

Notice of Cabinet

Date: Wednesday, 9 October 2019 at 10.00 am

Venue: Committee Suite, Civic Centre, Poole BH15 2RU



Membership:

Chairman:

Cllr V Slade

Vice Chairman:

Cllr M Howell

Cllr L Allison

Cllr D Brown

Cllr L Dedman

Cllr A Hadley

Cllr S Moore

Cllr M Phipps

Cllr Dr F Rice

Cllr K Wilson

All Members of the Cabinet are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to attend.

If you would like any further information on the items to be considered at the meeting please contact: Sarah Culwick (01202 795273) or email democratic.services@bcpcouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email press.office@bcpcouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

1 October 2019



Available online and
on the Mod.gov app



AGENDA

Items to be considered while the meeting is open to the public

1. Apologies

To receive any apologies for absence from Councillors.

2. Declarations of Interests

Councillors are required to comply with the requirements of the Localism Act 2011 and the Council's Code of Conduct regarding Disclosable Pecuniary Interests.

Councillors are also required to disclose any other interests where a Councillor is a member of an external body or organisation where that membership involves a position of control or significant influence, including bodies to which the Council has made the appointment in line with the Council's Code of Conduct.

Declarations received will be reported at the meeting.

3. Confirmation of Minutes

To confirm and sign as a correct record the minutes of the Meeting held on 30 September 2019.

To Follow

4. 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/documents/s2305/Public%20Items%20-%20Meeting%20Procedure%20Rules.pdf>

The deadline for the submission of public questions is Wednesday 2 October 2019.

The deadline for the submission of a statement is 12.00 noon, Tuesday 8 October 2019.

The deadline for the submission of a petition is 12.00 noon, Tuesday 8 October 2019.

5. Response to Climate Change Emergency

The purpose of the report is to set up arrangements to facilitate the development of a Climate Emergency action plan to be considered by Council in December 2019.

9 - 18

6. Discretionary Licensing

This report seeks approval to launch a public consultation on the potential introduction of two Discretionary Licensing Schemes within the BCP area. The proposals include both Selective and Additional Licensing designations.

Discretionary Licensing schemes were introduced by the Housing Act 2004.

19 - 70

Their purpose is to tackle problems relating to issues of crime, anti-social behaviour, poor property conditions and deprivation in areas where there is a significant private rented sector.

There are two forms of Discretionary Licensing; Additional Licensing and Selective Licensing;

- Additional Licensing - the licencing of Houses of Multiple Occupation falling outside of the Mandatory Licensing definition
- Selective Licensing – the licensing of units of PRS accommodation within a defined area

The Housing Act 2004 sets specific criteria by way of conditions which must be met in order designate Discretionary Licensing schemes. The evidence within the report identifies that issues such as anti-social behaviour, crime, deprivation and poor housing conditions are prevalent in areas where significant amounts of private rented accommodation are present, and that these conditions have been met.

Targeted Enforcement was introduced in October 2017 in Boscombe, Eastcliff and Springbourne and has been partly effective in addressing poor housing conditions and anti-social behaviour. However, continual regulation in the form of Discretionary Licensing are likely to be significantly more impactive. The proposals set out in this report will help to address those issues and provide an important opportunity to secure lasting and impactive change in the proposed areas.

Consultation is a legal requirement and must take place before a designation can be made. Consultation should include local residents, tenants, landlords and managing agents, as well as members of the community who live in or operate businesses or services in the designated area who will be affected. It is proposed to launch a public consultation to consider the proposals on 13 January 2020 for a period of 12 weeks.

The report sets out the headline evidence and consultation plan for consideration.

A final analysis of the consultation will be produced and reported to Cabinet alongside a detailed options appraisal and recommendations following assessment.

7. Revised policy and practice for unauthorised encampments

71 - 82

To advise Cabinet of the variance in policy and practice for unauthorised encampments in Bournemouth, Christchurch and Poole, and recommend a way forward to develop a revised policy.

8. Private Sector Housing Enforcement Policy

83 - 148

This report seeks approval of the BCP Private Sector Housing Enforcement Policy in order for consistent regulation of housing conditions in the private rented sector be applied across Bournemouth, Christchurch and Poole.

There is a significant amount of legislation to support the regulation of housing conditions, which authorised officers can apply and enforce to

ensure compliance and safeguard private sector housing tenants. This policy details the legislation and its application across BCP to include the decision process for formal and informal enforcement, risk assessments and relevant financial penalties.

The Private Sector Housing Enforcement Policy details the service and approach that the public and relevant parties should expect from the Council and what the Council expects from those with an interest in private rented accommodation. It details liability and the expected standards.

9. BCP Housing Strategy – approval to consult

149 - 154

To inform Cabinet of the proposed approach and timetable to develop a new BCP Housing Strategy which will detail the current and anticipated future housing issues, setting out the strategic priorities and action plan to address local issues.

10. Housing Delivery Test Action Plan

155 - 200

Cabinet are asked to agree the publication of the BCP Housing Delivery Test (HDT) Action Plan which is required by national policy. Locally across the BCP area, the need for additional homes is recognised in the legacy Housing Strategies and adopted Local Plans.

An HDT Action Plan is required where delivery falls below 95% of local housing requirements. The 2018 HDT results (published in February 2019) were assessed against housing requirements for the preceding Bournemouth, Christchurch and Poole Councils where each area fell below the 95% benchmark. The Action Plan must set out measures the Council will take to increase delivery back to required rates. Given Local Government Reorganisation, a consolidated action plan for BCP Council is proposed to be published.

Officers across Growth & Infrastructure and Housing have worked collaboratively to produce this Action Plan. The timeframe for the Action Plan covers the period 2019 to 2022 to allow for the various actions to be implemented. A 3-year time period will also provide the Council with resilience for future HDT results, which are likely to remain a challenge to meet in the short term.

The Action Plan will be monitored via a Steering Group jointly led by Growth & Infrastructure and Housing including input from the Portfolio Holders of Strategic Planning and Housing. It is envisaged that an update on progress will be reported to Cabinet on an annual basis. Within BCP Council, sufficient staff resources will be applied to deliver this programme.

11. BCP Council Strategic Car Parking Review

201 - 208

Before BCP Council was formed parking across Poole, Bournemouth and Christchurch was managed by four separate councils with individual corporate and service plans and objectives:

- i. On-street and off-street in Poole by Borough of Poole
- ii. On-street and off-street in Bournemouth by Bournemouth

Borough Council

- iii. On street in Christchurch by Dorset County Council
- iv. Off-street in Christchurch by Christchurch and East Dorset District Council

It is proposed that a BCP Council Strategic Parking Review is undertaken to form a new single strategy for the provision (availability), operation, pricing and enforcement for parking across the highway network and car parks.

12.	Transforming Cities Fund (TCF) including Local Cycling & Walking Infrastructure Plan (LCWIP) Programme	209 - 246
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To inform Cabinet of progress to date regarding the DfT based TCF process and the required development of the BCP LCWIP.

To seek delegated authority to the Director of Growth & Infrastructure and Director of Finance (Section 151 Officer) in consultation with the relevant Portfolio Holder to submit the Strategic Outline Business Case (SOBC) to the DfT with the aim of securing TCF funding.

To inform Cabinet of proposed next steps regarding both the TCF and LCWIP processes.

13.	Traffic Regulation Orders (TRO) and Public Rights of Way (PRoW) cover report	247 - 278
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This covering report appends several individual requests for approval to advertise Traffic Regulation Orders and for consideration of Rights of Way issues.

14.	Poole Bay Beach Management Scheme	279 - 286
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Poole Bay Beach Management Scheme (BMS) is a project to provide coast protection to the coastal frontages of Poole and Bournemouth. Without the continuation of coast protection works, over the next 100 years, significant numbers of residential and commercial properties would be lost to erosion along with highways and supporting infrastructure. The potential adverse impact to the tourism economy and amenity benefit would be of a scale of local, regional and national importance.

The overall programme of works is being delivered in distinct phases between 2015 and 2040 with the total project cost estimated to be in the region of £50m. Funding of the project will include Flood Defence Grant in Aid (FDGiA) and a proportion through Partnership Funding from the Council.

The scheme commenced in 2015 with Phase 1 of the BMS being successfully led and delivered by Bournemouth Borough Council. This was funded through a Project Appraisal Report (PAR) as an Outline Business Case subsequently approved by the Environment Agency for Phase 1 of the project (2015/16 to 2019/20).

Cabinet is asked to approve the submission of the Outline Business Case to the Environment Agency for funding the coast protection works identified under Phase 2&3 combined between 2020/21 and 2030/31 as a continuation of the project. As BCP Council are a Local Authority Risk

Management Authority there is no requirement for a subsequent Full Business Case for Phase 2&3 combined to be submitted due to the value of the Outline Business Case.

15. BCP Council Street Works Permit Scheme

287 - 292

BCP Council by 1 April 2020 must operate a Street Works Permit system in lieu of its existing noticing system.

This report explains the difference between the systems and seeks approval to consult all statutory consultees on proposed Permit Conditions for a new BCP Council Street Works Permit Scheme.

16. Community Governance Review for Throop and Holdenhurst - Draft Recommendations for Consultation

293 - 308

The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local community governance arrangements.

The Council commenced a review following the receipt of a valid community governance petition and the approval of the terms of reference and timetable.

Cabinet is asked to consider the draft recommendations of the Task and Finish Group and to make a recommendation to Council.

17. Medium Term Financial Plan Update Report

309 - 326

This report;

- Presents the work done in refreshing the Medium Term Financial Plan (MTFP) following the Government's 2019 Spending Round and the fundamental annual refresh undertaken at the end of August 2019.
- Presents the progress made towards delivering a balanced budget for 2020/21 and highlights the key financial risks faced by the Council.
- Sets out the progress in respect of the disaggregation of the 31 March 2019 Balance Sheet of the former Dorset County Council.

Provides details of the grants made available by Government to support the potential costs falling to the Council following the decision of the United Kingdom to leave the European Union.

18. Equality and Diversity Policy

327 - 340

BCP Council is required to meet certain responsibilities which are set out in the Public Sector Equality Duty of the Equality Act 2010.

A review of activity, process and procedure was undertaken in March '19 to determine how well the Council was meeting this duty and how performance compared to the Equality Framework for Local Government (EFLG).

It was determined that the Council was meeting its legal duty and at the 'achieving' level of the framework.

The EFLG has been used to inform the development of a high-level, council wide equality & diversity action plan.

The action plan uses the criteria for achieving the 'excellence' level of the EFLG as a benchmark. It shows the Council has made good progress to date and proposes some next steps for action. Some of the headlines include:

- The Council's commitments to equality & diversity are embedded in the high-level priorities of the Corporate Strategy. This has been subject to wide stakeholder engagement over the summer.
- An equality & diversity policy has been drafted and is attached for Member approval.

An internal Equality & Diversity Governance Framework is being implemented.

19. BCP Council's Corporate Strategy

341 - 350

The draft Corporate Strategy sets out the longer-term priorities, high level objectives and the Council's commitments to equality and diversity.

The draft Council Plan was agreed for wider engagement, and this took place between 5th August and 6th September 2019. It consisted of a range of public and partner events across the BCP area and a survey.

Overall the draft document was well received, and the high-level priorities were endorsed by those who gave feedback but there were also suggestions for improvement.

The draft Corporate Strategy has been revised in light of the feedback and a revised version is appended as Appendix B.

20. Cabinet Forward Plan

To consider the latest version of the Cabinet Forward Plan for approval.

Published

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

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CABINET

Report subject	Response to Climate Change Emergency
Meeting date	9 October 2019
Status	Public Report
Executive summary	The purpose of the report is to set up arrangements to facilitate the development of a Climate Emergency action plan to be considered by Council in December 2019.
Recommendations	<p>It is RECOMMENDED that:</p> <p>Cabinet supports the course of action set out in this report, namely:</p> <ul style="list-style-type: none"> (a) Formation of a governance structure, and servicing to cost £20k, to include: <ul style="list-style-type: none"> i) Cabinet to establish a cross-party working group, to provide oversight and guidance on the development and implementation of an action plan. To be chaired by the Portfolio-Holder and report back to Cabinet ii) Zero Carbon Council Steering Group of officers to guide work on the Council's own 2030 target iii) Zero Carbon Place Leadership Board of stakeholders to guide work on the pre-2050 target (b) Launch of behavioural change programme for BCP Council Members and staff, including Zero Carbon Support Officer, at a cost of £53k
Reason for recommendations	To allow the Council to meet its commitments under the Climate and Ecological Emergency Declaration.

