for Local Authorities</p> <p>The current provision contributes towards the Council's income supporting the Medium Term Financial Plan within the context of an increasingly competitive and changing market environment.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <ul style="list-style-type: none"> <li><b>a. Cabinet recommends investment be built into the future capital programme for the provision of cremators to meet the needs of the whole BCP Community.</b></li> <li><b>b. Cabinet commits to bringing forward the reinstatement of cremators at the Poole Crematorium facility, subject to a continuing review of demand, emerging green technologies and the preferred future location(s) and appropriate timeframe for this investment.</b></li> <li><b>c. Cabinet agrees to temporarily change the operating status of the Poole site as a ceremonial only venue pursuant to the Cremation (England and Wales) Regulations 2008 to include the publication of required notices and notification to the Secretary of State, until such time that the replacement of the Poole Cremators is confirmed.</b></li> <li><b>d. Cabinet agrees to the decommissioning of the existing cremating equipment in Poole in 2023-24.</b></li> </ul>

Reasons for recommendations	The recommendations of this report seek to ensure the future need for crematoria facilities in Bournemouth, Christchurch and Poole are met and that it complies with the necessary legal requirements.
Report Authors	<p>Andy McDonald – Head of Parks &amp; Bereavement Services</p> <p>Liz Hall – Interim Bereavement, Coroners &amp; Mortuary Manager</p> <p>Mike Morris - Senior Property Manager</p> <p>Tina Worthing – Finance Manager – Operations</p> <p>Shirley Haider – Finance Manager – Capital</p> <p>Kate Langdown – Director Environment</p>
Portfolio Holder(s):	Councillor Mark Anderson Portfolio Holder for Environment & Place
Corporate Director	Jess Gibbons – Chief Operations Officer
Wards	Council wide
Classification	For information and decision

## Background

1. In December 2020 Cabinet agreed to the following recommendations:
  - a) Cabinet approves and adopts the Bereavement Services Business plan 2021-2026
  - b) Cabinet approves the preferred option of a two phased approach to delivering the Bereavement Services Business Plan 2020-2026
  - c) Phase 1: To approve developing a dual site single crematorium model for Bereavement Services, with an initial investment into Poole Crematorium to enhance the venue as a high-end ceremonial and memorial location
  - d) Phase 2: To bring back to Cabinet within 18 months an investment plan for the long-term usage of Poole Crematorium as a continued site for the bereaved once the impact of the Phase 1 implementation has been fully evaluated.
  - e) To approve the capital investment required to deliver the recommended options within Phase 1 of £559K, as outlined in section 6.3 of the Bereavement Business Plan and to be funded through use of reserves and prudential borrowing.
2. The Business plan identified nine key objectives:
  - a) A dual site single crematorium model for the conurbation
  - b) Development of new and alternative burial sites
  - c) Increase commercial activity by developing a business marketing and commercial strategy
  - d) Provision of additional burial space and offering a more environmentally sensitive option of disposal
  - e) Provision of a tailored pricing matrix in line with local market forces and competition

- f) Choice of service durational times
- g) Choice of ceremonial venues and expansion of direct cremation model
- h) Choice of modern and sustainable commemorative schemes
- i) Installation of a unified crematorium & cemeteries IT management and booking system

### Phase 1 Implementation Updates

3. As a direct consequence of the Covid-19 pandemic, work to progress phase one of the business plan has been unavoidably impacted whilst the service focused on critical service functions and supporting bereaved families during an extended period of exceptional circumstances. That said officers have worked hard where possible to progress several workstreams which are summarised as follows:
4. **Poole refurbishment** - Investment work to enhance the ceremonial space, waiting room and visitor toilets, book of remembrance viewing room, memorial wreath court and office space within the existing building commenced at Poole on 28 March with the site being closed for preliminary preparations from 14 March. The site is scheduled to re-open for operations from 26 September. The commencement of these works had been significantly delayed due to the pandemic and the shortage of skilled labour and materials.
5. **Standalone website** - Work continues on the design and build of BCP Bereavement Care's new standalone website with the first phase anticipated to go live in September 2022. This will provide a 'front of house' portal for all service provision and information directing all customer traffic to a single point of contact covering service bookings, memorial applications, grave purchases, grave searches and online payments encompassing all customer journey types.
6. **New bereavement IT system** - Following a detailed procurement exercise, a contract for the provision of a cloud-hosted bereavement IT System has been awarded. Stage 1 and 2 'go live' being the funeral director portal, data migration from legacy systems and new cremation and burial bookings from January 2023. This new system will significantly enhance efficiency of service by contributing to the harmonisation of teams working on a single system which can be accessed easily by staff at any of the bereavement sites with the use of mobile smart devices.
7. **Cemetery mapping** - This will be rolled out as part of Stage 3 implementation of the new bereavement IT system. This stage will include the drone mapping of all cemeteries with full integration with the new software system providing online access to burial records with the intention to roll this out for public use.
8. **Bereavement branding** - BCP Bereavement Care branding strategy now in place with corporate branding in the process of being adopted across the whole bereavement estate with signage, literature and uniforms conforming to the new branding guidelines by the end of December 2022.
9. **Tailored fee structure** - Tailored pricing structure for cremation fees implemented from 1 September 2021 providing a wider choice on service types offering more affordable options to families and competitive pricing.
  - a) The impact of the new pricing scheme introduced to provide for the growing market for direct or unattended cremations has been difficult to evaluate as the death rate across Dorset & West Hampshire has been significantly impacted by the pandemic over the last two years.
  - b) Whilst the business plan recognised the growth in this market, the pandemic has seen a further acceleration, especially with the introduction of restricted

funeral attendance (attendance reduced to 6 persons in the initial stages of the pandemic through emergency legislation).

- c) The growth in this market is also being exacerbated by new regional/national providers not using local crematoria but choosing to convey to their own centralised crematoria located outside of Dorset.
  - d) This centralised direct cremation model by-passes local crematoria, in which the impact of this emerging business model is yet to be determined on the current number of cremations undertaken within the catchment area over the medium to long term.
10. **Harmonised cemetery Rules & Regulations and cemetery fees** - Harmonising work on a single set of Cemetery Rules and Regulations was approved by Cabinet on 22 June and full Council on 12 July 2022. This is the first set of Rules and Regulations for BCP Council's nine cemeteries. This also realises the harmonisation of cemetery fees across BCP Council with a full review of all fees to be undertaken prior to the 2023-24 financial year. The new Rules & Regulations together with the harmonised cemetery fees were implemented from 01 September 2022.
11. **Natural burial site** - Purchase of land at Muscliff Lane was completed in 2021 for the potential use as a natural burial site. Groundwater monitoring assessment work is being undertaken and will be completed by August 2022. Subject to results planning application work and ecology assessment could commence soon afterwards. Consultation work on the development and layout of a new burial site would be required with anticipated operation commencing two years from the planning application submission stage.
12. **Additional burial ground for Poole and Christchurch** - Scoping work for additional conventional burial ground for Poole and Christchurch is underway with initial consultation work undertaken.
13. **Team Restructures** - Restructuring of the bereavement team is currently being progressed with a Change Brief anticipated to be submitted to CMB by the end of September 2022. Long standing vacancies are being recruited to with essential vacant posts within the Bereavement Technical Support Team in the process of being filled.
14. **Installation of conveyancing lift at Bournemouth** - Decision made to discontinue with proposal to install a conveyancing lift at Bournemouth as outlined in original business plan. Feasibility work carried out highlighted no added benefit to be gained without extensive building works being carried out to existing layout of building.
15. **Bournemouth West Chapel** - Scoping work on the widening of the catafalque to facilitate bariatric-sized coffins completed. Anticipated work to commence in September 2022 following re-opening of Poole. West Chapel will be closed for up to 3 weeks.

#### Current Poole Crematorium operating model

16. Poole crematorium ceased operating as a crematorium in April 2020. Due to the age of the equipment, they had become uneconomical to repair with replacement parts obsolete and mounting concern regarding the safety of the equipment. A decision was made to discontinue the use of the cremators and implement the pre-planned contingency arrangement for the conveyancing of deceased to Bournemouth Crematorium following funeral services booked at Poole.

17. Poole Crematorium has since been operating as a ceremonial and memorial location only and a location for the scattering or interring of cremated remains within its memorial grounds.
18. Since April 2020, 2175, funeral services have taken place at Poole, following which 1627 deceased have been conveyed by Bereavement Care Services to Bournemouth Crematorium for cremation at no additional fee and 548 deceased conveyed directly by the family-appointed funeral directors for which a fee may have been levied to the family.
19. In the 12 months leading to the temporary closure of the Poole site, 771 deceased have been conveyed following a memorial service from Poole to Bournemouth by the BCP Bereavement Care Team.
20. The Poole crematorium site suspended all operations in March 2022 to undertake a significant refurbishment in the ceremony hall, waiting room and toilets, a re-modelling of the memorial wreath court, the creation of a new private viewing room for the books of remembrance and renovation of the office and office reception together with the music room. These works are in line with Phase 1 of the Bereavement Services Business Plan. The site is scheduled to re-open on 26 September 2022.
21. In March 2022 a public petition was launched to 'Save Poole Crematorium' [Petition . Save Poole Crematorium. Install a new cremator. . Change.org](#) 3172 signatures have been added to the petition as of 10 September 2022.

#### Cremation marketplace

22. In 2021/22 the total number of deaths registered within the local catchment of Dorset & West Hampshire was 11,125 of which 90% led to funeral arrangements for cremation.
23. Out of the UK's 315 operating crematoria, BCP Council Crematorium is the second busiest in the country in terms of the number of cremations carried out. BCP Bereavement Care undertook 4446 cremations in 2021 of which 882 were direct/unattended cremations, thus BCP Council continues to hold a strong share of the local market, currently standing at 40%.
24. Residents of Dorset are currently served by 9 operating crematoria:
  - Bournemouth Crematorium (operated by BCP Council)
  - Harbour View Crematorium located in Lytchett Minster (operated by Tapper Funeral Services)
  - Weymouth Crematorium (operated by Dorset Council)
  - New Milton Crematorium located in the New Forest (operated by Westerleigh Group)
  - Salisbury Crematorium (operated by Salisbury City Council)
  - Southampton Crematorium (operated by Southampton City Council)
  - Wessex Vale Crematorium located in Southampton (operated by Westerleigh Group)
  - Test Valley Crematorium located in Romsey (operated by Westerleigh Group)
  - Pure Cremation (door to door service provided by direct cremation specialist located in Andover) (operated by Pure Cremation Ltd)
25. Increasing local market competition and the growing popularity of direct/unattended cremation has over time, between 2017 - 2021 resulted in a 25.2% decrease in the number of cremations undertaken by the local authority. The largest decrease evidenced in 2018 following the formal opening of Harbour View Crematorium.