Portfolio Holder(s):	Councillor Dr Felicity Rice (Portfolio Holder for Environment and Climate Change)
Corporate Director	Kate Ryan (Corporate Director of Environment and Community)
Contributors	Larry Austin – Director of Environment Neil Short – Sustainability Manager (Green Economy and Energy) Roxanne King – Sustainability Manager (Environment and Green Economy)
Wards	All
Classification	For Decision

Background

1. On 1 May 2019 the UK parliament became the world's first national parliament to declare a climate and ecological emergency. It has since amended the UK's Climate Change Act to legislate for Net Zero carbon emissions by 2050. This coincided with publication of the report from the Committee on Climate Change, 'Net Zero – The UK's contribution to stopping global warming' (May 2019), which recommended this new target.
2. Summer 2019 saw many public protests pressing for action on climate change. Previously, in the Government's Department for Business, Energy and Industrial Strategy (BEIS) Public Attitudes Tracker, published in March 2019, 80% of the public said they were either fairly or very concerned about climate change. This is the highest proportion of overall concern since the survey started. Also, almost half of the public (48%) said that climate change is either entirely or mainly caused by human activity, again, the highest level recorded since the survey started.
3. On 16 July 2019, a Climate and Ecological Emergency motion was brought before BCP Council by Councillor Simon Bull, and subsequently endorsed, committing the Council to do the following:
 - i. Declare a 'Climate and Ecological Emergency';
 - ii. Pledge to make BCP Council and its operations carbon neutral by 2030, taking into account both production and consumption emissions (scope 1, 2 and 3);
 - iii. Work with partners, businesses and the wider community to investigate, make recommendations and set a target date for how early the Bournemouth, Christchurch and Poole region can be made carbon neutral, ahead of the UK target of 2050;
 - iv. Call on Westminster to provide the powers and resources to make the 2030 and other interim targets possible;

- v. Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;
- vi. Continue to work with partners across the city region to deliver this new goal through all relevant strategies and plans;
- vii. Set-up a Citizens' Assembly to enable views of the general public to be taken into account.
- viii. Report to Full Council within six months with the actions the Council will take to address this emergency. As discussed with officers an action plan with clear quantifiable milestones should be submitted to Full Council in December 2019.

What BCP Council must now do

- 4. BCP Council is one of 219 local authorities who have announced Climate Emergency Declarations. Whilst the scope and targets within these varies widely, BCP Council's is in line with some of the more ambitious. We are already making strides to reduce carbon, for example the recent decision to procure 100% renewable electricity to reduce our Scope 2 emissions.
- 5. In relation to the eight commitments contained in the Climate Emergency motion, the following is a status update:
 - i. This was achieved by the declaration of an Emergency on 16 July 2019
 - ii. This is a key programme of work leading to achievement of the 2030 target (see below)
 - iii. This is a key programme of work leading to achievement of the pre-2050 target (see below)
 - iv. This is currently underway
 - v. This is ongoing through our membership of global partnerships and carbon reporting
 - vi. This is included in the report recommendations
 - vii. This is to be investigated by the working group set up at 1.a
 - viii. This will be considered by Council in December.

The Key Commitments examined

- 6. **Commitment ii: Pledge to make BCP Council and its operations carbon neutral by 2030, taking into account both production and consumption emissions (scope 1, 2 and 3);**
- 7. **The meaning of 'Carbon Neutral':** Much of the activity generated by the Climate and Ecological Emergency Declaration will be to reduce and avoid carbon emissions. The motion uses the term 'carbon neutral', which means the same as the term used by the Committee on Climate Change: 'net zero carbon'. Being carbon neutral or having a net zero carbon footprint means that we are

balancing any carbon released with the same amount sequestered (captured and stored) or offset (made up for by carbon-reducing activities elsewhere). Commonly, these aspirations are often given the short-hand description of 'zero carbon' and for wider acceptance it is proposed to badge BCP Council's Climate Emergency activities as 'Zero Carbon Council' and 'Zero Carbon Place'.

8. **The meaning of 'Scope 1, 2 and 3':** The Greenhouse Gas Protocol classifies an organisation's emissions into three 'scopes':
 - Scope 1 emissions are direct emissions from owned or controlled sources - fuel combustion in buildings (e.g. gas) and Council-owned vehicles (e.g. diesel fuel)
 - Scope 2 emissions are indirect emissions from the generation of purchased energy (e.g. electricity)
 - Scope 3 emissions are all other indirect emissions (not included in scope 2) from purchased goods and services, business travel, staff commuting, waste disposal and investments
9. BCP Council's Climate and Ecological Emergency Declaration commits the Council to making all three scopes carbon neutral by 2030. Progress will be measured in tonnes of Carbon Dioxide equivalent (CO₂e). This allows inclusion of other greenhouse gases that are produced alongside carbon dioxide when fossil fuels are burned, which also have a warming effect in our atmosphere.
10. **Commitment iii: Work with partners, businesses and the wider community to investigate, make recommendations and set a target date for how early the Bournemouth, Christchurch and Poole region can be made carbon neutral, ahead of the UK target of 2050;**
11. The work on Commitment ii makes a small contribution to Commitment iii: achieving carbon neutrality for the BCP region. This challenging undertaking will require the support and mobilisation of the population and organisations operating in the BCP area to do before 2050 what the Council aims to achieve by 2030.

Recommended high-level actions and milestones

12. **Governance proposals to achieve the 2030 Climate Emergency commitment:** To provide the necessary governance for the development phase of the Council's internal Climate Emergency work it is proposed to create the following:
13. Recommendation 1. a) Cabinet to establish a **cross-party working group**, to provide oversight and guidance on the development and implementation of an action plan to enable BCP Council to achieve carbon neutrality by 2030. This will be chaired by the Portfolio-Holder and report back to Cabinet. It would be anticipated that this group will establish sub-groups looking at specific issues, including: transport, waste, planning, property, flood and coastal erosion and ecological matters. Milestone: This will be established by November 2019. Terms of reference will be developed and considered at the first meeting.
14. Recommendation 1. b) A **Zero Carbon Council Steering Group** to support Cabinet and the cross-party working group guide work on the Council's own 2030 target. This group will include Service Directors, direct reports and senior

officers from all service areas and be chaired by the Corporate Director of Environment and Community. Milestone: This will be established by November 2019.

15. **Governance proposal to achieve the pre-2050 Climate Emergency commitment:** To provide the necessary governance for the development phase of the area-wide Climate Emergency work it is proposed to create:
16. Recommendation 1. c) A **Zero Carbon Place Leadership Board** of Stakeholders to build governance, consensus and support across institutions, to create strategy and mobilise action on the area-wide pre-2050 target. As this target requires the participation of partners, the Board should include sector representatives and major institutions, some that are already engaged in similar carbon-reduction programmes and that are best-placed to advise and participate in the achievement of the target. The Council will be represented by the Leader and Portfolio-Holder. Milestone: This will be established by January 2020. An 'advisory committee on climate change' can also be established if the group wishes, providing the opportunity for higher education institutions to provide academic and technical input.
17. It is requested that an additional 0.5 FTE post is created to service the above bodies at a cost of £20k.

Organisational Development

18. Recommendation 2: Climate Change and sustainability is seen as a key factor within our overall organisational development programme but embedding a response to the Climate Emergency agenda will require significant behavioural change for both Councillors and staff. To make the biggest impact on the organisation, we will be mainstreaming our commitment in key initiatives across the Council's strategies and activities to ensure alignment of effort and therefore the greatest possible delivery outcomes. With this in mind, Climate Change and Sustainability will become key priorities within both the Organisational Design Programme (encompassing restructuring of the operational assets of the Council as well as changing the way we use technology to limit staff travel) as well as the People Strategy which will underpin the new organisational design and start shifting the culture of the organisation as a whole.
19. To take forward this element, it is recommended that the following development programme be established within the People Strategy (Milestone: by April 2020) to include a Zero Carbon Champions Network, Go-Zero staff behaviour change scheme for all Council workplaces and a Zero Carbon staff suggestion scheme (see Appendix 1).
20. It is requested that an additional 1.0 FTE post is created to oversee these initiatives across the BCP workforce at a cost of £35k plus £18k resource budget.

Place leadership and behaviour change

21. A climate change public engagement strategy is being developed to inform the public of progress towards BCP Council becoming carbon-neutral and encourage behaviour change in the population towards achieving the pre-2050 target for a carbon-neutral area. As an early step we have launched a web page to inform strategy development: www.bcpCouncil.gov.uk/climate

22. A Citizens Assembly is being considered to engage and inform the public on our Climate Emergency actions. These can help politicians explore the public mandate for action and develop meaningful policy solutions. Officers are conducting research on Citizens Assemblies (of 50-160 people) and Citizens Juries' (of 20-30 people) and will submit this to the Zero Carbon cross-party working group for consideration on the most effective process to work with the public to deal with the BCP Climate Emergency.

The evidence base

23. Benchmark data is being compiled on Council and area-wide emissions. It is intended that the baseline year for our activities should be 2015, in line with Government baselines and the Paris Pledge. When data for all scopes has been collated for the Zero Carbon Council Steering Group (Milestone): by April 2020, an audit to services can be conducted to develop and monitor a carbon budget leading up to 2030, setting out the amount of greenhouse gases each service must reduce, year on year.
24. Initial area-wide emissions data has been made available to the Council from its ongoing involvement in the Global Covenant of Mayors for Climate and Energy (See Appendix 2). More detailed information will allow the setting of a science-based target for the BCP area geared towards achievement of the Paris Protocol's 'well below 2%, pursuing 1.5%' global warming aspiration.

Summary of financial implications

25. Achieving the recommendations contained in this report will require additional revenue funding, currently not identified, to the sum of £73k to be made available to the Environment and Communities Directorate. The increased costs relating to the 1.5 FTE additional members of staff requested represent an in-year financial implication for 2019/20, and will be met through the 2020/21 budget setting process for the Environment and Community Directorate. It should be noted that there will be further financial implications as the action plan is developed and considered by Council.

Summary of legal implications

26. Environmental law organisation Client Earth has recently given notice to one hundred local authorities that have declared a Climate Emergency (including BCP Council), and are revising their Local Plans, that they will challenge those that do not sufficiently take account of the Climate Emergency in their Plan.

Summary of human resources implications

27. Considering the scale of the proposed actions and possible projects, if the BCP Climate Emergency is going to be meaningfully addressed it will require additional human resources. Some actions may require external expertise to deliver individual projects (e.g. Citizens Assembly) whilst others would last the duration of the project and so would require new Council posts (e.g. Zero Carbon Support Officer). In the development phase some staff may need to be seconded for one day per week (e.g. Project Management Officer) to assist delivery. These requirements need further examination once the initial programme of work is agreed. We will continue to explore re-focusing of roles within the Environment Directorate to minimise costs and use resources efficiently.

Summary of environmental impact

28. In addressing the BCP Council Climate and Ecological Emergency, the actions proposed in this report are intended to deliver a carbon neutral Council and wider area.

Summary of public health implications

29. Climate change is already resulting in heatwaves, extreme weather events, floods, disease and increased cancer risk. The measures to reduce it will limit the dangers and those activities can also have direct positive health effects (e.g. increased fitness from cycling and better air quality from reducing car journeys).

Summary of equality implications

30. None

Summary of risk assessment

31. Having declared a Climate and Ecological Emergency, the main risk identified is that of non-achievement of targets, which will result in reputational damage from negative publicity (locally, nationally and internationally). Furthermore, non-achievement will also contribute to a further degraded and hostile global environment – with local consequences, lack of energy supply resilience for the area and legal challenge from environmental organisations such as Client Earth.