26. A single cremator can undertake around 2500 cremations per annum during standard working hours. At present there are 10 operating cremators (Bournemouth x 4, Weymouth x 2, Harbour View x 2 & New Milton x 2) based in Dorset and West Hampshire, with a potential capacity of 25,000 cremation disposals. Crematoria at Yeovil and Salisbury also provide further capacity within North Dorset.
27. The 4 cremators in Bournemouth currently serving BCP Bereavement Care Services, based on usage levels are operating on average at 50% capacity. This varies during peak months at times requiring the use of three cremators for short periods, but generally no more than two cremators are operated during the normal working day.
28. Only one of the four cremators at Bournemouth can receive bariatric sized coffins with most modern-day crematoria operating with a full complement of bariatric sized cremators. Nearly 27% of the adult population in England are obese which represents a 92% increase since 1996. We are seeing an increasing number of 'larger' coffins being booked in for cremation. The standard-sized cremators operated at Bournemouth are unable to accept coffin sizes that exceed 84 inches in length and 28 inches in width.
29. All local funeral directors offer direct cremations, using local crematorium facilities for disposal. Many leading local funeral directors have standalone ceremonial halls within their own premises, conveying to local crematorium following a service as an unattended cremation.
30. Bookings for services at Harbour View woodland burial ground and crematorium can only be made through a funeral director, owned and operated by Tapper Funerals Limited.
31. The opening of Harbour View Woodland Burial Ground, which is situated just outside of BCP Council's western boundary in 2006, with their crematorium opening in 2017 has seen them secure a growing market share, within the West BCP Council and Mid Dorset region. In 2020 and 2021 they undertook 1401 and 1414 cremations respectively, which is reflected in the loss of cremations undertaken at Poole crematorium prior to it ceasing cremations in April 2020.
32. Access to all funeral services remains heavily influenced by Funeral Directors who remain the primary first point of contact for most families, following a bereavement. It is therefore extremely difficult for Bereavement Care Services to directly influence any funeral process, other than providing a venue and a method of disposal, which has been previously agreed between the bereaved family and their chosen Funeral Director.
33. The direct/unattended cremation market was identified as a growing trend within the Bereavement Services Business plan. This market though has seen rapid growth during the pandemic, being accelerated by the legal restrictions placed upon funeral attendance during the pandemic period.
34. The emergence of new regional and national market specialists in direct or unattended cremations has seen an impact on the local market, with providers conveying to their own centralised crematorium located outside of Dorset in which their operating model by-passes other ceremonial and memorial services offered by funeral directors and crematorium. They also provide funeral directors with a direct collection and ashes return service eliminating the need for cremations to be undertaken locally.
35. Recent national data released for the period January to December 2021 has shown one leading direct cremation provider, based at Charlton Park Crematorium in Andover (Pure Cremations Ltd), increasing the number of cremations it undertakes from 5465 in 2020 to 9632 in 2021, of which 8793 (4717 in 2020) are recorded as direct cremation in one calendar year. This facility is now the busiest crematorium in the country, with

Bournemouth the second busiest, undertaking 4446 cremations of which 882 were direct cremations. The above provider already has a strong presence in the Dorset & West Hampshire market, with many local funeral directors using their door-to-door services.

36. This market is extremely cost driven offering a low-cost alternative to traditional funeral plans and services previously offered, by removing the need for formalised funeral services and associated costs which in 2021 the average cost being £3,765 compared to £1,647 for an unattended cremation service.
37. It is yet to be determined how this will impact the local market over the long term. It is anticipated that there will be an increased need to undertake a Celebration of Life service in order to achieve 'closure' for the bereaved as part of their grieving journey. These though are more likely to move away from traditional services and venues.
38. The impact of New Milton opening in April 2022 is yet to be determined on the local market, but it is anticipated that this will have an impact on the market shares held by all other crematorium operators within Dorset & West Hampshire. The facility is currently offering a lower direct cremation fee at £250 than BCP Bereavement Care Services at £350.
39. The impact of the new Financial Conduct Authorities (FCA) regulation of pre-paid funeral plan providers, required them to be authorised by the FCA, prior to 29<sup>th</sup> July 2022, is yet to be determined. The market has already seen several funeral plan providers go into liquidation. Consequently, some families may find funding funerals difficult and this may lead to increased levels of 'funeral poverty'. Families that are claiming certain benefits or tax credits can apply for a Funeral Expenses Payment which will help towards some, not all, of the cost of a funeral. This may also impact on the levels of referrals made to Local Authorities to fund Public Health Funerals where there is no known family or friends willing or able to make the funeral arrangements.

#### Future of Poole Crematorium Options Appraisal

40. Considering the above detailed marketplace information and trends the below options have been developed:

#### **Option One: To continue to promote & market as a ceremonial venue only, conveying to Bournemouth for cremation**

##### Benefits

41. This is the current position and has been operational for two years. Following the completion of the current investment programme the site provides an enhanced ceremonial facility for bereaved families with conveyancing of the deceased to Bournemouth Crematorium for an unattended cremation offered by BCP Bereavement Care
42. Is realisable within existing MTFP funding whilst long term capital reinvestment allocations are yet to be determined when Bournemouth crematoriums reach the end of their economic life.

##### Impacts

43. Non reinstatement of a cremation facility at the location will result in a level of local community and Funeral Director disappointment and dissatisfaction in the loss of a valued asset as evidenced through the public petition and local press articles.

44. A decision to formally adopt this option would require BCP Council to:

- a) Cease using the name 'Poole Crematorium' and rename the facility to comply with the 2008 Regulations.
- b) Decommission the old cremator equipment to comply with health and safety, remove hazardous materials and comply with environmental legislation and the 2008 Regulations and enable the space to be alternatively utilised.
- c) Formally serve notice of closure of the site as a Crematorium pursuant to the 2008 Regulations.

**Option Two A: Reinstate now as a crematorium with only one gas or electric cremator**

Benefits

- 45. Would allow for the reinstate a cremation facility at the site, providing Poole and wider North & East Dorset residents with another local and valued asset.
- 46. Would increase local cremator capacity by 2500 cremations per annum and increase overall BCP service resilience.
- 47. Would reduce demand on Bournemouth crematorium allowing for an expansion in and greater variation in funeral service time spans.

Impacts

- 48. Would require capital investment to achieve the reinstatement of a cremator and additional revenue operating costs such as staffing to compliantly operate the site, without any guarantee of additional income to fund the investment with market share unlikely to grow more than that which can be accommodated within existing facilities.
- 49. A high-risk option due to the regular maintenance schedules required to operate cremators at high temperatures, the high wear & tear levels, responses to reactive breakdowns due to equipment, IT or power failures and the overall resilience of the service should the cremator be taken off-line for any extended period, resulting at times for the continued and unplanned need to convey to the Bournemouth facility.
- 50. It is industry practice to operate cremators in pairs to mitigate against the above risk.
- 51. Conveyancing to Bournemouth may still be required during periods of peak demand.
- 52. An annual revenue increase of £317k would be incurred in respect of increased staffing numbers, operational, borrowing and utility costs.

**Option Three A: Reinstate now as a crematorium with two gas cremators.**

Benefits

- 53. Would reinstate a resilient proven technology cremation facility at the site, providing Poole and wider North & East Dorset residents with another local and valued asset.
- 54. Would provide the greatest service resilience to maintenance scheduling, breakdowns, and overall service resilience in mitigation to Option 2, Line 49.

55. Would reduce demand on Bournemouth crematorium allowing for an expansion in and greater variation in funeral service time spans thus reducing any perceived pressure on bereaved families to leave the site to allow for the next service during peak demand.
56. Would remove the need for conveyancing resources to Bournemouth crematorium.

### Impacts

57. Would in the short/medium term increase the overall operating cost to the Council that is unlikely to be matched by service marketplace income. Existing cremators at Bournemouth are expected to last at least 7 more years before any future rationalisation could be achieved as cremators cannot be relocated once installed.
58. As alternative providers located nearby continue to be active in the local market environment providing residents with alternative choice not historically available Bereavement Care Services ability to retain market share becomes increasingly challenging impacting the council's ability to deliver a return on investment, extending the payback period.
59. Option would incur increased cost of operating two independently registered cremation sites.
60. An annual revenue increase of £461k pa would be incurred in respect of increased staffing numbers, operational, borrowing and utility costs.

### **Option Three B: Reinstate now as a crematorium with two electric cremators.**

### Benefits

61. Procurement options for cremators was changed from standard gas cremators to now include green alternatives including electric cremators and water (Resomation) being offered on the UK market. Cremation emissions are a substantial proportion of a local authority's CO2 emissions, standing at 161,182kg CO2 per average gas cremator.
62. Electric cremators are being manufactured by DFW Europe in Holland and Germany and have been installed across Europe and in recent years introduced into the UK with supporting UK based maintenance partners. The electric cremators are designed to be highly efficient, reaching optimum cremation temperature and maintaining that temperature for longer periods which then minimises energy consumption. Other UK based crematoria embracing this new technology include Huntington, North Oxford, Hambleton with Lambeth currently evaluating the option.
63. As part of Phase 1's refurbishment plan, the Poole site has had a new heating system installed to replace all gas powered heating and hot water plant with electrical heating and ground source heat pumps, as such the crematorium could legitimately claim to be carbon neutral, which could have major marketing advantages making Poole one of only a few 'greener' crematoria in the UK.
64. By introducing electric-powered cremators Bereavement Care Services could make an important contribution to becoming carbon neutral reducing CO2 levels in the region of 171 tonnes a year, if BCP continues its commitment to purchase electricity produced solely from renewable resources, this would equate to a 2.15% saving of the targeted 7942 (based on 2021 figures) tonnes currently produced annually.

65. UK marketplace research amongst crematoria using this technology has revealed reductions in noise and staffing efficiency gains once infrastructure is embedded and operating at optimum levels.
66. For those planning for their funerals and bereaved families with an interest in green consumerism and sustainability. This option affords BCP Council a unique local market offer. Green consumerism is an ever-increasing market where individuals seek to minimise their impact on the environment.