Background papers

Published works

<https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law>

Committee on Climate Change, 'Net Zero – The UK's contribution to stopping global warming' (CCC, May 2019) <https://www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming/>

Department for Business, Energy and Industrial Strategy (BEIS) Public Attitudes Tracker (BEIS, March 2019):

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800429/BEIS_Public_Attitudes_Tracker_-_Wave_29_-_key_findings.pdf

The Intergovernmental Panel on Climate Change Special Report on the impacts of global warming of 1.5°C above pre-industrial levels (IPCC, 2018): <https://www.ipcc.ch/sr15/>

BCP Council Climate and Ecological Emergency:
<https://democracy.bcpccouncil.gov.uk/mgAi.aspx?ID=1065>

Appendices

- Appendix 1 - Zero Carbon Council – Organisational Development
Appendix 2 - BCP Area Emissions 2017

Zero Carbon Council – Organisational Development

Staff behaviour change can deliver significant carbon reductions for BCP Council by reducing the impact of our buildings, operations, travel and waste. To achieve the zero-carbon council commitment by 2030, BCP Council and its staff need to work together to find new ways of working which improve productivity of the business and prosperity of the staff.

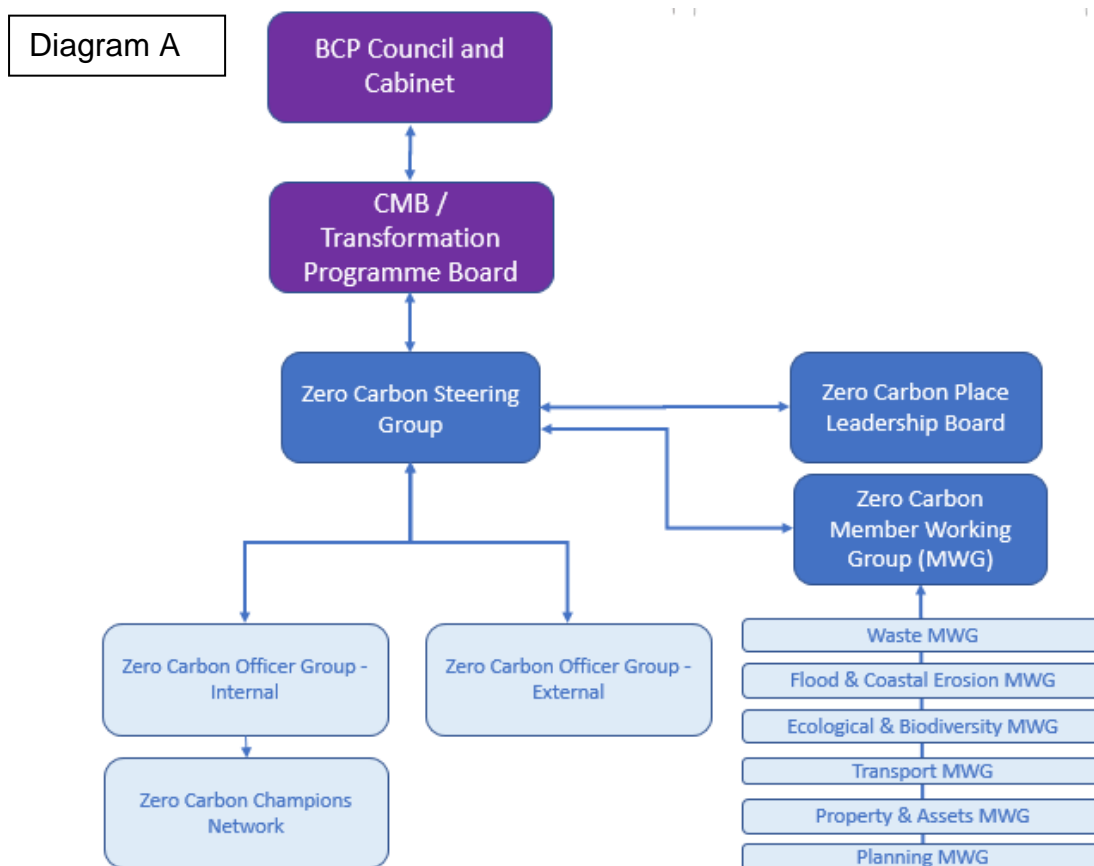
BCP Council should provide, for example:

- Sufficient infrastructure e.g. digital connectivity, power supply, equipment
- Sustainable travel facilities
- Time and financial resources
- Open culture which encourages feedback and innovation

BCP Council staff should be expected to:

- Reduce energy and resource use
- Identify and report inefficient processes, facilities and equipment
- Collaborate with colleagues on innovative low-carbon solutions
- Embrace new ways of working and utilise all opportunities to improve productivity and wellbeing

To facilitate this behaviour change and support the Zero Carbon Council activity, the following organisational development structure is suggested in diagram A, below:

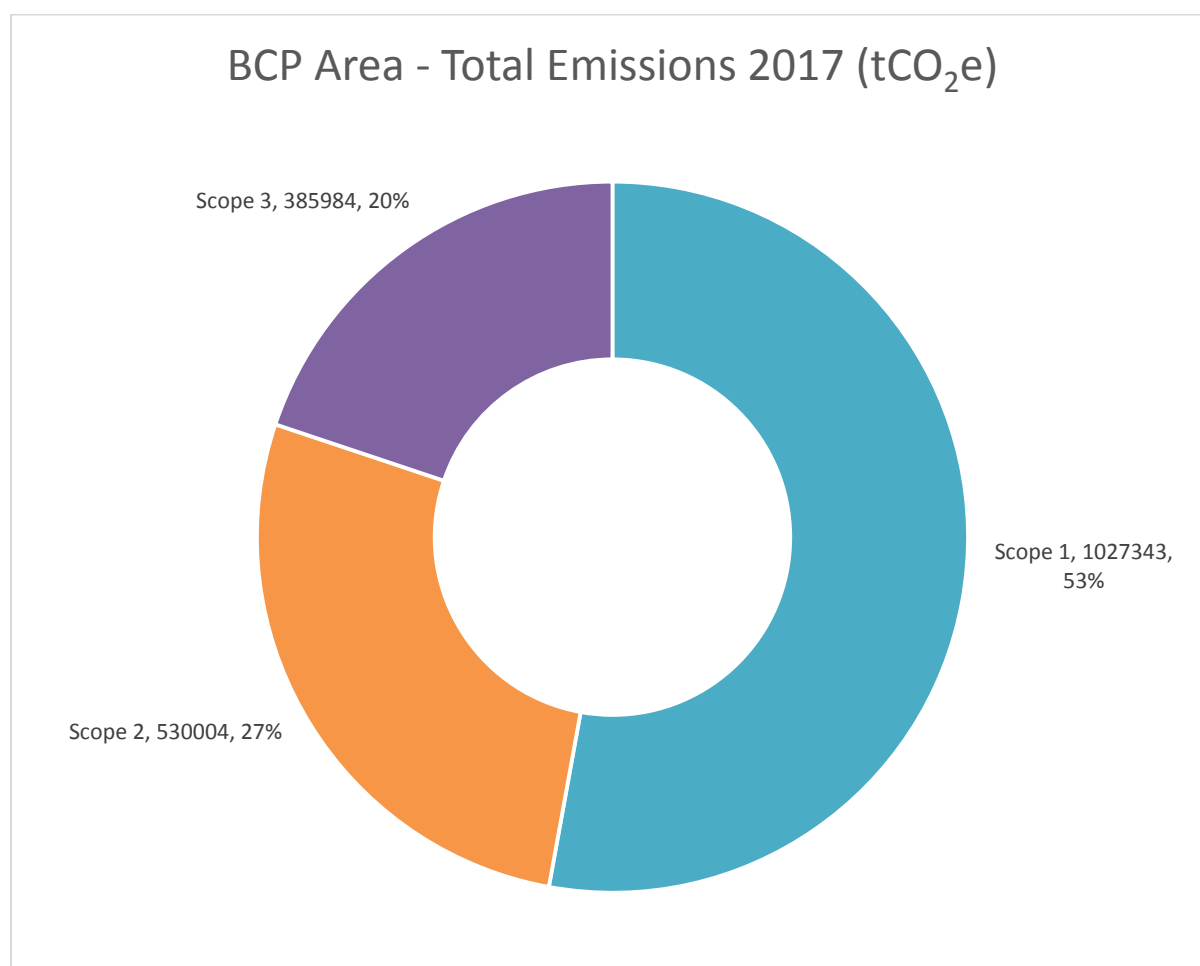


Proposed elements of the structure shown in Diagram A are:

- **Zero Carbon cross-party member working group** to provide insight and shape the development of the BCP Council response including action plan development and implementation. Topic-specific sub-groups are suggested and illustrated on Diagram A.
- **Zero Carbon Place Leadership Board** of Stakeholders to build governance, consensus and support across institutions, to create strategy and mobilise action on the area-wide pre-2050 target.
- **Zero Carbon Council Steering Group** to support Cabinet and the cross-party working group guide work on the Council's own 2030 target.
- **Zero Carbon Officer Group (internal)**
Officers representing specific services and interests e.g. sustainable travel, corporate communications, waste management. Theme experts who lead on the development and delivery of specific projects within the council.
- **Zero Carbon Officer Group (external)**
Officers representing specific services and interests e.g. sustainable travel, corporate communications, waste management. Theme experts who lead on the development and delivery of specific projects in the BCP Council area.
- **Zero Carbon Champions Network**
Officers from across the organisation who are passionate about sustainability and achieving zero-carbon. The champions network would encourage behaviour change, facilitate practical interventions and ensure participation in organisational behaviour activities, and be co-ordinated by the proposed Zero Carbon Support Officer. This officer would also manage the following (not shown on diagram A):
 - **'Go Zero' Staff Behaviour Change Scheme**
An incentivised behaviour change scheme which is supported by all BCP staff, management and members. Building on knowledge and resources of past programmes to motivate staff to contribute to the zero-carbon targets and gain recognition for their efforts.
 - **Zero Carbon Council Staff Suggestion Scheme**
Intranet-based web form to collect ideas and comments from staff to support the Zero Carbon Council programme. This would mirror the public Zero Carbon Suggestion Scheme now live on the BCP Council website.

BCP Area Emissions 2017 (data published 2019)

The figure below is a high-level illustration of the 2017 carbon emission (CO₂e) data, made available in 2019, for the BCP Council area. The area is responsible for almost 2 million tonnes of CO₂e. More detailed illustrations are being prepared to inform action plan development.



Source data was provided by UK Government (BEIS, 2019)

- Scope 1 includes direct emissions from road transport and gas used for heating in buildings
- Scope 2 is indirect emissions from purchased electricity
- Scope 3 is all other indirect emissions not included in Scope 2 (e.g. from purchased goods and services).