#### Impacts

67. The purchase and installation cost of electric cremators is on average circa £165,000 more than gas cremators, however, electric cremators are marketed as more cost-effective in terms of energy consumption, if three or more cremations are processed per day. Maintenance must also be considered when calculating overall costs. Electric cremators cause less damage to the lining and therefore are replaced less frequently, however, the financial savings remain currently unknown due to the infancy of electric cremation.
68. An electric cremator is unable to process the same number of cremations per day to that of a gas cremator, being limited to 6 cremations per day, rather than 9 to 10 per day, this however remains viable given current demand of 2000 it could still achieve 3000.
69. There is currently only one European marketplace provider.
70. Would incur greater initial capital outlay.
71. Staff would require operator training to use the new technology.
72. The size of the entrance to the Cremator Room is not large enough for the off-site manufactured cremators to transit through for installation, temporary or permanent modifications would be required to the building. The full extent of these works is not fully understood at this time and therefore comfortable budget estimates have been made which are likely to reduce as more technical detail is gathered.
73. An annual revenue increase of £482k would be incurred in respect of increased staffing numbers, operational, borrowing and utility costs.

**Option Four: Commit to bringing forward the reinstatement of cremators at the Poole Crematorium facility, subject to a continuing review of demand, emerging green technologies and the preferred future location(s) and appropriate timeframe for this investment.**

#### Benefits

74. Provides for a commitment to re-evaluate the industry market position and Bereavement Care services performance at a time when longer term impacts of the opening of the New Milton facility and direct cremation market is more understood/evidencable.

75. Provides assurances to members of the public and other stakeholders of a future commitment to review reintroducing cremators at Poole should the marketplace needs evidence support this.
76. Defers increasing pressure on the existing MTFP by not increasing prudential borrowing and reducing current service surpluses achieved.
77. As detailed in lines 62- 66 the option provides more time to evaluate emerging green technology solutions to support BCP Council's climate and ecological declaration target of 2030. Observing the industry as it further develops and refines the technologies and tests the longevity of equipment, it further allows time for the number of market providers to grow for which Bereavement Care will continue to invite quotations from to inform future financial modelling

#### Impacts

78. Ongoing temporary non reinstatement of a cremation facility at the location will result in a level of local community and Funeral Director disappointment and dissatisfaction in the ongoing loss of a valued asset as evidenced through the public petition and local press articles.
79. A decision would require BCP Council to in the interim:
  - a. Cease using the name 'Poole Crematorium' and rename the facility to comply with the Cremation Regulations.
  - b. Formally serve notice of closure of the site as a Crematorium pursuant to the 2008 Regulations.
80. Would defer Bereavement Care Services ability to progress further CO2 reduction activities to support the council's climate and ecological emergency declaration and risks the potential of realising a unique local marketplace advantage.

#### **Option 5: Closure of the Poole facility with all, cremations & funerals services being held at alternative venues**

Option not taken forward

#### Benefits

81. Reduced operating costs of circa £22k could be realised, after initial decommissioning has been achieved in year one of closure.

#### Impacts

82. A closure of the Poole facility would add additional demand for chapel provision which could not all be accommodated at Bournemouth crematorium thus additional or alternative chapel provision would be required.
83. The main limiter to the number of services that can be held in any one day is chapel capacity, not cremator capacity which can continue to cremate outside of standard service hours.

84. BCP Council would remain responsible for the upkeep of the Poole facility grounds for 75 years as a memorial ground containing scattered and interred cremated remains with interred remains subject to exhumation law if removed.

### **Summary of Financial Implications**

85. Bereavement Care Services was budgeted to generate a surplus of £2.3m in 21/22 with the Crematorium & Cemeteries operations delivering a net income of £1.8m. Since the creation of BCP Council there has been an under-recovery of £602,911 this is due to an historically profiled expected income budget which has not been realigned following Local Government Reorganisation (LGR) in April 2019. In 21/22 this pressure was in part offset by savings of £93,276 achieved on expenditure.
86. The increasing cost of electric and gas supplies will also put an added pressure on the current budget with current forecasts shown as £214k (as at 05/09/2022).
87. Staffing revenue budgets post LGR appear to have been historically short of actual need with the service currently circa £186k . To reintroduce an operational crematorium site at Poole a further £100k of staffing budget would be needed to compliantly operate the site, further impacting surpluses to support the Council's Medium Term Financial Plan (MTFP).
88. The Bereavement Services Business Plan 2020-2026 recognised:
1. That BCP Council had lost a considerable market share within the cremation market because of new burial and cremation facilities at Harbour View located at Lytchett Minster.
  2. It recognised the potential new challenge to its existing market share because of the opening of new crematoria facilities, New Forest Cremation at New Milton
  3. It recognised the growth of direct/unattended cremations by providers outside of BCP Council, Dorset & West Hampshire.
  4. It recognised the need to stabilise the current market held by BCP Council
  5. It did not anticipate the accelerated growth of direct/unattended cremations due to the global pandemic.

It is therefore unlikely that the reintroduction of cremators at Poole at this time, would increase BCP Bereavement Care's market share within a very competitive and already established market. There is consequently little scope with the increase in overheads which would apply to increase income within the current cremation market in the short to medium term.

89. Options 2, 3, and 4 are not part of the current capital programme. Although it is known that the Bournemouth cremators will reach the end of their economic life in about 7 years, the costs of replacement at this point are not known and a full business case is yet to be developed. The option appraisal considerations do not show the cost of any future investment decisions at Bournemouth.
90. With option 2, 3A and 3B all four current cremators at Bournemouth would continue to operate until end of economic life. Option 2, 3A and 3B requires capital investment in Poole now, with investment decisions in Bournemouth to be made in the future.
92. Option 4 does not require any capital investment now. With ongoing evaluation of the marketplace position, monitoring development of emerging technologies and the preferred future location(s) and appropriate timeframe for this investment to be determined.

93. The uplift in revenue implications for Option 3A , replacing two gas cremators at Poole to that in Option 2 is not a straight doubling of cost due to the second cremator being able to utilise the same auxiliary, abatement equipment and management systems that would be needed to operate a single gas cremator.
94. Unless alternative funding sources are identified, capital investment for options 2, 3A, 3B and 4 (although for option 4 timelines are not yet determined) would need to be funded from additional prudential borrowing. Borrowing repayment costs would create additional revenue pressures within the Council's Medium Term Financial Plan (MTFP) (excluding the one of decommissioning costs of £100k) would total annual revenue costs ranging from £317k in option 2 to £482k for option 3B. The revenue costs for option 4 will need to be accurately calculated at the time of forming a decision.
95. Excluding the repayment of prudential borrowing, the revenue implications of options 2 and 3B would be between £206k and £327k. There is no provision in the current MTFP for these additional costs and they would therefore have to be added to the budget pressures currently being identified.
96. The annual prudential borrowing repayments would also need to be added to the MTFP as a pressure for options 2 and 3, these are expected to be between £111k and £155k per annum. As interest rates are currently rising this estimate could increase prior to the scheme being finalised.
97. Following advice from accountancy, decommission cost & fees cannot be capitalised as the CIPFA code of practice confirms in Module 4 that Assets decommissioned should be written off to the Operating Expenditure line in the Comprehensive Income and Expenditure Statement as part of gain or loss on disposal. There is no provision within current revenue budgets to absorb the one-off cost of decommissioning the cremators & associated fees.
98. Currently the Council's borrowing position can accommodate this level of capital spend. Depending on when the investment is transacted the position will need to be reviewed.
99. Cremation services are exempt from VAT which means that a replacement of a cremator will directly impact the Council's partial exemption position. Based on the current projection it is certain that the 5% limit would be breached if the project is delivered within one financial year. This would result in an additional cost of nearly £2.2m representing irrecoverable VAT that the Council would need to repay back to HMRC as a consequence of going over the statutory threshold.
100. Options 2, 3A and 3B are currently proposed to be delivered within one financial year (2023/24). In order to mitigate the risk of breaching the de-minimis limit it is recommended that the timeline for construction phase is reviewed and the costing is equally profited over two accounting periods.
101. With regards to option 4 a detailed VAT analysis would need to be undertaken closer to the time. It is likely that a reduction in public spending and organisational changes would, in the long term, push the Council closer to the 5% threshold. As a result, the replacement of the cremators would either need to be spread over 3 financial years or the Council would need to adopt a 7-year average approach to avoid the resultant cost of irrecoverable VAT.

102. All cremator equipment and maintenance costs have been derived by obtaining quotations from Facultative Technologies (for gas cremators) and DFW Europe (for electric cremators). Both companies are the market leaders in the United Kingdom, with Facultative Technologies having installed cremators for 70% of all 315 crematoria operating in the UK. Depending on which option is adopted, a full procurement tendering exercise will be undertaken to seek best value and confirm costings.
103. The table below summarises the breakdown of cost(s) for the options tabled for consideration:

Table of Options and implications						
(note: financial implications are those additional to any already agreed)						
	Option 1	Option 2	Option 3A	Option 3B	Option 4	Option 5
<b>Description</b>	To continue to promote & market the Poole site as a ceremonial venue only	Install a single cremator at Poole	Install two gas cremators at Poole now	Install two electric cremators at Poole now	Commit to bringing forward the reinstatement of cremators at the Poole Crematorium facility, subject to a continuing review of demand, emerging green technologies and the preferred future location(s) and appropriate timeframe for this investment.	Close the Poole facility, with cremations/services taking place at alternative venues
<b>Timeline</b>	Immediate	Commence & complete 23/24	Commence & complete 23/24	Commence & complete 23/24	Review to continue. Decision required in advance of existing Bournemouth facilities nearing end of life	Realised 22/23
<b>Benefits</b>	In place, improvement works budgeted for	Reinstates a cremator facility at Poole. Potential for greater variation in funeral slot times	Reinstates a cremator facility at Poole. Potential for greater variation in funeral slot times	Reinstate cremator facility at Poole. Potential for greater variation in funeral slot times. Improved CO2 emissions. Expected reduction in utility costs.	Allows time to re-evaluate the market to determine longer term impact, greatest future commitment to CO2 reduction, defers increasing pressure on MTFP.	Reduction in operating costs
<b>Impacts</b>	Permanent change of name required, decommission of cremators	Capital investment needed now, additional operating costs without guarantee of increased income. High risk resilience issue with only one cremator	Capital investment needed now, additional operating costs without guarantee of increased income. Greater resilience.	Capital investment needed now, additional operating costs without guarantee of increased income. Improved CO2 emissions. Still relatively new technology.	Local FDs and community dissatisfaction. Temporary/interim renaming of facility required, decommissioning of old cremators required.	Increased demand for ceremonies at Poole, additional facilities likely required (no costings included). Ongoing legal memorial grounds responsibility for 75 years
<b>Capital Investment</b>	<b>£'000</b>		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Site Preparation			20	20	Unable to determine costs at this early stage for investment in 2027-28.	
Alterations				250		
Connections				50		
Supply and install two cremators (includes yr 16 upgrade for gas cremators)		1,112	1,485	1,503		
Re-brick work (gas cremators yr 7/electric cremators yr 12)				34		
Fees				50		
Sub-total		1,112	1,505	1,907		0
20% Contingency		222	301	381		0
<b>Total capital costs</b>		<b>1,334</b>	<b>1,806</b>	<b>2,288</b>		<b>0</b>
<b>Revenue Implications</b>						
Employee costs		100	100	100	tbc	0
Utility costs		73	146	162	tbc	(22)
Maintenance/servicing		33	65	65	tbc	0
Prudential Borrowing Repayments*		111	150	155		0
<b>Total annual revenue costs (year 2 onwards)</b>	<b>0</b>	<b>317</b>	<b>461</b>	<b>482</b>	<b>tbc</b>	<b>(22)</b>
One-off cost to decommission existing cremators	100	100	100	100	100	100
Total year 1 revenue costs (excl Prudential borrowing repayments)	100	306	411	427	tbc	78
*cost of borrowing at 'medium' risk rate would be 6%.						