CABINET



Report subject	Consultation on Discretionary Licensing Proposals
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>This report seeks approval to launch a public consultation on the potential introduction of two Discretionary Licensing Schemes within the BCP area. The proposals include both Selective and Additional Licensing designations.</p> <p>Discretionary Licensing schemes were introduced by the Housing Act 2004. Their purpose is to tackle problems relating to issues of crime, anti-social behaviour, poor property conditions and deprivation in areas where there is a significant private rented sector.</p> <p>There are two forms of Discretionary Licensing; Additional Licensing and Selective Licensing;</p> <ul style="list-style-type: none"> • Additional Licensing - the licencing of Houses of Multiple Occupation falling outside of the Mandatory Licensing definition • Selective Licensing – the licensing of units of PRS accommodation within a defined area <p>The Housing Act 2004 sets specific criteria by way of conditions which must be met in order designate Discretionary Licensing schemes. The evidence within the report identifies that issues such as anti-social behaviour, crime, deprivation and poor housing conditions are prevalent in areas where significant amounts of private rented accommodation are present, and that these conditions have been met.</p> <p>Targeted Enforcement was introduced in October 2017 in Boscombe, Eastcliff and Springbourne and has been partly effective in addressing poor housing conditions and anti-social behaviour. However, continual regulation in the form of Discretionary Licensing are likely to be significantly more impactive. The proposals set out in this report will help to address those issues and provide an important opportunity to secure lasting and impactive change in the proposed areas.</p> <p>Consultation is a legal requirement and must take place</p>

	<p>before a designation can be made. Consultation should include local residents, tenants, landlords and managing agents, as well as members of the community who live in or operate businesses or services in the designated area who will be affected. It is proposed to launch a public consultation to consider the proposals on 13 January 2020 for a period of 12 weeks.</p> <p>The report sets out the headline evidence and consultation plan for consideration.</p> <p>A final analysis of the consultation will be produced and reported to Cabinet alongside a detailed options appraisal and recommendations following assessment.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) The Cabinet approves the commencement of a public consultation of 12 weeks with residents, private sector landlords, businesses and other stakeholders on the potential to designate two Discretionary Licensing schemes;</p> <ul style="list-style-type: none"> i) an Additional Licensing scheme across Bournemouth, Christchurch and Poole ii) a Selective Licensing scheme across the proposed designated area <p>(b) The Cabinet delegates authority to the Portfolio Holder for Housing to approve on the consultation documents prior to publication.</p> <p>(c) The Cabinet receives a further report detailing the outcome of the public consultation and recommendations regarding the potential implementation of Discretionary Licensing.</p>
Reason for recommendations	<p>The emerging BCP Council Plan sets priorities relating to vibrant communities who live fulfilled lives with brighter futures. In order to deliver better outcomes for our communities we need to tackle issues of poor quality housing and poor quality property management where the links between poor housing and deprivation have the most impact. The proposal to introduce Discretionary Licensing presents an opportunity to meet these ambitions and to make improvements which will benefit the community.</p> <p>A detailed analysis of data has taken place to assess the BCP position against the statutory conditions relating to Discretionary Licensing. The proposals made in the report are based on the high-level evidence found. We believe this is sufficient to justify further development of an evidential basis for designation.</p> <p>In order to further develop proposals, the legislation requires</p>

	that the Council undertake a public consultation exercise over 10 weeks. The recommendation made in this report is that an extensive consultation process takes place over a 12-week period to allow for detailed and fully inclusive consideration of the proposals.
Portfolio Holder(s):	Cllr Kieron Wilson (Portfolio Holder for Housing)
Corporate Director	Kate Ryan (Corporate Director – Environment and Communities)
Contributors	Kelly Ansell- Director of Communities Sophie Ricketts- Targeted Enforcement Manager Lisa Stuchberry- Insight Manager Jayne Dale- Principle Research Officer Chloe Durrant- Senior Consultation & Research Officer Tina Worthing- Group Accountant
Wards	All BCP wards
Classification	For Decision

Background

1. The private rented sector (PRS) accounts for 22.2% of all homes in Bournemouth, Christchurch and Poole, which is above the national average of 19%. At ward level the picture across the area varies considerably, with some areas as high as 62% PRS.
2. High density, highly populated areas where the PRS is significant, often result in a transient population and lack of community cohesion. Low cost accommodation can attract a disproportionate number of people with challenging and chaotic lifestyles. These areas present persistent issues of crime and anti-social behaviour. Given the significance of the PRS in the BCP area, strategies are needed to address the issues related to it.
3. BCP Enforcement teams spend a significant proportion of their resources enforcing and addressing issues relating to the PRS. This reactive work aims to address issues where complaints are made. However, pro-active work and regulation is needed to truly tackle the issues and secure lasting impact.
4. Work undertaken by the Council and its partners to tackle the issues related to the PRS to date has included;
 - Dorset Register of Accredited Landlords
 - a targeted inspection programme in Boscombe which resulted in improvements to PRS properties
 - landlord forums where the Council and other partners such as the Police, can engage and educate local landlords
 - Targeted Enforcement (Operation Galaxy) implemented in Boscombe,

- Eastcliff and Springbourne in 2017
 - West Hill project funded by the MHCLG 2018-2020 to address housing conditions and community cohesion in a specified area
MHCLG funded training courses for local landlords promoting awareness of legislation and responsibilities
5. These measures have resulted in positive action and targeted programmes of proactive work to address many of the issues relating to the PRS. However, the evidence base outlined at Appendix 2 demonstrates that these small scale interventions and strategies have not had a significant enough impact. Quite simply, complex community issues persist in areas where there is a high proportion of PRS stock.
 6. It is proposed that Selective and Additional Licensing could provide a significant opportunity to resolve some of the housing, ASB, crime and deprivation issues being experienced across these areas by improving standards of management and bringing them in line with those of the best landlords operating in the private rented sector.

Legal Framework

7. The Housing Act 2004 gives powers to designate Discretionary Licensing areas in respect of privately rented accommodation, provided certain conditions are met. The legal framework relating to Discretionary Licensing is described at Appendix 1. In summary, there are two forms of Discretionary Licensing; Additional Licensing and Selective Licensing;
 - Additional Licensing - the licencing of Houses of Multiple Occupation falling outside of the Mandatory Licensing definition
 - Selective Licensing – the licensing of units of PRS accommodation within a defined area
8. The statutory framework requires the Council to produce a robust evidence base to justify its proposals and also to conduct a 10-week public consultation on them.
9. Secretary of State approval is required for schemes which contain a proposal to designate an area comprising of more than 20% of the total PRS in the local authority area.
10. A period of 12 weeks' notice is required prior to any formal designation.
11. There has been much published analysis and review of Discretionary Licensing schemes since 2004. A helpful research project jointly conducted by the Chartered Institute of Environmental Health and the Chartered Institute of Housing can be found here.
<http://www.cih.org/resources/PDF/Policy%20free%20download%20pdfs/A%20Licence%20to%20Rent%20-%20selective%20licensing.pdf>
12. In addition, the MHCLG published an independent review in to the effectiveness of Selective Licensing schemes earlier this year. This can be found at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/816604/Selective_Licensing_Review_2019.pdf
13. Officers have conducted detailed analysis and research about Discretionary Licensing in order to assess the potential benefits including conducting visits to

several areas where Discretionary Licensing has been implemented. This has concluded that, if implemented effectively, Discretionary Licensing can ensure:

- that landlords are 'fit and proper persons'
- good and fair management of tenancy relations
- support for landlords to participate in regeneration and tackle ASB effectively
- protection for vulnerable tenants from the worst housing conditions and from bad landlords
- strategic knowledge to support targeted inspections and action
- support for landlords to improve the worst properties by helping them to achieve decent minimum standards in housing conditions and management
- numbers of occupants are limited for the property size (Additional Licensing)
- properties are maintained appropriately

14. Benefits to Neighbourhoods and Communities:

- Increasing the quality of housing and reducing ASB will improve problem areas, making them safer, more desirable places to live
- Reducing environmental costs and costs of crime
- Protecting vulnerable groups, who are often occupiers of privately rented accommodation which is poorly managed and maintained

15. Benefits to Tenants:

- More professional landlords will bring about improvements to the quality and management of property
- Tenants could also see financial benefits, for example in reduced heating costs and improved likelihood of regaining any deposit paid. However, this must be considered against the potential disbenefit that landlords may pass on any increase in cost to the tenant.
- Improvements to the neighbourhood would also benefit security and sense of community
- Better management practices should help to increase length of tenure and reduced incidence of unplanned moves or homelessness

16. Benefits to Landlords:

- Responsible landlords will receive information and support
- Poorly performing landlords will receive support and training to improve
- Improved rental income as areas improve
- Improvement in the reputation of private landlords
- Shorter void periods and reduced tenant turnover
- The council can provide practical support and training around dealing effectively with antisocial behaviour from tenants

17. Benefits to The Council:

- Landlords who have not responded to any previous measures (such as accreditation, registration schemes or voluntary codes of practice) will be forced to engage
- Bad landlords will be forced to improve their practices

- The council will gain extensive knowledge about private renting in the designated area in order to further inform its housing and regeneration ambitions
- Enables targeting of support, information and enforcement more effectively, and to better understand the root of the problems the area faces

Evidence Base

18. An initial assessment of the BCP area against the conditions relating to Discretionary Licensing has been completed. Appendix 2 outlines this analysis and its conclusions.
19. In summary, the analysis has concluded that evidence is present to justify that the Additional Licensing of HMO's across BCP within the following definition, should be considered; properties with three or more occupants, from two or more households.
20. The evidence within Appendix 2 shows that issues such as anti-social behaviour and poor housing conditions are prevalent within the HMOs within BCP and therefore further regulation of smaller HMOs can be justified.
21. This proposal would increase the number of HMO's licensed across BCP from approximately 3000 currently covered by Mandatory Licensing, to between 4000 and 8000 based on 2011 census data. It is difficult to give a definite figure for HMO's with the data currently assessed, however subject to Cabinet approval to progress this work further, analysis will be undertaken to assess more defined numbers to include relevant Council tax data and data taken from the Council housing complaints system.
22. The analysis has also concluded that evidence is present to justify the consideration of Selective Licensing within the BCP area boundaries shown on the map below;

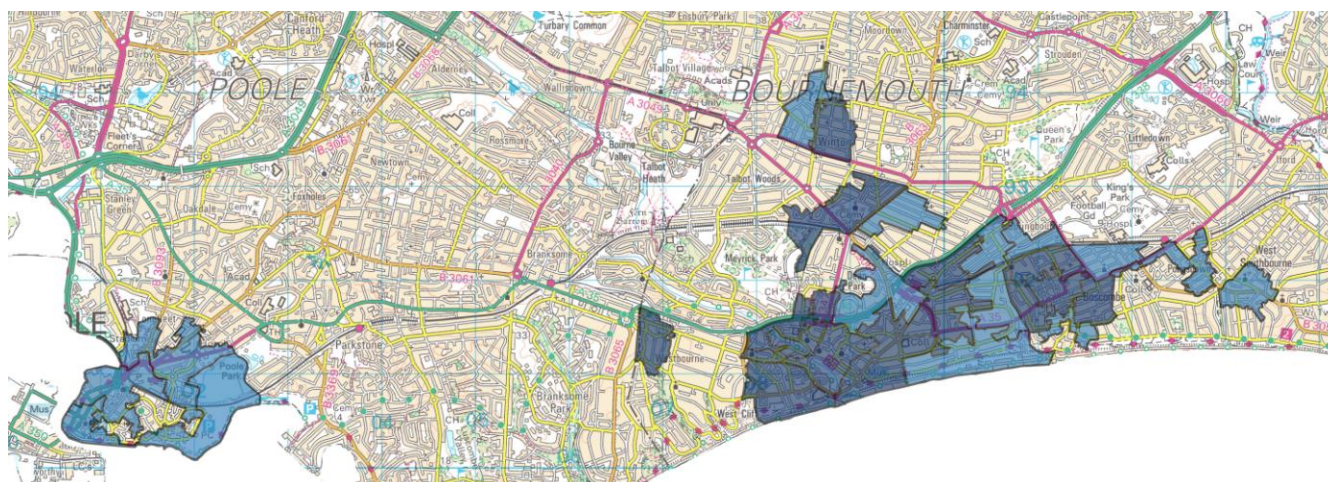


Figure 1- proposed area of selective licensing designation

23. The specific conditions for Selective Licensing which have been met for this area are;
 - high proportions of PRS stock
 - a significant and persistent problem caused by anti-social behaviour

- high level of deprivation
 - high levels of crime
24. This proposal would draw 12,415 properties in to a Selective Licensing designated area – 33.3% of the total PRS stock within BCP, providing a significant opportunity to bring additional regulation to our most problematic and challenging areas. A scheme of this size would require Secretary of State approval.
 25. This area has been identified through consideration of high-level data. Further in-depth evidence analysis is required to support the consultation process should Cabinet approve the recommendations made in this report. However, it is anticipated that this evidence will further support the headline findings and assessment outlined at Appendix 2, rather than consider any material change to the evidence base.
 26. Consultation is a legal requirement and must be completed to ensure accuracy and gauge public opinion. This feedback along with the neighbourhood typologies developed will be used to test if Discretionary Licensing along with other enforcement measures would improve the objectives set out for the area. Prior to the launch of a public consultation, officers are also expecting updated evidence in relation to the Indices of Deprivation, which will also allow for the refining of the evidence presented at Appendix 2.
 27. Alternative options have been considered at length, including continued and extended Targeted Enforcement implementation. It is considered that alternatives do not provide the lasting change and improvement to the scale that is required. The public consultation will test the idea of Discretionary Licensing with those potentially affected by it and alternative ideas and proposals may be presented as a result
 28. Based on the evidence established through the analysis described, the objectives of the proposed Discretionary Licensing schemes are;
 - To reduce anti-social behaviour within the Private Rented Sector
 - To contribute to crime reduction
 - To address criminal behaviour
 - To improve standards of condition and management in the private rented sector
 - To tackle rogue landlords and rogue landlord behaviour
 - To improve support for local landlords

Consultation

29. Consultation is a legal requirement and must take place before designating an area subject to Selective or Additional Licensing. It should include local residents, tenants, landlords and managing agents, members of the community who live in or operate businesses or services in the designated area and local residents and businesses in the surrounding area who will be affected.
30. The consultation period must be for a minimum of 10 weeks and any representations made must be considered. The costs of consultation can be

recouped from licence fees should a scheme proceed. However, if the outcome led to not declaring a Discretionary Licensing scheme, this cost would have to be borne by the authority.

31. The Consultation Plan at Appendix 3 outlines a 12-week consultation period. In summary, we will;

- Publish a detailed business case/options appraisal outlining the rationale for the proposal, the evidence and method used to identify the proposed licensing areas, the components of the fee structure and any potential impacts both positive and negative
- Facilitate priming of discussions by providing some initial information about the project/s
- Make sure there is ongoing dialogue with consultees throughout the consultation process
- Secure participation of those tenants and residents affected or likely to be affected by the proposed implementation in the designated areas
- Undertake facilitated interactions among participants
- Ensure that there is sufficient diversity among those groups or individuals being consulted, to ensure that all relevant perspectives are represented, and all relevant information is gathered
- Ensure that each group has the opportunity to provide information
- Ensure that the method of consultation suits the consultation group, for example using workshops or focus groups as an alternative to, or even as well as, formal written consultation
- Ensure that the information provided and the perspectives, concerns and issues raised during the consultation process are analysed and duly considered in the final design and implementation of any scheme taken forward.

32. A total of £69,500 will be committed from the Communities Service budget to fund the cost of the consultation.

33. A public consultation was undertaken by Bournemouth Borough Council in 2017 which proposed a Selective Licensing designation in Boscombe, Eastcliff and Springbourne. The results of this consultation cannot be used in relation to these proposals as the nature of the type of discretionary licensing proposed, the area for designation and therefore the evidence base, has changed. In addition, the previous consultation is now historical as two years have passed.

34. At the close of the consultation period, following detailed analysis of the results and consideration of the way forward, officers will report to Council with the full detail of the findings and recommendations about how to proceed. Should the Council decide not to proceed with any designation following the consultation, the results will be used to develop service responses and strategies to tackle the issues presented in the evidence base.

Timescales

35. Draft timescales and next steps are set out below:

- Final evidence collation and draft consultation paper: October – December 2019

- Consultation paper cabinet member approval: December 2019
- Consultation: 13th January- 6th April 2020
- Collation and evaluation of responses and consideration of options: April-mid May 2020
- Recommendations to July 2020 Council

36. If approved to continue to designation;

- Secretary of State approval: July-October 2020
- Statutory Scheme Designation: October 2020 - January 2021
- Implementation: February 2021.

Summary of financial implications

37. It is intended that the costs of both a Selective Licensing and an Additional Licensing scheme will be funded through license fee income, which the legislation permits.
38. The cost of the consultation is funded from the Community Projects Reserve.
39. The cost of the consultation will be recovered through license fees if a scheme is designated.
40. Enforcement associated with the license cannot be funded through the license fee and therefore existing resource will be required for this purpose.
41. The full financial implications of proceeding with the two proposals will be considered within the options appraisal to be completed following completion of the consultation.

Summary of human resources implications

42. As this decision is to undertake public consultation only there are no HR implications at this time. Should the Council decide to proceed to a Discretionary Licensing designation, the HR implications will be fully considered in making further recommendations.

Summary of environmental impact

43. The environmental impact assessment has been carried out. The significant positive impact of the proposals within the consultation are;
- Improved housing management and standards through licensing of all PRS landlords within designated Selective Licensing area
 - Improved housing management and standards through licensing of all HMO properties across the BCP area.
 - Improvements driving further improvements in the area e.g. 'broken window', if properties are looked after and maintained it encourages others to look after their properties and the surrounding area.
 - Improved housing standards could lead to reduced carbon emissions due to

heating and insulation improvements by landlords.

- Reduction in crime and ASBs will lead to reduced fear of crime and an increased sense of safety and security.

Summary of public health implications

44. The significant positive public health impact of the proposals within the consultation are;

- The improvement of housing conditions, resulting in improved health and wellbeing of occupants in the short and longer term. Poor quality housing can lead to immediate health problems such as respiratory conditions, injuries arising from hazards, but also longer-term mental health impacts from unsuitable premises.
- Improved standards of management of premises, resulting a reduction of anti-social behaviour that would directly impact on the health and wellbeing of property occupants. In the longer term, better managed properties under the consultation proposals would improve the health and wellbeing of occupants through a lower risk of homelessness, reduced street crime and exploitation of vulnerable residents. The proposals also have the potential to improve life opportunities for tenants (employment, better able to engage in own health and wellbeing including recovery from mental health and addiction issues) through more secure tenancies.

There is also likely to be a wider public benefit to the communities covered by the proposed scheme, including a reduction in anti-social behaviour, positive impact on neighbourhood property values and local business, improved perceptions of crime and anti-social behaviour and reduced impact on public sector agencies having to respond to issues in connection with poorly managed properties.

Summary of equality implications

45. The consultation plan incorporates multiple mediums of community engagement. An equality impact screening tool has been completed. At this time, there is no policy or scheme change and due to the comprehensive nature and mediums of consultation, a full equality impact assessment is not required. There is no detrimental effect to any protected characteristic and the consultation will be fully inclusive of all groups. Following consultation, any recommendations would be subject to a full equality impact assessment.

Summary of risk assessment

46. The main risks associated with the proposals at the current time relate to the potential for abortive costs should the decision be taken not to proceed. There is also a risk of legal challenge related to consultation process, fee structure and designation. However, all identified risks have been mitigated through careful planning and control measures.

Background papers

- Housing Act 2004
- DCLG - Selective licensing in the private rented sector: A Guide for local authorities
- MHCLG - An Independent Review of the Use and Effectiveness of Selective Licensing
- CIH/CIEH - A Licence to Rent

Appendices

Appendix 1: Legal Framework and Overview

Appendix 2: Evidence Base

Appendix 3: Consultation Plan

Appendix 4: Equality Impact Screening Tool

Appendix 5: Risk Assessment

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Legal Framework and Overview

Discretionary Licensing

The Housing Act 2004 enables Local Authorities to designate areas as subject to discretionary licensing. There are two types of discretionary licensing schemes; Additional Licensing and Selective Licensing.

Selective Licensing

Section 80 of the 2004 Housing Act gives powers to designate areas, or the whole area as subject to selective licensing in respect of privately rented accommodation, provided certain conditions are met. This enables Local Authorities to extend the benefits of licensing beyond Mandatory Licensable properties. It focuses on improving the management of privately rented properties.

The area being proposed for designation must contain more than the national average of 19% Private rented sector stock. The scheme can apply for up to 5 years and a licence fee is paid by the landlord.

Once designated as a Selective Licensing Scheme, the landlord of every privately rented property in the identified area/s would be required to be licensed. Each licence would contain mandatory conditions set by the legislation, as well as conditions which can be determined locally and driven by the objectives of the proposed scheme.

Under the current legislation, any designation which comprises of more than 20% of the total housing stock in the area required approval from the Secretary of State.

A selective licensing designation may be made if the area to which it relates satisfies one of the following conditions:

- low housing demand (or is likely to become such an area)
- a significant and persistent problem caused by anti-social behaviour
- poor property conditions
- high levels of migration
- high level of deprivation
- high levels of crime

The designation must be consistent with the housing strategy and it must be evidenced that there is a co-ordinated approach to homelessness, empty properties and ASB affecting the PRS. The role of partners must also be demonstrated. Section 80 (6) (b) of the Act also requires evidence that “some or all of the private sector landlords who have let premises in the area are failing to take action to combat such problems that it would be appropriate for them to take.”

Additional Licensing

Sections 56 & 57 of the Housing Act 2004 provide local authorities with the power to designate areas as being subject to an Additional HMO Licensing Scheme in relation to some or all of the HMO properties in that area which are not already subject to Mandatory HMO Licensing.

For example, a local authority could extend licensing to include all HMOs in a specific area, or the whole district, to include those not covered by mandatory licensing where properties are occupied by 3 or 4 people from 2 or more households.

Additional Licensing also allows additional conditions to be set and determined locally.

In applying an additional licensing scheme the local authority must:

- consider that a significant proportion of the HMOs (that will be subject to the proposed designation) in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- consider whether there are any other courses of action available to them that might provide an effective method of dealing with the problem or problems in question.
- consider that the making of the designation will significantly assist them to deal with the problem or problems.

Exemptions

There are some exemptions which apply to discretionary licensing schemes;

- (a) Properties already licensed as an HMO under the existing mandatory scheme
- (b) Properties let by a Local Authority or registered social landlord
- (c) Properties already subject to a management order or empty dwelling management order
- (d) Properties subject to a Temporary Exemption Notice
- (e) Holiday lets
- (f) Tenancies under a long lease and business tenancies

Licence Fees

Local Authorities set the level of the licence fees that landlords pay. Fee structures must be transparent and should cover the actual cost of administering the scheme.

They can include the cost of taking action to make landlords comply with a scheme – either in applying for a licence or in meeting the conditions of the licence.

Designation Process

Consultation is a statutory requirement before designating a discretionary licensing area. The statutory requirement is 10 weeks.

Schemes which designate more than 20% of the total PRS stock in the local authority area must obtain approval from the Secretary of State before proceeding with the designation. This will be the case for the BCP proposed schemes.

Once Secretary of State approval is granted, the authority must give notice of the intention to designate for a period of 12 weeks before any scheme can be implemented.

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Discretionary Licensing Evidence Analysis

Purpose

The purpose of this report is to;

- Set out the conditions which must be met when considering Discretionary Licensing schemes of Additional and Selective Licensing
- Assess the BCP area against the Selective Licensing conditions
- Assess the BCP area against the Additional Licensing conditions
- Review the current approach provided through Targeted Enforcement
- Determine the potential benefits and outcomes of Discretionary Licensing Schemes

Sections 56, 57 and 80 of the Housing Act 2004 gives Local Authorities the power to designate Discretionary Licensing areas in respect of privately rented accommodation, provided certain conditions are met.

Conditions Applying to Selective Licensing

A selective licensing designation may be made if the area to which it relates satisfies **one** of the following conditions:

- Low housing demand (or is likely to become such an area)
- A significant and persistent problem caused by anti-social behaviour
- Poor property conditions
- High levels of migration
- High level of deprivation
- High levels of crime

In addition to these conditions being met, the area must have a **high proportion of Private Rented Sector stock**. The benchmark level is 19% nationally and anything above this level is considered to be high.

Conditions Applying to Additional Licensing

In applying an additional licensing scheme the local authority must:

- consider that a significant proportion of the HMOs (that will be subject to the proposed designation) in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- Consider whether there are any other courses of action available to them that might provide an effective method of dealing with the problem or problems in question.
- Consider that the making of the designation will significantly assist them to deal with the problem or problems.

A discretionary license contains conditions around permitted numbers of occupancy, suitable housing conditions and safety provisions and adherence to the local designated amenity standards, intervention to tenancy management issues such as anti-social behaviour and issue of a formal tenancy agreement.

Assessment of Evidence

In order to assess whether areas of BCP would meet the conditions for Selective and/or Additional Licensing, a detailed analysis has taken place for each.

Lower Layer Super- Output Area Level (LSOAs) Analysis- Selective Licensing

Methodology

To identify the proposed area for Selective Licensing BCP Council has looked at a variety of relevant datasets. The sources of information are listed below. To be consistent and identify the most relevant areas the geography of lower layer super output areas (LSOA) have been used. These LSOAs are set by the government and account for approximately 1500 residents per area. A combination of datasets have been used, including national datasets such as the 2011 Census to ensure data consistency across the new BCP Council authority. In certain instances, the preceding legacy authorities collected certain datasets differently and therefore this data has not been used within the high level data sets presented.