## **Summary of Legal Implications**

104. There is no statutory duty on a local authority to provide burial or cremation facilities, but if they do so, the management is governed by the Local Authorities' Cemeteries Order 1977 and the 2008 Regulations. Local authorities are defined as burial authorities and/or cremation authorities and given the power to provide services by virtue of the Local Government Act 1972.
105. The Cremation (England and Wales) Regulations 2008, state that the cremation authority must ensure that a crematorium is:
- a. maintained in good working order
  - b. provided with a sufficient number of attendants
  - c. kept in a clean and orderly condition.
106. If the site does not remain a crematorium and in order to comply with the 2008 Regulations, the Council must serve notice that it no longer remains a crematorium. It can continue to market the location for services and committals only, with the crematorium being Bournemouth.
107. The Council should if a decision to defer an investment decision is taken undertake the necessary steps to formally change the operating status of the site pursuant to the Regulations (Cremation (England and Wales) Regulations 2008 to include the publication of required notices and notification to the secretary of state. The Council can at a future date apply to reintroduce the cremation facility through the same Regulations.

## **Summary of Human Resources Implications**

108. An individual crematorium must be certified and licenced as a stand-alone facility for the cremation and disposal of human remains in compliance with the Cremation England and Wales) Regulations 2008.
109. As such the site must be provided with sufficient, trained, and competent staff who must be present when active cremations are being undertaken.
110. The two crematorium sites managed by BCP Council could therefore not be operated under a single licence, but the sharing of resources, IT systems and ancillary services would be possible, with an uplift in staffing resources to facilitate the management of two separate facilities.
111. It is anticipated this would require an additional:
- 2 x Crematorium Technicians
  - 2 x Ceremonial Attendant
112. It is anticipated that if all conveyancing from Poole Crematorium ceases, members of staff currently undertaking this role, could be redeployed to 2 of the roles highlighted above. This has been reflected in the financial modelling.

## **Summary of Sustainability Impact**

113. A full Decision Impact Assessment has been undertaken, ID 412 resulting in the identification of two major negative impacts.

114. Every cremation produces NO<sub>x</sub> due to the coffin materials used by manufacturers – both nitrogen monoxide and nitrogen dioxide – the same air polluting chemicals released by diesel cars. The latest figures published in Pharos, the cremation industry's house magazine, show that just one cremation emits approximately 500g of NO<sub>x</sub> gas.
115. An electric cremator produces 50-80% less CO<sub>2</sub> emissions than the gas cremator, the range is dependent on the number of cremations processed per day and energy tariff used and produces 33% less NO<sub>x</sub> emissions. Alternative fuels, such as hydrogen blend and biogas may be feasible in reducing emissions in certain cases, however, they are not viable solutions for the UK industry at this time.

### **Summary of public health implications**

116. This report continues to support the work that Bereavement Services undertakes within the community in delivering a range of services, which provides the appropriate closure at a time of heightened emotional distress and supports a healthier grief recovery process.

### **Summary of equality implications**

117. An Equality Impact Conversational Tool has been completed and reviewed by the Equality Panel. The options presented in this report either seek to maintain service levels as they are or increase provision. There are no significant negative equality impacts on protected characteristics that have been identified with service users retaining access to both local authority and private sector marketplace providers delivering local and national facilities.

### **Summary of Risk Assessment**

118. Current live potential non-compliance with Crematorium Regulations 2008 by continuing to use the name 'Crematorium' when signposting to the Poole facility when no working equipment is in operation at the site currently.
119. Remain open to legal challenge by market competitor as to the use of the term "Crematorium" at Poole.
120. Any investment decision at this time would result in an increase in unsupported revenue spend and impact of the Council's Medium-Term Financial Plan.
121. The public petition shows that a proportion (3,172 as at 10.09.22) of BCP residents and the wider population have expressed a keen interest in reinvestment in the facility, a decision to await a wider BCP conurbation review or not invest may result in reputational impacts and a potential element of future loss of customer base if, as a result potential service users chose to use other marketplace providers that offer onsite cremation.










### **Appendices:**

1. Decision Impact Assessment Final Report DIA412
2. EIA Conversation Screening Tool




**Proposal Title:** Investment Decision on Poole Crematorium

## Impact Summary

Climate Change & Energy	Red - Major negative impacts identified	
Communities & Culture	Green - Only positive impacts identified	
Waste & Resource Use	Green - Only positive impacts identified	
Economy	Green - Only positive impacts identified	
Health & Wellbeing	Green - Only positive impacts identified	
Learning & Skills	Green - Only positive impacts identified	
Natural Environment	Red - Major negative impacts identified	
Sustainable Procurement	Amber - Minor negative impacts identified / unknown impacts	
Transport & Accessibility	Amber - Minor negative impacts identified / unknown impacts	

Answers provided indicate that the score for the carbon footprint of the proposal is: **7.5**

Answers provided indicate that the carbon footprint of the proposal is:	<b>Moderate</b>	
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**Proposal Title:** Investment Decision on Poole Crematorium

Proposal ID: **412**

Proposal Title: **Investment Decision on Poole Crematorium**

Type of Proposal: **Service**

Brief description:

**Bereavement Services business plan phase one progress report and future options appraisal for Poole Crematorium facility**

Proposer's Name: **Andy Mcdonald**

Proposer's Directorate: **Environment & Community**

Proposer's Service Unit: **Environment**

Estimated cost (£): **Between £25K and OJEU threshold**

If known, the cost amount (£): **£1.5 to £2M**

Ward(s) Affected (if applicable):

**All Wards    Canford Cliffs**

Sustainable Development Goals (SDGs) supported by the proposal:

**1. No Poverty    3. Good Health and Well Being    5. Gender Equality    7. Affordable and Clean Energy    9. Industry, Innovation and Infrastructure    10. Reduced Inequalities    11. Sustainable Cities and Communities    12. Responsible Consumption and Production    15. Life On Land**

**Proposal Title:** Investment Decision on Poole Crematorium

## Climate Change & Energy

Is the proposal likely to have any impacts (positive or negative) on addressing the causes and effects of climate change? **Yes**

If the answer was No, then the explanation is below (in this case there are no answers to subsequent questions in this section):

- 1) Has the proposal accounted for the potential impacts of climate change, e.g. flooding, storms or heatwaves? **Yes**
- 2) Does it assist reducing CO2 and other Green House Gas (GHG) emissions? E.g. reduction in energy or transport use, or waste produced. **No**
- 3) Will it increase energy efficiency (e.g. increased efficiency standards / better design / improved construction technologies / choice of materials) and/or reduce energy consumption? **Yes**
- 4) Will it increase the amount of energy obtained from renewable and low carbon sources? **Partially**

How was the overall impact of the proposal on its ability to positively address the cause and effects of climate change rated?

**Red - Major negative impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The potential reintroduction of gas fired cremators at Poole would have a negative impact. Alternative provision such as electric or water cremation, whilst having a lower impact would still require an increase in energy consumption, although this may be able to be obtained through a greener supply chain. There is currently an over supply of cremators in Dorset/West Hampshire which exceeds the number of deaths within the region by 2.5:1**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Long term we may be able to reduce the number of cremators at Bournemouth crematorium in line with the proposed increase at Poole Crematorium. New modern equipment such as cremators and heat recovery technology will deliver better energy efficiency. Air conditioning and cooling to be included (benefit of newer equipment). Environment and climate change regulations (Environment Bill 2020) will have an impact on the plan/service e.g. NOx abatement. Compliance with the Environment Bill and other relevant legislation/regulations. Industry best practice. Consultation and engagement e.g. APSE. Training and use of equipment will have an impact on energy efficiency and emissions production**

**Proposal Title:** Investment Decision on Poole Crematorium

## Communities & Culture

Is the proposal likely to impact (positively or negatively) on the development of safe, vibrant, inclusive and engaged communities? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it help maintain and expand vibrant voluntary and community organisations? **Yes**
- 2) Will it promote a safe community environment? **Yes**
- 3) Will it promote and develop cultural activities? **Yes**

How would the overall impact of the proposal on the development of safe, vibrant, inclusive and engaged communities be rated?

**Green - Only positive impacts identified**



Reasoning for the answer (details of impacts including evidence and knowledge gaps):

**It will allow those with a greater attachment to Poole to use a local crematorium. Ongoing maintenance and aesthetic appearance of public realm/cemeteries spaces will enhance feeling of safety and a sense of wellbeing. Bereavement services provides f or all communities and provide a space/opportunity for cultural activities e.g. funerals, bereavement. Supports cultural and religious activities and wellbeing.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

N/A

**Proposal Title:** Investment Decision on Poole Crematorium

## Waste & Resource Use

Is the proposal likely to have any impacts (positive or negative) on waste resource use or production and consumption? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it prevent waste or promote the reduction, re-use, recycling or recovery of materials? **Yes**
- 2) Will it use sustainable production methods or reduce the need for resources? **Don't know even though may be relevant**
- 3) Will it manage the extraction and use of raw materials in ways that minimise depletion and cause no serious environmental damage? **Partially**
- 4) Will it help to reduce the amount of water abstracted and / or used? **Partially**

How would the overall impact of the proposal on the sustainable production and consumption of natural resources be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**Cremation is a form of recycling which reduces the reliance on burial. Burial having a far greater impact on material usage and land usage. Residue to be collected and disposed. Plaques refurbished when possible. Opportunities to reduce resource use e.g. coffins and associated materials. Shrouded cremations are being encouraged. Water use only in grounds maintenance/buildings - grey water being collected and used on site where possible.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**We are exploring the use of alternative disposal technology. Continue to following regulations and industry best practice.**

**Proposal Title:** Investment Decision on Poole Crematorium

## Economy

Is the proposal likely to impact (positively or negatively) on the area's ability to support, maintain and grow a sustainable, diverse and thriving economy? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will the proposal encourage local business creation and / or growth?