The key dataset used is households in the private rented sector (PRS) from the 2011 Census. BCP Council has a significant private rented sector that has grown substantially over the last few years. The percentage of households in PRS across BCP is 22%. Looking in detail at LSOAs in BCP around 106 have a larger percentage of households in the PRS than the average across England. In addition around 79 LSOAs have a larger proportion of households in the PRS than the average figure across BCP. However, the PRS alone is not the only identifier to be used for selective licensing.

Both Nuisance and Environmental ASB are very important to help identify the areas used. A three-year average of each of these types

of ASB has been used to identify a rate per 1,000 resident population.

The Indoors sub-domain from the Index of Deprivation 2015 has been used. This includes information from the Housing Conditions survey on all homes considered to be in a poor state of repair and identifies areas that are ranked deprived based on this score, compared with all LSOAs in England.

The overall Index of Deprivation 2015 has been mapped to identify areas that are considered to be deprived relative to other LSOAs across England. Types of deprivation include housing, work and access to services.

Migration data from the 2011 Census is also relevant to identify areas with a more transient population. The data used identifies areas where more households have moved to, or within, the area in the year prior to the Census.

Finally, to help identify where both crime and the perception of certain types of crime are higher, the dataset generated by Experian Mosaic has been used. Areas where there are more household types who are at higher risk to certain types of crime or consider themselves to be more at risk of crime, have been identified across the BCP area.

37

Each of the seven datasets have been scored according to importance, with the most relevant given a larger score, than those considered to be slightly less important. The scoring mechanism is explained in the table below: with housing in the PRS with the largest weighting, followed by the two ASB crime scores, and then the Indoors sub-domain from the Index of Deprivation 2015. The other datasets are given equal importance.

Sources of data used

- Households in private rented sector from 2011 Census, ONS
- Households who have moved to, or within the area within the last year from 2011 Census, ONS
- Overall Index of Multiple Deprivation Score from CLG, 2015
- Indoors sub-domain from IMD from CLG, 2015 (includes Housing Conditions Survey)
- Environment ASB crime rate (most recent 3 financial years) from Dorset Police. Rate calculated per 1,000 population using three-year average of crime numbers.
- Nuisance ASB crime rate (most recent 3 financial years) from Dorset Police. Rate calculated per 1,000 population using three-year average of crime numbers.
- Crime related questions identifying types most likely to score highly for crime related questions and then identified areas with most of these types.

Data Description	Data Source	Date	Scoring Importance	Scoring Mechanism
Households renting from the private sector	2011 Census, ONS	2011	High	3 points top decile, 2 points second decile, 1 points third decile
Environment ASB data as a rate per 1,000 population	Dorset Police	2016-17, 2017-18 & 2018-19	Medium	2 points top decile, 1 point second decile
Nuisance ASB data as a rate per 1,000 population	Dorset Police	2016-17, 2017-18 & 2018-20	Medium	2 points top decile, 1 point second decile
Index of Deprivation sub-domain - Indoor Living Environment	ID 2015, MHCLG	2015	Medium	2 points top decile, 1 point second decile
Migration - residents who have moved into the area in the last year	2011 Census, ONS	2011	Low	1 point top decile
Resident perceptions of crime & ASB & high crime areas	Experian Mosaic	2017	Low	1 point top decile
Index of Multiple Deprivation	ID 2015, MHCLG	2015	Low	1 point top decile

Sources dismissed

1. Council tax data on tenure – not necessarily consistently collected across BCP and categories and accuracy of data are not suitable.
2. ASB council data – collected through different systems on an inconsistent basis across BCP so inappropriate to use as a way of identifying areas.

The analysis completed covers the entire BCP area, in order to identify where evidence to support a proposal for Selective Licensing is present. The detail of this analysis can be found at pages 5 to 13. Taking account of the full detail of this analysis, the proposed area for Selective Licensing is:

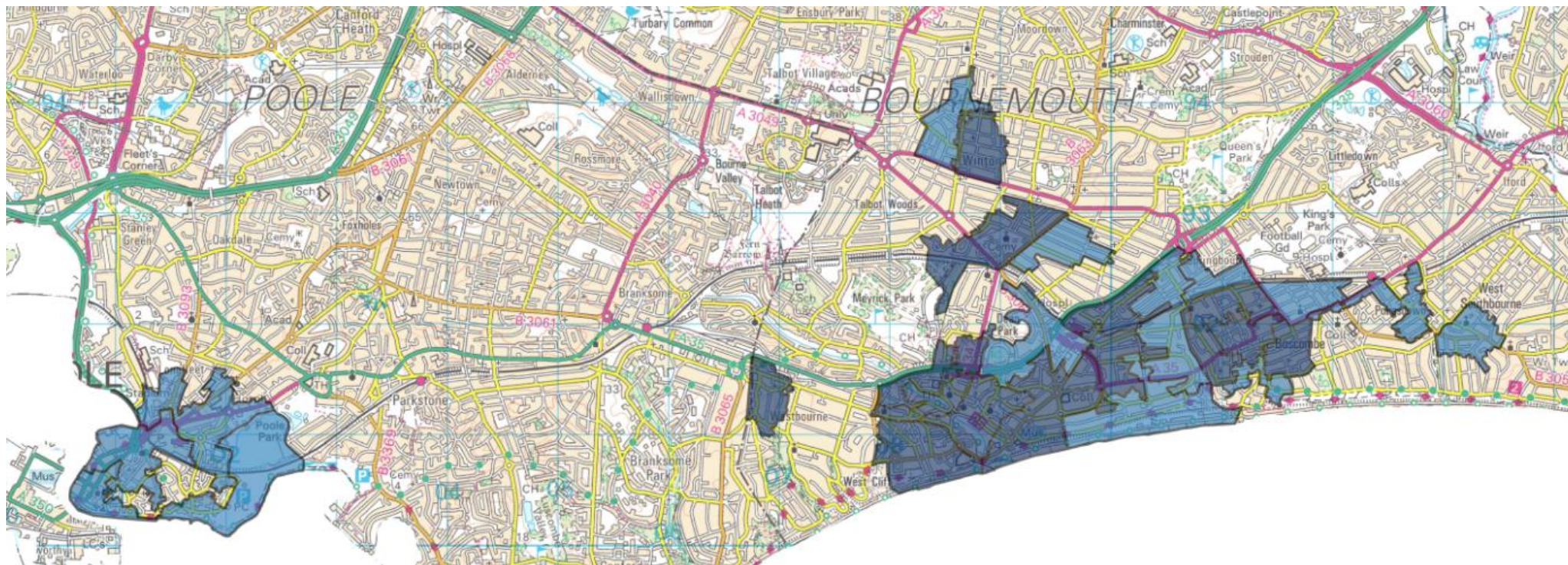


Figure 1- proposed area for designation of Selective Licensing

The defined area covers 24,500 households of which 12,415 are private rented accommodation and would therefore require a licence. Private rented accommodation equates to 32,000 properties across BCP as per the 2011 Census and therefore the proposed selective licensing area covers 33.3% of all private rented accommodation across BCP.

The Determination of the Area

Private Rented Housing Stock

In order for an area to be designated for selective licensing, the area needs to have a prevalence of private rented accommodation above the national average of 19%. The map at figure 2 shows the percentage of private rented housing stock across each lower super output area (LSOA.) The data has been taken from the 2011 census.

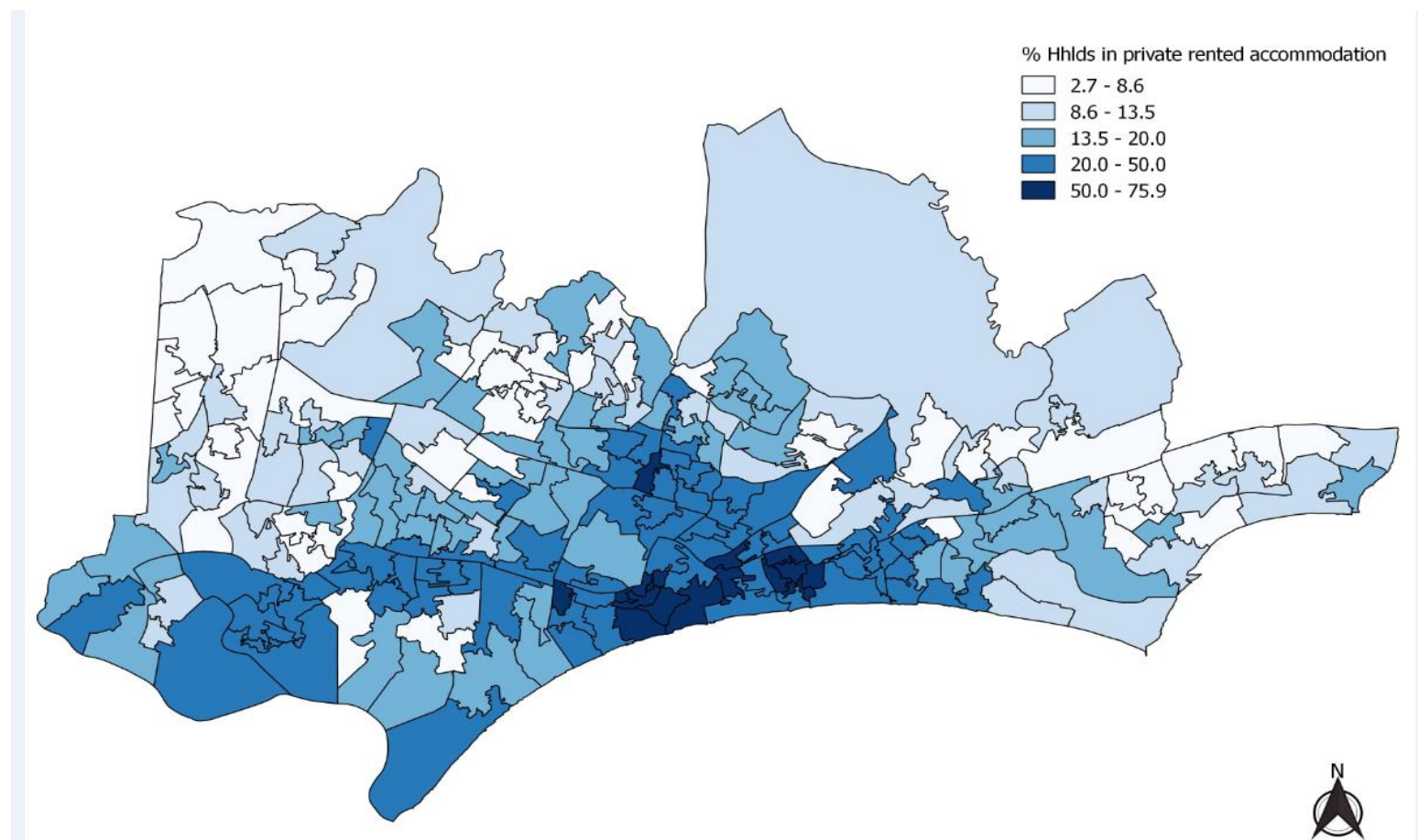


Figure 2- Numbers of households in the private rented sector

Although there are a significant amount of areas with high levels of private rented accommodation, issues attributed to the PRS are not present within all LSOAs, as the following evidence demonstrates. It is therefore not appropriate to consider all areas for selective licensing.

Anti-Social Behaviour

The data relating to ASB confirms there are high levels of ASB across the proposed area, when compared to the BCP average. The ward with the highest occurrences of ASB is Central ward and the evidence produced within this report will result in further detailed analysis of the issues within this area to ensure that nuisance relates to residential premises. Some work to remove commercial premises from the evidence has already been completed.