**Yes**

- 2) Will the proposal enable local jobs to be created or retained?

**Yes**

- 3) Will the proposal promote sustainable business practices?

**Yes**

=How would the overall impact of the proposal on it's potential to support and maintain a sustainable, diverse and thriving economy be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The addition of cremators back at Poole will require additional human resources and assist the local funeral directors in choosing Poole, over other local competition (based outside of BCP Council) within the sector. The reintroduction and expansion of the service will provide opportunities for increased jobs. Bereavement Services supports a wide variety of services and businesses e.g. florists, funeral directors etc.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**N/A**

**Proposal Title:** Investment Decision on Poole Crematorium

## Health & Wellbeing

Is the proposal likely to impact (positively or negatively) on the creation of a inclusive and healthy social and physical environmental for all? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will the proposal contribute to improving the health and wellbeing of residents or staff?  
**Yes**
- 2) Will the proposal contribute to reducing inequalities?  
**Yes**
- 3) Will the proposal contribute to a healthier and more sustainable physical environment for residents or staff? **Partially**

How would the overall impact of the proposal on the creation of a fair and healthy social and physical environmental for all be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The provide additional choice, be reassuring for familys and improve mental well being at a time of consdierable stress The contiuned maintenance of teh grounds will give residents the sense of physical and mental wellbeing. Access to tranquil open green spaces and encouragement of walking. Promotion of biodiversity and high quality natural environments.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Ongoing monitoring of benefits and impacts**

**Proposal Title:** Investment Decision on Poole Crematorium

## Learning & Skills

Is the proposal likely to impact (positively or negatively) on a culture of ongoing engagement and excellence in learning and skills? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it provide and/or improve opportunities for formal learning?  
**Yes**
- 2) Will it provide and/or improve community learning and development?  
**Yes**
- 3) Will it provide and/or improve opportunities for apprenticeships and other skill based learning? **Yes**

How would the overall impact of the proposal on the encouragement of learning and skills be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**Will open up new opportunities for training within the Bereavement Sector. Service will support ongoing learning and development of staff and community volunteers. Apprenticeships, training, mentoring and coaching to enable succession planning.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Apprenticeships, training and staff development already being delivered - this will be further supported through this plan e.g. grounds maintenance, administration, Diploma in Crematorium and Cemetery Management. to enable the operation of twin site crematorium Crematorium Technicians and other staff require specific qualifications.**

**Proposal Title:** Investment Decision on Poole Crematorium

## Natural Environment

Is the proposal likely to impact (positively or negatively) on the protection or enhancement of local biodiversity or the access to and quality of natural environments? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it help protect and improve biodiversity i.e. habitats or species (including designated and non-designated)? **No**
- 2) Will it improve access to and connectivity of local green spaces whilst protecting and enhancing them? **No**
- 3) Will it help protect and enhance the landscape quality and character?  
**No**
- 4) Will it help to protect and enhance the quality of the area's air, water and land? **No**

How would the overall impact of your proposal on the protection and enhancement of natural environments be rated?

**Red - Major negative impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The introduction of gas fired cremators will impact on air quality and increased carbon emissions, from current situation**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**We are seeking alternative solutions to gas fired cremation, including electric and water cremation. The technology is very much in its infancy and may not as reliable or perceived acceptable as the current methods of disposal. Enhancing and protecting natural environments through ongoing maintenance, development and sustainable practice of cemeteries and buildings. Bird boxes and feeders, bug and hedgehog hotels supported. Opportunities to introduce other species such as goats. Tree planting. Natural burials and burial grounds.**

**Proposal Title:** Investment Decision on Poole Crematorium

## Sustainable Procurement

Does your proposal involve the procurement of goods, services or works? **Yes**

Has or is it intended that the Strategic Procurement team be consulted? **Yes**

**– planning to discuss**

If the Strategic Procurement team was not consulted, then the explanation for this is:

- 1) Do the Government Buying Standards (GBS) apply to goods and/or services that are planned to be bought?

**Partially**

- 2) Has sustainable resource use (e.g. energy & water consumption, waste streams, minerals use) been considered for whole life-cycle of the product/service/work? **Yes**

- 3) Has the issue of carbon reduction (e.g. energy sources, transport issues) and adaptation (e.g. resilience against extreme weather events) been considered in the supply chain?

**Partially**

- 4) Is the product/service fairly traded i.e. ensures good working conditions, social benefits e.g. Fairtrade or similar standards?

**Don't know even though may be relevant**

- 5) Has the lotting strategy been optimised to improve prospects for local suppliers and SMEs?

**No**

- 6) If aspects of the requirement are unsustainable then is continued improvement factored into your contract with KPIs, and will this be monitored? **Partially**

How is the overall impact of your proposal on procurement which supports sustainable resource use, environmental protection and progressive labour standards been rated?

**Amber - Minor negative impacts identified / unknown impacts**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**Cremators can only be sourced and installed by a very limited and specialist number of suppliers. Any additional works, including building works can be sourced In House using local labour and suppliers Business efficiency and sustainability over a prolonged period of time are key driver of the service.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Works will be in conjunction with Strategic Procurement to meet the aims of sustainable procurement where possible**

**Proposal Title:** Investment Decision on Poole Crematorium

## Transport & Accessibility

Is the proposal likely to have any impacts (positive or negative) on the provision of sustainable, accessible, affordable and safe transport services - improving links to jobs, schools, health and other services? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it support and encourage the provision of sustainable and accessible modes of transport (including walking, cycling, bus, trains and low emission vehicles)?

**Partially**

- 2) Will it reduce the distances needed to travel to access work, leisure and other services? **Partially**

- 3) Will it encourage affordable and safe transport options?

**Partially**

How would the overall impact of your proposal on the provision of sustainable, accessible, affordable and safe transport services be rated?

**Amber - Minor negative impacts identified / unknown impacts**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**This may reduce the need to travel greater distances from West BCP Council, rather than Bournemouth Crematorium. This applies to both Families, staff and funeral directors - Funerals are generally attend by extended families who may travell considerable distances to celebrate a loved ones life, in which circumstance negates sustainable travel options**

Details of proposed mitigation and monitoring (inc. timescales, responsible officers, related business plans etc):

N/A

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## Equality Impact Assessment: Conversation Screening Tool

<b>What is being reviewed?</b>	The current operating status of Poole site commonly known as Poole Crematorium.
<b>What changes are being made?</b>	<p>A decision on the current operating status of the site.</p> <p>There is no statutory duty on a local authority to provide burial or cremation facilities. The bereavement industry and in particular cremation services are offered to the public marketplace through a mixed provision model of both Local Authority and Private Sector providers.</p> <p>Poole Crematorium stopped cremating in April 2020 due to the age of the equipment and associated safety concerns. A pre-planned contingency arrangement was implemented involving the conveyancing of deceased following services at Poole to Bournemouth Crematorium for cremation. This enabled the Council to continue offering Poole as a choice venue for families to arrange their final goodbye moment. The arrangement in Poole has continued to operate to date with local funeral directors continuing to make bookings for services at the site with in-house conveyancing undertaken.</p> <p>Options tabled:</p> <ul style="list-style-type: none"> <li>• <b>Option 1</b> continue to operate as a ceremonial venue only. Undertaking the necessary steps to change the operating status of the site as a ceremonial only venue pursuant to the Cremation (England and Wales) Regulations 2008</li> <li>• <b>Options 2, 3A &amp; 3B</b> invest now in reinstating cremator(s) at the Poole site thereby enabling the site to once again provide cremations to service users on site and in accordance with the Regulations to continue to legally use the name 'Poole Crematorium'</li> <li>• <b>Option 4</b> (recommended) commit to bringing forward the reinstatement of cremators at the Poole Crematorium facility, subject to a continuing review of demand, emerging green technologies and the preferred future location(s) and appropriate timeframe for this investment. Undertaking the necessary steps to temporarily change the operating status of the site as a ceremonial only venue pursuant to the Cremation (England and Wales) Regulations 2008 during this period.</li> </ul>
<b>Service Unit:</b>	Environment / Bereavement Services
<b>Participants in the conversation:</b>	Kate Langdown – Director of Environment; Andy McDonald – Head of Parks & Bereavement Services; Liz Hall – Bereavement, Coroners & Mortuary Manager
<b>Conversation date/s:</b>	02 July 2022, 25 August 2022 & 02 September 2022

<p><b>Do you know your current or potential client base? Who are the key stakeholders?</b></p>	<p>Citizens of Bournemouth, Christchurch, and in particular Poole including neighbouring areas. Funeral Directors Religious Groups Religious Funeral Celebrants</p>
<p><b>Do different groups have different needs or experiences?</b></p>	<p>Through BCP Bereavement Care individuals and families can:</p> <ul style="list-style-type: none"> <li>• decide the form of any ceremony they choose to have</li> <li>• choose a religious, humanist or civil ceremony</li> <li>• choose a ceremony that reflects any religious beliefs or multicultural traditions</li> </ul> <p>BCP Council have a responsibility under Section 46 of the <a href="#">Public Health (Control of Disease) Act 1984</a> to plan and pay for Public Health Funerals when there are no known relatives or friends willing or able to make the funeral arrangements. This could lead to an increase in 'demand' for Council Public Health funerals.</p> <p>Residents on low incomes can find funding funerals difficult and will borrow or loan funds to pay for funeral services that they can ill afford. This in turn can lead to increased levels of 'Funeral Poverty'. Families that are claiming certain benefits or tax credits can apply for a <a href="#">Funeral Expenses Payment</a> which will help towards some, not all, of the cost of a funeral. BCP Bereavement Care offers a range of advice and packages including Direct Cremations to support families during their time of loss.</p> <p>Historically the purpose of most religious funerals was to aid the deceased in their passage to the next life, and this remains an important factor for many religious groups with certain protocols or rites being carried out prior to the actual funeral taking place, during and after. In more recent times, and in more secular funerals, the emphasis has shifted towards providing comfort and support for the bereaved. However, there are primary faith groups within our communities that remain committed to the rites of their particular faith group and as a bereavement service we work in tandem with faith group leaders to ensure their faith groups feel supported within the community when experiencing bereavement. Some faith groups prefer burial over cremation and vice-versa with members of the certain faith groups preferring expedient burial following a death of a faith member. The faith groups that we currently support include:</p> <ul style="list-style-type: none"> <li>• Christian and Protestant Church</li> </ul>