Anti-social behaviour has been broken down into:

- Nuisance ASB- residential property related anti-social behaviour (Figure 3)
- Environmental ASB- environmental ASB such as noise, flytipping and accumulations (Figure 4)

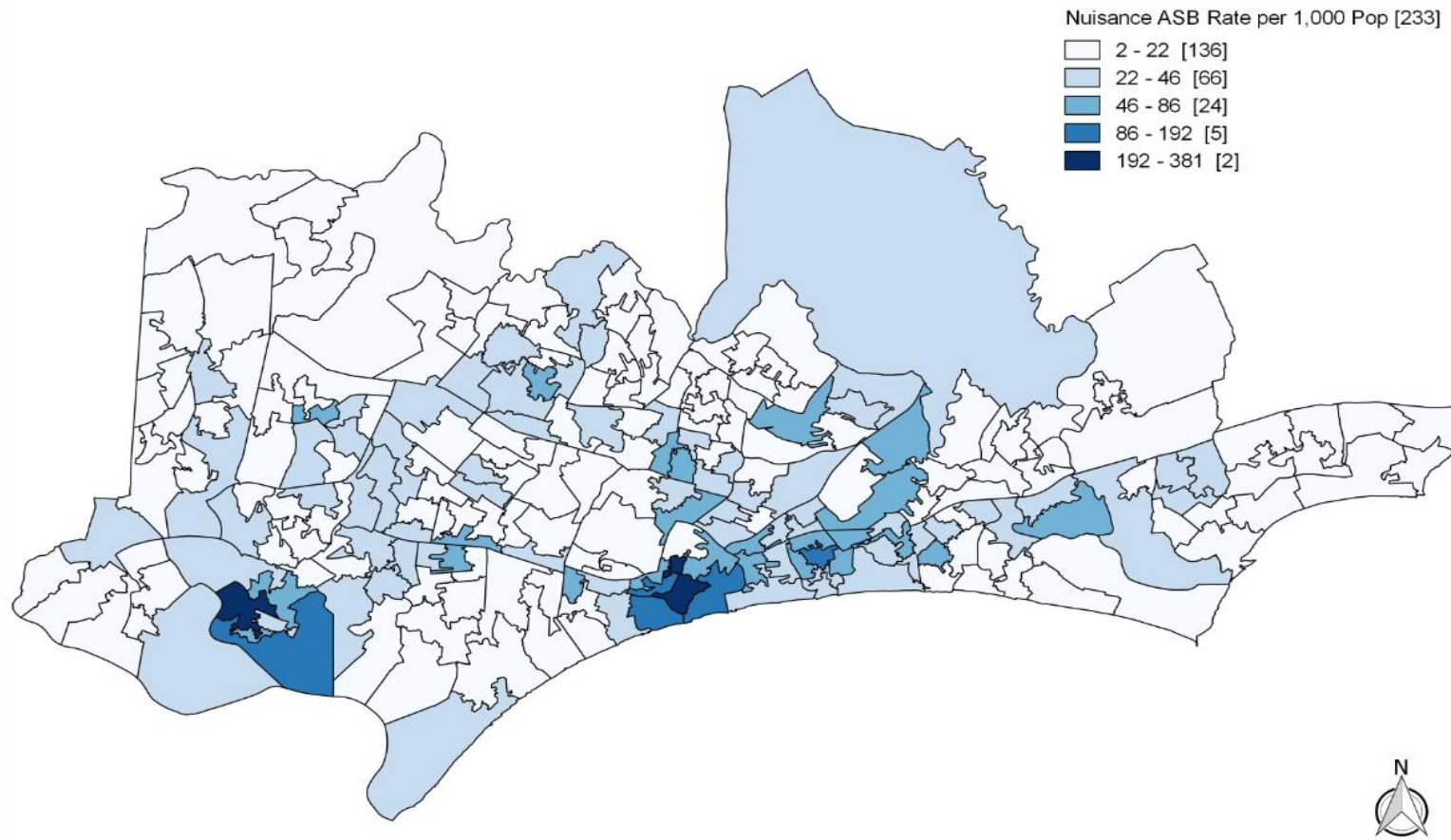


Figure 3-Incidents of environmental ASB for last 3 financial years (Dorset Police)

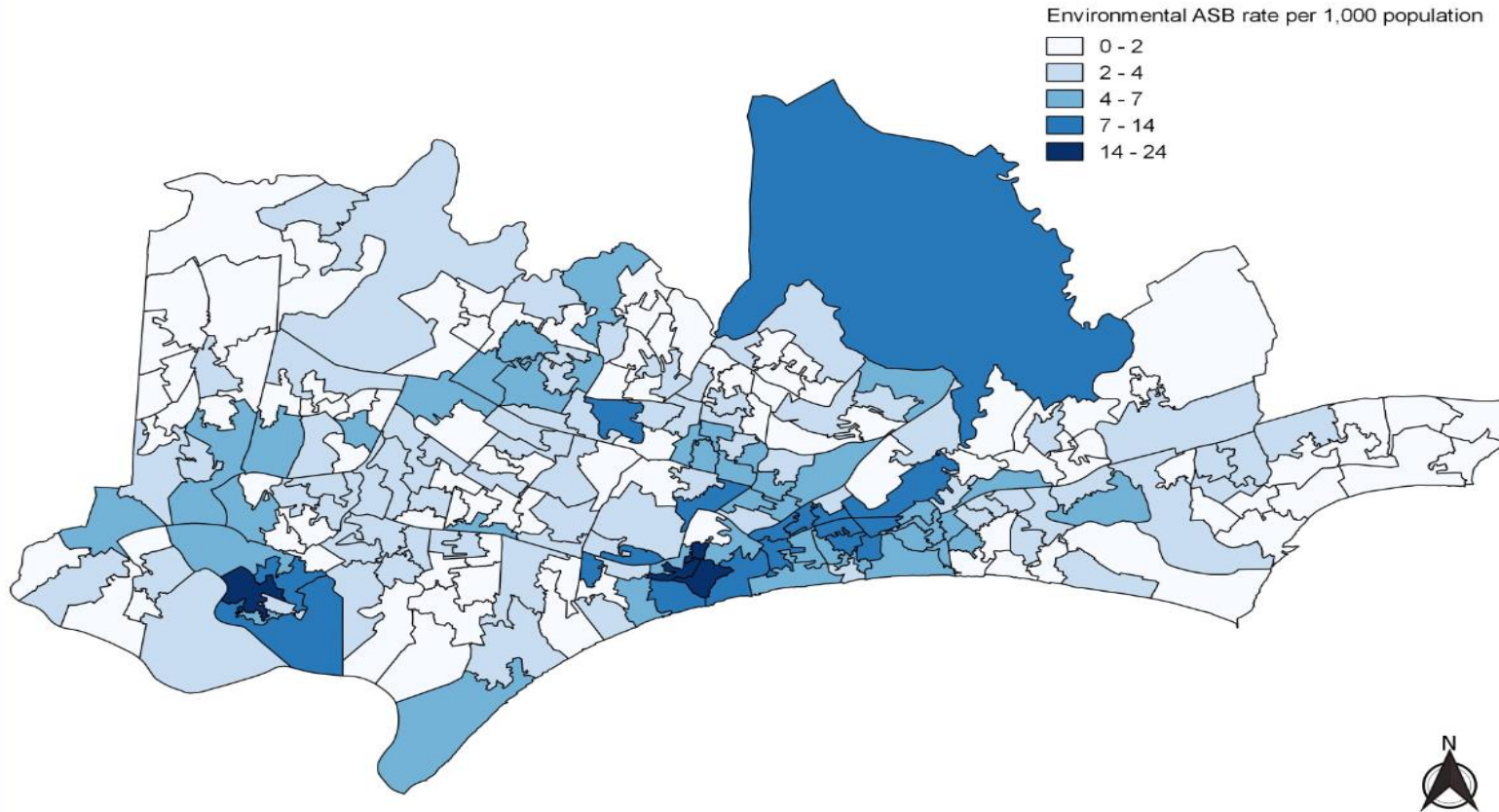


Figure 4- Incidents of environmental ASB for last 3 financial years (Dorset Police)

The evidence confirms that the levels of both types of ASB are persistently high across the period in the proposed area. Only those areas with both high levels of PRS and high levels of ASB have been included within the proposed area, and this is the prevalent data set when considering the rational for selective licensing in this area.

Public perception of crime and anti-social behaviour

The data presented combines a significant variety of data sources (over 400 data variables) including the 2011 Census, health surveys and retail and crime data to create classifications for different areas which illustrate the main characteristics of residents in this area. The classifications include 15 Groups of people which are further broken down into 66 more detailed Types of person. This provides

an insight into the demographic characteristics, lifestyles and behaviours of residents within a particular area, in this case LSOAs. It enables areas to be identified where certain characteristics dominate, such as areas where residents are more likely to be concerned about certain aspects of crime.

In this instance, the data in Figure 5 uses the England and Wales Crime Survey data¹ and statistical crime data to identify areas where households are most likely to experience a high crime rate related to criminal damage or ASB, or be very concerned about the aspects of ASB and crime listed below.

Data from the England and Wales crime survey has been filtered to map the following questions asked to members of the public based on their location:

- Crime rate per 1000 households - Criminal damage - where rate was higher
- Crime rate per 1000 households - Anti-social behaviour – where rate was higher
- Problem with noisy neighbours or parties - Very / fairly big problem
- Problem with teenagers hanging around - Very / fairly big problem
- Problem with rubbish or litter - Very / fairly big problem
- Problem with vandalism, graffiti etc. - Very / fairly big problem
- Problem with people using or dealing drugs - Very / fairly big problem
- People being drunk or rowdy - Very / fairly big problem
- Anti-social behaviour a problem in local area - Very / fairly big problem
- Change in anti-social behaviour in your area over past few years - Gone up (a little or a lot)

Figure 5 shows where persons with the highest negative perception of crime and anti-social behaviour reside. This supports further supports the data held in Figure 3 and Figure 4. The data shows that both instances of ASB and crime, and the perception of crime by local residents is higher in the proposed area. This data can be linked to the PRS due to both ASB type and the specific nature of the perception questions as above.