	<ul style="list-style-type: none"> <li>• Roman Catholic &amp; Orthodox Church</li> <li>• Islam</li> <li>• Judaism (Chabbad, Orthodox, Liberals &amp; Reform)</li> <li>• Hinduism</li> <li>• Sikhism</li> <li>• Buddhism</li> </ul> <p>These arrangements and ongoing support would not change as a result of any of the options being considered.</p>
<b>Will this change affect any service users?</b>	<p>The decision to install or not to install new cremators at Poole now or in the future will have no negative impact on any protected characteristics. Including:</p> <ul style="list-style-type: none"> <li>• age</li> <li>• gender reassignment</li> <li>• being married or in a civil partnership</li> <li>• being pregnant or on maternity leave</li> <li>• disability</li> <li>• race including colour, nationality, ethnic or national origin</li> <li>• religion or belief</li> <li>• sex</li> <li>• sexual orientation</li> <li>• armed forces community</li> <li>• human rights</li> </ul> <p>As stated earlier, Funeral Poverty could impact on those with low income/socio economic status, however this can be mitigated through Funeral Expenses Payment, less costly options for services such as a direct or unattended cremation or through a referral made for a Public Health Funeral.</p> <p>A decision to take forward Option 1 or 4 could negatively impact Funeral Directors and Celebrants whose potential customers may choose to use alternative providers such as Harbour View if cremators are not reinstated at Poole in the medium term.</p> <p>Individual mental health can be impacted during a period of bereavement and grief including the responsibilities of overseeing funeral arrangements. Clear guidance and support is made available to all experiencing a bereavement with signposting to support agencies where appropriate. Death needs to be discussed more openly and we are encouraging communities to talk more openly about death, grief and the various support mechanisms in place to alleviate the isolating impact grief can have on mental and emotional wellbeing.</p>

<p><b>What are the benefits or positive impacts of the change on current or potential users?</b></p>	<p>The decision to install cremators if made will deliver benefits that are not linked to the protected characteristics but may support individual or family choice and local funeral director businesses who may have potentially been losing a % of customers to other providers.</p>
<p><b>What are the negative impacts of the change on current or potential users?</b></p>	<p>None of options presented have negative impacts on a protected characteristic group.</p> <p>If the decision is made not to install or to continue evaluating installation decisions the current operational arrangement with in-house conveyancing will continue to be offered which is a service that has been in place for 2 years. The marketplace is subject to a changing environment and increased competition for which long term impacts are yet to be fully understood. For example increase in direct cremation market and associated pricing.</p> <p>A number of written complaints and comments from certain community groups regarding the non-cremating status of the Poole site have been received. The local National Association of Funeral Directors have made a number of representations on the installation of new cremators at Poole together with the local Churches Together Association with a limited number of personal written comments received by local residents. The essence of the complaints focuses on the committal and cremation together at the same site ie. rite of committal followed by cremation onsite without the need to transport the deceased to Bournemouth Crematorium for cremation. There is no legislation prohibiting this and the deceased is treated with respect and dignity at all times when conveyancing arrangements are undertaken.</p> <p>A public 'Save Poole Crematorium' online petition has been set up which has been led by a local retired businessman which is supported by the local funeral director, F C Douch &amp; Sons. This arrangement in no way impacts negatively on the protected characteristics but is one of personal opinion and belief.</p> <p>Funeral Directors are the first point of contact for most families experiencing a bereavement, and our service relies on the information imparted to grieving families at this point. This includes information regarding the operating status of the site. Residents are still given the choice to select the Poole site to hold their 'final goodbye moment' or 'celebration of life' services. We rely on funeral directors to advise families choosing Poole for their service to notify them that their loved one will not be cremated onsite at Poole. All supporting documentation required to be completed by the family clearly advises the coffin conveyancing arrangement</p>

	in place which should be further emphasised by the funeral director.
<b>Will the change affect employees?</b>	Additional staff would need to be recruited in order to operate two sites as a crematorium compliantly under current legislation and according to the ICCM's Code of Cremation Practice.
<b>Will the change affect the wider community?</b>	<p><b>Option 1</b> may result in fewer families choosing Poole as a venue of choice, impacting local funeral directors however numbers over the last two years indicate demand as a ceremonial facility remains evident.</p> <p><b>Option 2, 3A and 3B</b> may result in more families choosing Poole as a venue of choice if the cremation takes place onsite without the need for conveyancing , but will be subject to wider marketplace competition.</p> <p><b>Option 4</b> as per option 1 may result in fewer families choosing Poole as a venue of choice in the interim, impacting some local funeral directors until wider investment decisions are determined, however numbers over the last two years indicate demand as a ceremonial facility remains evident.</p>
<b>What mitigating actions are planned or already in place for those negatively affected by this change?</b>	<p>No negative impacts have been identified on the protected characteristics therefore there are no mitigating actions required.</p> <p>BCP Bereavement Care Services is one of a number of marketplace providers. BCP currently operating a crematorium facility (with 4 cremators) located at Bournemouth and the current ceremonial facility at Poole with conveyancing arrangement to Bournemouth. Together comfortably serving the level of market demand experienced.</p> <p>The wider market provides individuals and families with further choice of facilities including nearby privately operated Harbour View, New Milton and Local Authority run facilities at Weymouth, Southampton and Salisbury.</p>
<b>Summary of Equality Implications:</b>	<p>In summary there is no statutory requirement for BCP Council to provide Crematorium facilities within the conurbation. At present BCP Council provides an operating crematorium facility (with 4 cremators) located at Bournemouth and the current ceremonial facility at Poole with conveyancing arrangement to Bournemouth.</p> <p>Option 1 would see a continuation of current operating practice and would not see any impact to any protected characteristic group. It may negatively impact some local marketplace funeral directors customer base.</p>

	<p>Option 2, 3A &amp; 3B would not see any impact to any protected characteristic group and may increase the number of individuals and families opting to use the facility and in turn local funeral director businesses, however this not guaranteed and would be subject to wider marketplace competition.</p> <p>Option 4 would not see any impact to any protected characteristic group but allow for a future wider investment decision to be made to meet the needs of the whole BCP Community with a continuing review of the location(s) of these installations and marketplace need. It may negatively impact some local marketplace funeral directors customer base in the medium term</p>
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Form Version 1.2

## Place Overview and Scrutiny



Report subject	<b>Bournemouth Development Company LLP Update</b>
Meeting date	21 September 2022
Status	Public Report
Executive summary	<p>Bournemouth Development Company LLP (“BDC”) is a joint venture between BCP Council and MUSE Developments Limited a subsidiary of Morgan Sindall Group plc.</p> <p>As a result of the 7 September 2022 Cabinet Finance Update Muse as Development Manager to BDC are reviewing and updating the Partnership Business Plan (PBP) funding strategy and work programme. It is expected that the PBP will be brought to a future Cabinet for consideration.</p> <p>The purpose of this report therefore is to provide an update on current BDC project activity and note the actions which flowed from an independent review of the BDC governance structure conducted by Local Partnership in March 2021.</p>
<b>Recommendations</b>	That the Overview and Scrutiny Place Committee review this update report and provide any advice or recommendations to Cabinet as they see fit.
Reasons for recommendations	<p>Cabinet on 7 September 2022 budget paper approved a recommendation that no new financial commitments will be made until such time as there is a balanced budget for 2023/24 other than with the specific agreement of the Chief Finance Officer in consultation with the Portfolio Holder for Finance.</p> <p>The BDC Partnership Business plan (PBP) project priorities, funding strategies and work programme are currently being reviewed in light of this recommendation.</p> <p>Whilst no Cabinet decision is contemplated at this time, the committee has requested an update report.</p> <p>The aim of the independent review, conducted by Local Partnerships was commissioned by the Council’s chief Executive to ensure greater clarity on roles, transparency and accountability in the relationship between the Council and BDC LLP.</p>

Portfolio Holder(s):	Councillor Philip Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning.
Corporate Director	Graham Farrant, Chief Executive
Report Authors	Sarah Longthorpe, Director of Delivery Regeneration Martin Tiffin, Town Centre Vision Programme Leader
Wards	Bournemouth Town Centre
Classification	For Update

## Background

1. The Bournemouth Development Company LLP (BDC) was set up in 2011 by Bournemouth Borough Council as a joint venture (JV) through a limited liability partnership structure ("LLP") between the Council and Morgan Sindall Investments (MSIL).
2. The BDC PBP sets out the strategic direction of BDC over the next five years, with a particular emphasis on the nature and extent of development activity BDC will undertake during the forthcoming year.
3. The Council has reserved the right under the LLP embers agreement to approve the annually updated BDC business plan which highlights the next steps to be undertaken on sites which are currently in the development phase and those which are earmarked for development but yet to enter the development cycle.
4. On 7 September 2022 Cabinet approved a finance update paper which included a recommendation that no new financial commitments will be made until such time as there is a balanced budget for 2023/24 other than with the specific agreement of the Chief Finance Officer in consultation with the Portfolio Holder for Finance.
5. It is not known as this stage whether this decision may have wider viability and development programme implications for the sites within the development cycle, such as Eden Glen and Cotlands Road. Muse as Development Manager require time to review these project timelines, viability and funding strategies.
6. Muse has highlighted that the approval of the new PBP is not time critical as the current BDC PBP dated May 2021 is a 5-year plan and therefore sets out the strategic direction and objectives to the period ending April 2026.
7. Each year BDC holds a strategy day in order to identify the joint ventures key strategic objectives, capture its key priority sites and identify constraints to its developments which in turn informs the business plan. This year the strategy day was held on 4 July and key members of BDC LLP board and BCP senior officers attended alongside representatives from BCP FuturePlaces Ltd (FuturePlaces).

8. FuturePlaces were invited to attend the strategy day to ensure collaboration between BCP Council's key delivery partners on the regeneration of its strategic sites in Bournemouth town centre and realisation of the Council's Big Plan ambition.
9. This year prior to and in order to inform the strategy day a series of deep dive workshops were held to identify the constraints to delivery and work through solutions that will unlock delivery of the key priority sites, Eden Glen, Cotlands and Central.
10. The strategy day identified that a consistent constraint to progressing development on the majority of BDC sites is the requirement for the re-provision of public car parking within the developments.
11. In order to unlock this issue, a selective parking study is being commissioned by FuturePlaces to consider the current and future parking capacity requirements for Bournemouth Town Centre and the Lansdowne ahead of the new Local Plan and wider Strategic parking review for the BCP conurbation. It is intended that this study will inform where retained parking should be consolidated to support present and predicted demand. In turn this will assist BDC to identify how it can work with the Council to enable redevelopment of its option sites and accelerate the pace and scale of delivery.

## **Current BDC schemes – Progress report**

### **West Cliff Mansions, Durley Road**

12. Work commenced on site in January 2021 to deliver 44 new 1,2,3 bed homes to be available for sale on the open market. The scheme is scheduled for completion in Autumn 2022. As at beginning of July 2022 contracts have been exchanged on 100% of the homes off plan.
13. The on-site marketing office opened in June 2021 and the scheme was immediately well received by prospective purchasers. BDC report that after 12 months of marketing, contracts have been exchanged on the final apartment meaning that the scheme has been sold 100% off plan at prices in excess of the approved business plan projection. This highlights the appeal of Bournemouth as a place to live for a variety of homeowners including first time buyers, those living in the conurbation already and those looking to relocate to the town centre.
14. The Project is due to reach practical completion in November 2022 with the first residents moving in shortly thereafter. The final outturn profit will be known once the final account is agreed. This is likely to be in June/July 2023. Currently the scheme is expected to generate a profit of circa £2.5 million. It will be a BDC board decision as to how this profit is allocated in accordance with the terms of the LLP Members Agreement.

### **Winter Gardens**

15. A comprehensive project update was provided in a report to the Place Overview and Scrutiny Committee on 16 June 2022. A brief summary is included below.

16. Demolition works have recently been completed to the Exeter Road properties and the Valentino's Kiosk. This enabling work has implemented the planning consent for the Winter Gardens scheme which had been due to expire in November 2021. The demolition of the buildings also helped to address anti-social issues in the area and significantly reduce on-going costs associated with the vacant properties.
17. The enabling demolition works have cleared part of the development site along Exeter Road and created an opportunity to get some meanwhile uses on the site that will provide economic benefit and stimulate an active frontage to Exeter Road. The Council, supported by Muse as Development Manager and FuturePlaces are working together to identify potential uses/market interest.
18. The "Option Execution Date" for this site, which fell 3 years after the date of planning consent expired in March 2022. It is therefore recommended that the "Option Execution Date" is extended out to April 2024.
19. This extension will enable FuturePlaces to continue to consider the regeneration of this area within a wider strategic context and determine if there are value optimisation and place making benefits of linking this site to the Council's proposals to invest in an improved, bespoke conference facility. It is appropriate to consider if the sites should be refurbished or developed collectively rather than in isolation to see if this would result in a wider more beneficial regeneration scheme.
20. FuturePlaces will consider the following key elements as part of a wider area redevelopment as an alternative to the refurbishment of the BIC;
  - Reprovisioning of Conference and exhibition (CONFEX) element of BIC within Winter Gardens site to include a seminar hall that can double as music venue with state of the art break out and streaming/production facilities;
  - Release of the existing waterfront BIC site, with optimised proposals for a high quality hotel, apart-hotel and residential scheme with ground and upper floor elements to provide public spaces, related commercial, leisure and F&B;
  - Reprovision of large-scale events space – locational and opportunity analysis in process.
  - A more integrated approach to the redevelopment of the seafront & Bournemouth ARC.
21. An outline business case is expected from FuturePlaces at the end of 2022. Both BCP FuturePlaces and BDC are committed to supporting the Council's Big Plan and delivering a viable scheme for Bournemouth.

## **Emerging Schemes - Key Priority Sites**

### **Eden Glen**

22. BDC are currently progressing design proposals for a residential led scheme comprising circa 50-60 homes, with active ground floor use. A viability assessment is currently being undertaken alongside seeking current residential market advice. The site could accommodate a build to rent offer and subject to due diligence and further Council approvals there is an opportunity for the Council to invest in this housing scheme following on from the success of Treetops at St Stephens Road and Caters

Quay in Poole, and increase its build to rent portfolio, managed by Seascope Homes and Property Limited.

23. It is anticipated that a paper outlining this opportunity will be brought forward to Cabinet for consideration once the Council has achieved a balanced budget for 2022/23. As previously proposed by BDC in their adopted Site Development Plan, the scheme would be delivered without reprovision of public parking spaces on the site.

### **Cotlands Road**

24. Over the past 10 years within the conurbation approximately 1 million sq ft of office accommodation, representing circa 25% of the conurbations purpose-built office stock has received planning permission for a change of use. Some of this aging stock has already been redeveloped, and some is at risk of redevelopment to another use in the future. There is a significant lack of investment in new Grade A offices with very little new stock coming to the market in the past 20 years. This is having a significant impact on office occupiers' choice. Working with the Council, BDC are looking to make a significant investment in the delivery of new, Grade A office accommodation to meet the needs of existing corporate partners in the conurbation and attract new employers/organisations which is seen as central to the ongoing regeneration of the Lansdowne area.
25. Initial proposals for a mixed-use development at Cotlands Road will focus on the provision of a new MSCP, a viable quantum of Grade A office accommodation to meet the Environmental, Social and Governance (ESG) and wellbeing requirements of office occupiers and their employees, enhanced public realm and new homes.
26. There is an opportunity for the Council to take the lead and invest in this scheme. It is anticipated that a paper outlining this opportunity will be brought forward to Cabinet for consideration once the Council has achieved a balanced budget for 2022/23.

### **Central**

27. BDC and the Council considered proposals for a residential-led scheme of circa 200-300 homes on this elevated site, which benefits from fantastic sea views. Current planning policy requires the reprovision of public parking on the site. This parking requirement will be considered in the parking study that is being commissioned by Future Places (para 11 above). Once the parking position is agreed, BDC will be able to progress design development.

### **Local Partnership Review**

28. In April 2021, the Council's Chief Executive commissioned consultancy firm Local Partnerships' to review the BDC JV to consider the current governance arrangements and whether the JV is providing value for money. The Local Partnerships' report - while concluding that BDC has delivered some residential schemes of good quality - also made several recommendations about how the Council could improve its oversight and scrutiny of the Limited Liability Partnership, including the need to ensure independent appraisal of schemes coming through the BDC platform.

29. The Local Partnerships' recommendations were incorporated into an action plan and presented to Cabinet in October 2021. In the main both members of BDC supported the recommendations in the report but highlighted certain recommendations they were not prepared to accept. This report stated the action plan would be reviewed in 2022 to ensure that the recommended improvements have been considered and implemented.
30. Recommendation 1 in the action plan suggests the Council should review the composition of the BDC JV board and governance arrangements.
31. Legal Services have considered recommendation 1 and advised that LLPs are different from Companies and as a result it is not appropriate to appoint NEDs. LLPs need to be incorporated with the Registrar of Companies, however, unlike a company an LLP does not have shares or shareholders, nor directors. They simply have members. Unlike a company, an LLP does not have articles of association which must be publicly filed with the Registrar of Companies. As in the case of BDC, Members will often enter into a members' agreement (setting out the rights and obligations of the members of the LLP) but that is a purely private document which does not need to be filed on any public register. In case there is no such agreement some default agreement provisions under LLP Regulations 2001 will automatically become effective.
32. On the incorporation of a limited liability partnership its members are the persons who subscribed their names to the incorporation document. Any other person may become a member of a limited liability partnership by and in accordance with an agreement with the existing members.
33. Should any amendments be required it is proposed that authority is delegated to the Chief Executive in consultation with the Monitoring Officer on behalf of the Council as a "member" of BDC to make the amendments to the Members Agreement.
34. The concept of NEDs, as it exists in case statutory corporations, public companies or private companies, is not directly relevant in case of LLPs. The benefits of NEDs include the input of a senior and experienced person on the board who can offer insight and a wider perspective to board decisions. As NEDs are not full time but can act as a sounding board for directors and a safety net for non-director shareholders. This does not apply to the governance structure of LLPs.
35. The action plan has been reviewed and updated and is attached at Appendix 1.

### **Options Appraisal**

36. This is an update report for noting only. The forthcoming cabinet report that will seek approval for the BDC PBP will outline the options and associated implications of approving or not approving the proposed PBP.

### **Summary of Financial implications**

37. This is an update report and is for noting. As such there are no particular legal issues arising at this stage. Based on the information provided to the Committee however

recommendations maybe made for further consideration by Cabinet or Full Council as appropriate.

### **Summary of legal implications**

38. This is an update report and is for noting. As such there are no particular legal issues arising at this stage. Based on the information provided to the Committee however recommendations maybe made for further consideration by Cabinet or Full Council as appropriate.

### **Summary of equalities implications**

39. The forthcoming BDC PBP and all individual sites as they come forward for development will be subject to a full EINA.

### **Summary of risk assessment**

40. When individual projects come forward for consideration from the overall BDC development programme the key risks that will be considered as part of the individual site development plans that are prepared include the following:

- Investment Risk including the risk that the development is non-profit making
- Pre-Construction Risk including planning, design and funding risks
- Construction Risk including inflation, supply chain disruption, late completion and cost overruns.
- Communications/Reputational Risk

### **List of appendices**

#### **Appendix 1 Local Partnerships' Review of BDC: Updated Action Plan**

## Appendix 1: BDC Review: Detailed Action Plan

### RAG Rating Key

Completed	Green
In Progress/Partially Completed	Amber
Not Completed/Obsolete	Red

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
<b>Recommendation 1:</b> BCP council should review the composition of the BDC JV board and governance arrangements as outlined in this report.	Essential (within 6 months)				
<p>Appointment of Non-Executive Directors and independent Chair to represent both shareholders:</p> <ul style="list-style-type: none"> <li>• Consultation with Muse to agree in principle decision.</li> <li>• Undertake Recruitment &amp; Selection Exercise <ul style="list-style-type: none"> <li>○ Draft Job Description (including published objective criteria and performance review process)</li> <li>○ Advertising</li> <li>○ Interviews</li> </ul> </li> <li>• Refresh Members Agreement to reflect changes (will require Cabinet/ Council approval)</li> </ul>		Council	Target for completion by 31 <sup>st</sup> December 2021	<p><b>Non-Executive Director Appointment</b></p> <p><b>Independent Chair Appointment</b></p> <p>- Agreed that Michael Auger (MUSE) will continue to Chair the BDC JV Board. Both parties agreed an appointment of independent chair is not necessary as not multiple partners.</p>	<p><b>NOT COMPLETED</b></p> <p>Legal advice has concluded that the concept and benefit of NEDs do not apply to a LLP governance structure.</p> <p><b>COMPLETED</b></p>

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
				Amend members agreement	<p><b>NOT COMPLETED/OBSOLETE</b></p> <p>As the appointment of NEDs is not applicable the members agreement does not need to be amended.</p>
<p>BDC website update to include publication of:</p> <ul style="list-style-type: none"> <li>• Board papers</li> <li>• Minutes</li> <li>• Forward Plan</li> </ul>		Muse	Refresh of BDC website underway. Target for completion 31 <sup>st</sup> October 2021	<p><b><i>BDC website updated to include publication of;</i></b></p> <ul style="list-style-type: none"> <li>• <i>Current Business Plan (including forward development programme)</i></li> <li>• <i>Site Development Plans</i></li> <li>• <i>Links to BCP website for Council Cabinet papers/decisions</i></li> </ul> <p><b><i>BCP Council website updated to link to BDC LLP website</i></b></p> <p><b><i>Publication of Board Papers/Minutes</i></b></p>	<p><b>COMPLETED</b></p> <p><b>COMPLETED</b></p> <p><b>NOT COMPLETED</b> Both parties agreed not to publish as this is commercially sensitive information.</p>

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
<b>Recommendation 2:</b> BCP council should establish a client shareholder working group as outlined in this report.	Essential (within 3 months)				
<p>Establishment of a quarterly Client Shareholder Working Group:</p> <ul style="list-style-type: none"> <li>• Draft Terms of Reference</li> <li>• Agree Membership</li> <li>• Schedule Meetings</li> </ul> <p><i>NB. this could be in addition to or replace the current non-contractual 'Portfolio Briefing' session (current membership would need to be supplemented with: BCP Council Chief Executive, BPC Monitoring Officer, Finance Director and Development Lead.+ BCP client lead officer?</i></p>		Council	Terms of reference to be agreed by Cabinet by 31 <sup>st</sup> October 2021	<p><b><i>Establishment of client shareholder working Group</i></b></p> <p><i>Increased frequency from Quarterly to Monthly. Meetings scheduled throughout 2022.</i></p> <p><i>Membership agreed to include Chief Executive, Chief Finance Officer, Monitoring Officer and BCP client lead officers as recommended, alongside the Development Manager and Muse Board representatives.</i></p> <p><i>Terms of Reference drafted and agreed.</i></p>	<b>COMPLETED</b>
<b>Recommendation 3:</b> Project Quantity Surveyors and Employers Agents should be appointed jointly by the	Essential				

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
council and Muse with appropriate professional warranties.	(within 3 months)				
<ul style="list-style-type: none"> <li>Recommendation partially complete (examples include EA/QS appointed for St Stephens Road PRS Project. BCP will be appointing EAs/QSs to protect its own interests in Council's investment in Winter Gardens project PRS &amp; Car Park</li> <li>Establish Corporate 4-year Framework for QS and EA in consultation with Procurement:               <ul style="list-style-type: none"> <li>Complete specification (separate lots) including scoring &amp; evaluation process.</li> <li>Compile Tender Documents including draft contract &amp; publish.</li> <li>Evaluation.</li> <li>Appointment of up to 4 providers.</li> </ul> </li> </ul> <p><i>NB. Procurement need 3 months to turnaround once spec agreed. Timescales could be accelerated if under the Public Contracts Regulations (2015) threshold (£189k) – but ideally 4-year framework to be established.</i></p>		Council/ Muse	<p>Action already partially implemented to ensure independent valuation and cost measurement exercise on Winter Gardens scheme but longer term framework appointments to be made.</p> <p>Target date for completion 31<sup>st</sup> December 2021</p>	<p><b><i>Appointment of Project QS &amp; EA services</i></b></p> <p>Note. On all historic and current projects BDC has appointed a QS and EA. At financial close the consultants have signed-off appointments and provided collateral warranties to BDC, the funder and the Council as freeholder of the site. As a result, all EA/QS appointments have a duty of care to BCP as a member of BDC. The DM maintains a record of PI cover for the EA/Qs and other members of the delivery team.</p> <p><b><i>Establishment of Corporate Framework for professional services (EA/QS)</i></b></p>	<p><b>COMPLETED AND CONTINUES TO BE MONITORED AS NEW PROJECTS COME FORWARD</b></p> <p>BCP to appoint independent EA/QS for BDC projects it intends to invest in for Regeneration purposes.</p> <p>Independent Valuation and Cost Consultant advice sought on Winter Gardens Scheme.</p> <p>Procurement currently considering new BCP framework for Professional Services</p>
<b>Recommendation 4:</b> BCP council should appoint a firm of chartered surveyors to provide future valuation advice on land values and commercial support on the	Critical				

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
Winter Gardens and Cotlands Road schemes. The scope of this commission should include assisting the council scrutinise project viability appraisals prepared by Muse. They should also provide independent advice and represent the council in assessing and agreeing scheme specific commercial terms for transactions.					
<ul style="list-style-type: none"> <li>Recommendation partially completed, District Valuer and Chartered Surveyors appointed to advise on current scheme Winter Gardens)</li> <li>Seek fee proposals per project in accordance with BCP Procurement regulations from chartered surveyors with relevant project/sector expertise.</li> <li>Evaluate and award as per BCP procurement regulations.</li> </ul>		Council	Tendering exercise to be completed for term contract provider by 31 <sup>st</sup> December 2021		<b>PARTIALLY COMPLETED</b> <b>/ON-GOING</b> BCP will appoint independent Chartered Surveyors for BDC projects it intends to invest in for Regeneration purposes. Independent Valuation and Cost Consultant advice sought on Winter Gardens Scheme.
<b>Recommendation 5:</b> Feasibility work related to construction of a new MSCP in Bournemouth should be made a priority and if practical accelerated. Alternative delivery models, including capital	Critical				

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
investment by specialist car park operators, should be market tested.					
<ul style="list-style-type: none"> <li>Early Market Engagement (working with Procurement Team)               <ul style="list-style-type: none"> <li>Prior Information Notice published to invite providers to attend MS Teams Presentation (including technical issues, financing options etc.).</li> <li>1-2-1 sessions scheduled to gather market feedback.</li> </ul> </li> </ul>		Council/ Muse	<p>Case for a new MSCP to be progressed in conjunction with demand study on future car parking requirements.</p> <p>Target Date 31<sup>st</sup> December 2021</p>		<p><b>PARTIALLY COMPLETED</b> <b>/ON-GOING</b></p> <p>In June 2020 the Council approved an investment of £10.6 million in a new public MSCP at York Road as an enabler of the Cotlands Road scheme. BDC are investigating the procurement of a specialist car park contractor alongside a more traditional main contractor supply chain. BDC has confirmed that it will at alternatives approaches to the management and funding of public car parks in the future if required.</p> <p>Across other projects / sites, BDC are awaiting completion of a BCP selective car parking study, currently being commissioned by FuturePlaces.</p>

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
<b>Recommendation 6:</b> BCP council should review the conditions attached to current (and future) funding arrangements (including loan notes) to ensure that risk is not disproportionately allocated to BCP council.	Recommended				
Risk review to be undertaken by Council Officers in advance of recommendations to Cabinet/Council on future BDC schemes			Action to be taken forward as BDC proposals come forward		ON-GOING
<b>Recommendation 7:</b> Assess proposed schemes against BCP council's strategic priorities and establish an agreed prioritised programme of development work.	Essential (Once Executive Development Director is in place)				
<ul style="list-style-type: none"> <li>Map current strategy and policy framework against current to programme to identify quantifiable and less quantifiable benefits from each scheme.</li> <li>Use Benefit mapping to prioritise programme.</li> <li>Agree changes to business plan.</li> <li>Partnership Board and Cabinet approval.</li> </ul>		Council	To be agreed once Council has reviewed URC business plan and BDC proposals for 2022/23	<p><b>Assess Schemes against BCP Council's strategic objectives and establish prioritised programme of work</b></p> <p><i>The BDC Partnership Business Plan (PBP) is reviewed annually setting out a proposed development delivery timeline and uses for each site. More detailed site-</i></p>	<p><b>COMPLETED</b></p> <p>Awaiting key strategic reviews of the Local plan, Car Parking study and Regeneration Strategy.</p> <p>BDC Strategy Day 2 March 2022 held to inform strategy and work programme.</p>

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
				<i>specific Site Development Plans (SDP's) provide more detail on the proposed use and tenure options for each scheme. Both the BDC Business plan and each SDP have been revised to reflect the Council's BIG PLAN.</i>	Cabinet approval being sought for BDC Business
<b>Recommendation 8:</b> BCP council to establish a PMO office to oversee the composite development pipeline.	Critical				
<ul style="list-style-type: none"><li>Design Client side PMO function based to include:<ul style="list-style-type: none"><li>Gateway approval process</li><li>Standard Templates (SBC, OBC, FBC, Risk Registers, Issue Logs, End Stage Reports, Progress/Highlight Reports etc)</li><li>Documented ways of working including forward plans, MS Teams, document storage, project status and milestone tracking etc.</li></ul></li></ul>		Council	Action underway on design of design of client side commissioning function to provide oversight of URC and BDC. Target date for approval 31 <sup>st</sup> October 2021	<b>COMPLETED</b>  Commissioning function and delivery team approved by Cabinet 29 September 2021 to provide oversight to URC & BDC.	
<b>Recommendation 9:</b> Test the use of Seascope to play a much more significant supply-side role, including acquiring land.	Recommended				

Recommendation & Actions	Critical /Essential / Recommended	Lead	Target Date	BCP/MUSE Agreed Actions February 2022	Status
<ul style="list-style-type: none"> <li>Undertake options appraisal within business case to test this concept on next potential land acquisition</li> </ul>		Council	Recommendation to be reviewed once URC is fully operational		<b>ON-GOING</b> Council not BDC action.
<b>Recommendation 10:</b> Recruit an Executive Director to provide leadership within the council with a mandate to create an effective in-house capability to oversee a future development pipeline and oversee the performance of BCP council delivery vehicles.	Critical				
<ul style="list-style-type: none"> <li>Undertake Recruitment &amp; Selection Exercise <ul style="list-style-type: none"> <li>Draft Job Description</li> <li>Advertising</li> <li>Interviews</li> </ul> </li> </ul>		Council	Preparations for recruitment process are in place. Target date for selection of Director 30 <sup>th</sup> Sept 2021		<b>COMPLETED</b> Director of Delivery selected and appointed 1/11/21