¹ <https://www.crimesurvey.co.uk/en/index.html>

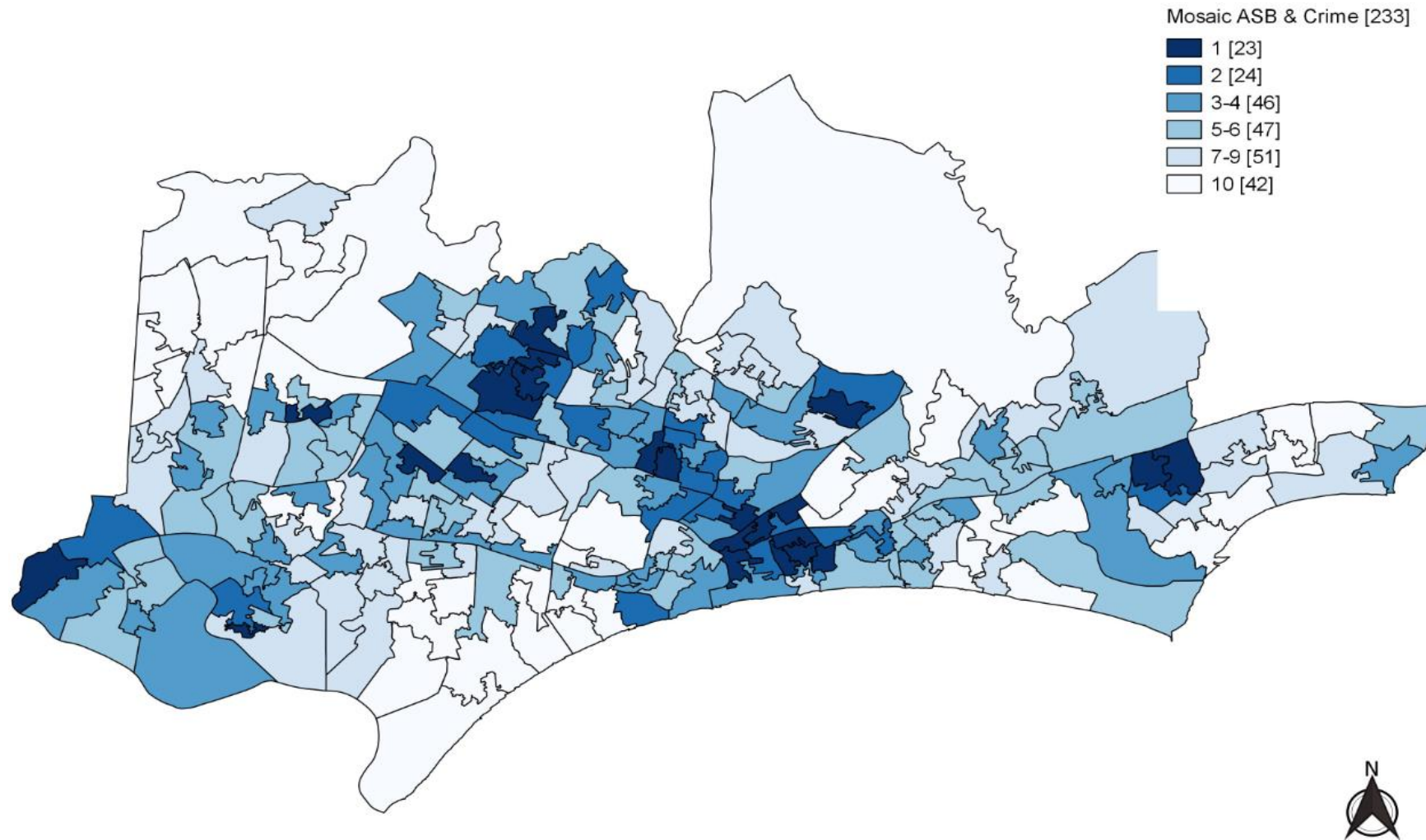


Figure 5- Perception of Crime and ASB from Mosaic by Experian data

Deprivation. The Index of Multiple Deprivation (IMD) 2015 is a relative measure of deprivation for small areas across England. It provides an overall measure of multiple deprivation experienced by the people living in that area (LSOA). There are 32,844 LSOAs across England and the Indices of Multiple Deprivation ranks them in relation to their multiple deprivation with a ranking of 1 being the most deprived and 32,844 being the least deprived. This means it can tell you if one area is more deprived than another but not by how much. For example, a small area with a rank of 1,000 is not half as deprived as a place with a rank of 500. The IMD is used as a recognised indicator of an areas deprivation relative to other areas. Deprivation refers to more than just poverty; it refers to a lack of resources and opportunities. Fig.6 shows how the LSOAs in Bournemouth, Christchurch and Poole are ranked according to their deprivation compared with all LSOAs in England, with the darker colours being the more deprived and the lighter colours being less deprived. A refresh of this data is expected by October 2019.

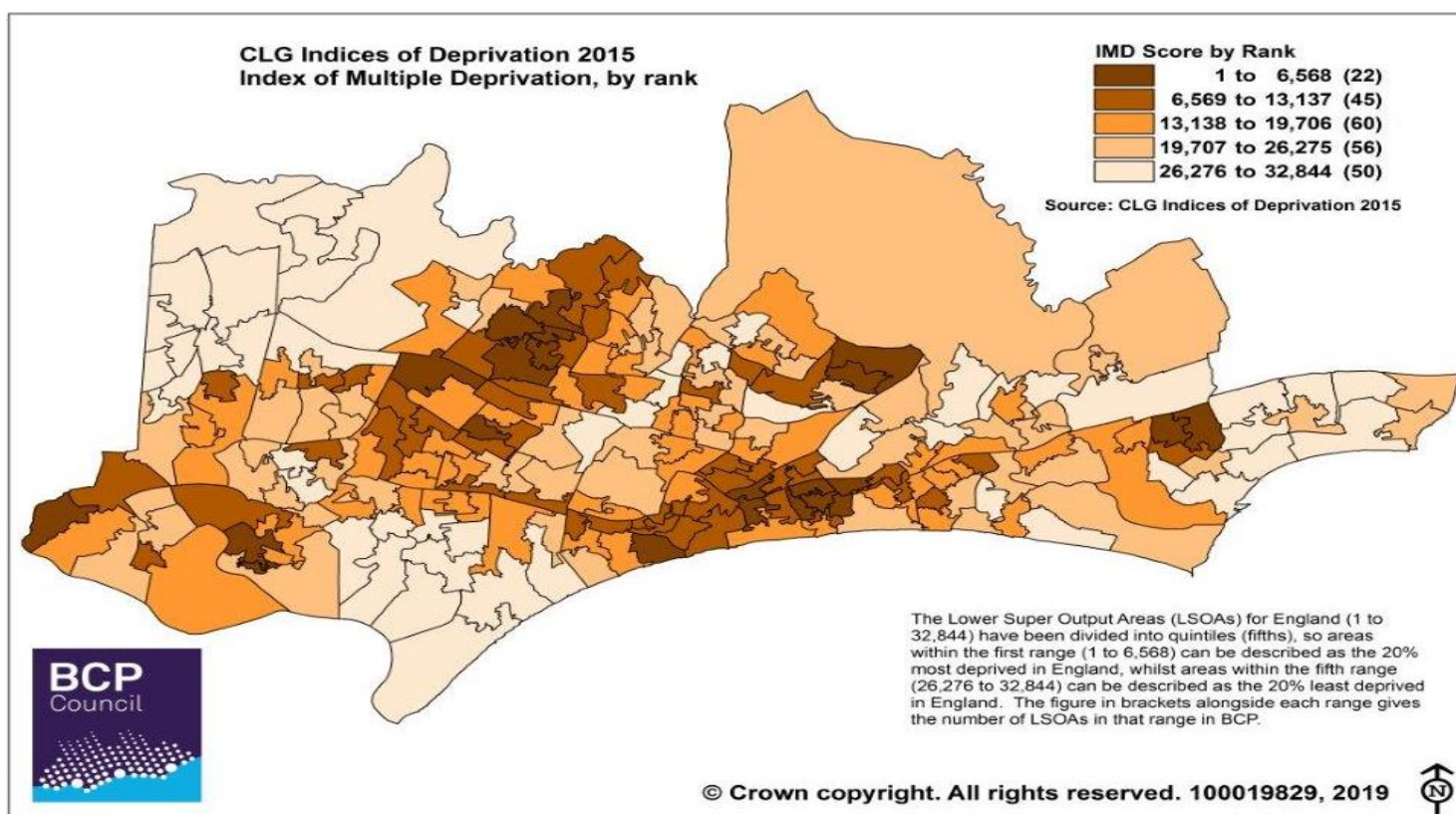


Figure 6- 2015 Indices of Multiple Deprivation

The Indices of Multiple deprivation show areas such as Boscombe and West Hill as more deprived. Other areas within the proposed areas do not feature as highly and therefore this data set has not been considered as a primary reason for the consideration of the proposed area. It is worth noting that some of the most deprived areas also relate to areas where social housing is prevalent, however Discretionary licensing cannot be used for this property type.

Migration

Issues relating to migration are not significantly prevalent across the proposed selective licensing area, however, evidence is present in some areas of potential designation. Migration looks at tenancy turnover, usually as a result of poor property conditions, anti-social behaviour and lack of community cohesion. Figure 7 shows areas where migration is above average.

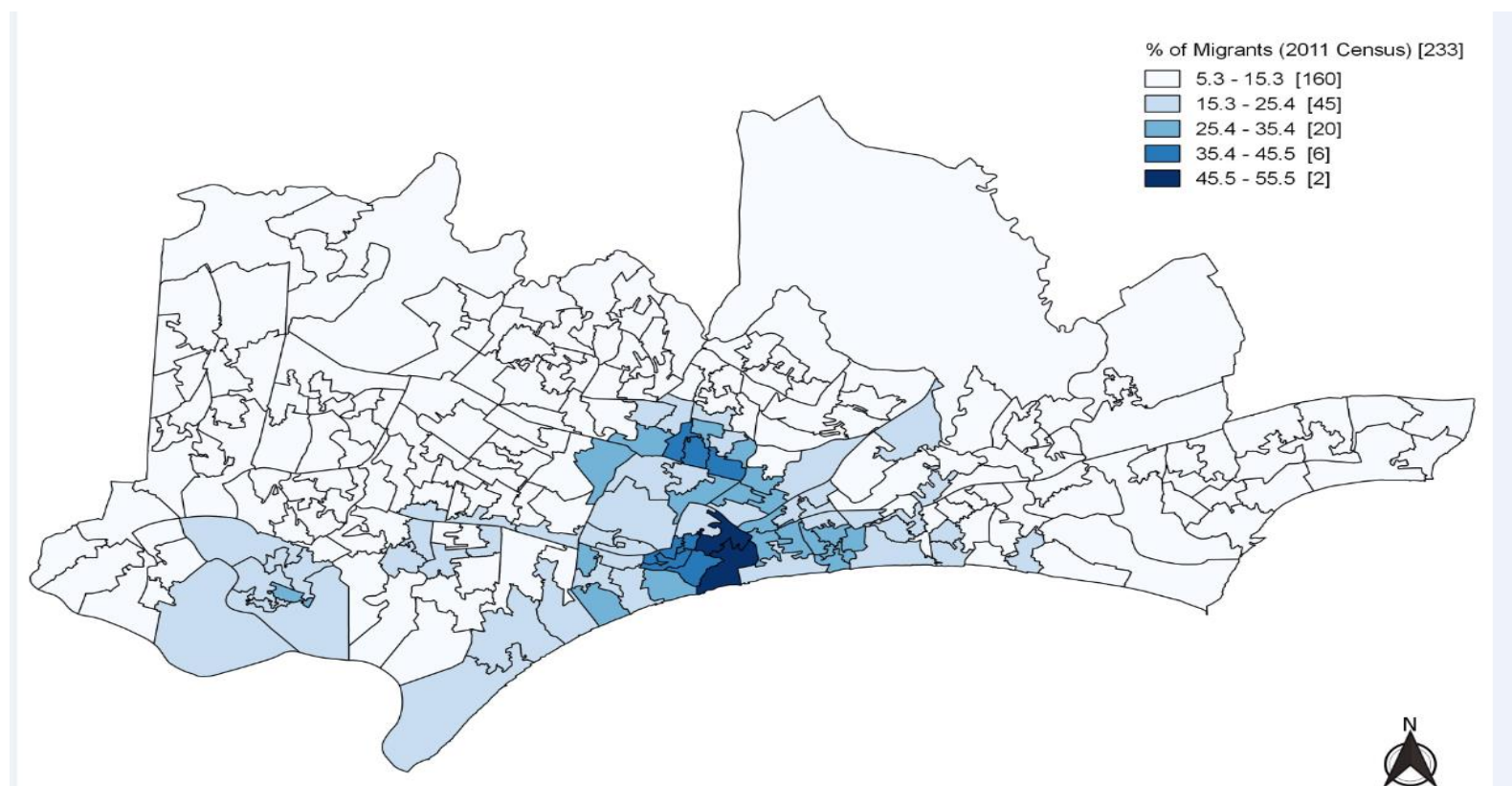


Figure 7- Levels of migration in and within the area from 2011 census

This data identifies Boscombe, Eastcliff, Springbourne, Winton, Charminster and West Hill as areas where migration is present and therefore further supports these areas to be included in the proposed area.

Selective Licensing Evidence Analysis Conclusions

Based on the methodology listed in previous sections and the weighting attributed to each evidence base, the proposed area meets more than one of the statutory conditions and has a prevalence of PRS, ASB and crime.

The evidence concludes that the areas included at Figure 1 have a higher than average PRS stock when compared to the national average (all above 20%.) Boscombe West, areas of Bournemouth Town Centre, Winton and EC&S stand out as having significantly higher PRS than other wards in the area and are also above the BCP average of 22.2.%. In some wards the PRS stock equates to 60% or more of all housing.

All areas in Figure 1 are also subject to higher than average ASB and crime, with perception of issues relating to ASB and crime being significantly high also. This suggests a direct link between ASB and the PRS and this clarifies the primary basis for the requirement of a selective licensing scheme. This data is the most prevalent and also the most important when considering the objectives of a selective licensing scheme.

The evidence has shown that the issues relating to ASB and crime are persistent, with evidence covering a three-year period to illustrate that there have been no significant improvements during this time in the areas being considered, despite other enforcement and engagement options being implemented.

Some areas defined in figure 1 are also experiencing high levels of deprivation and migration, meaning that there is a transience of tenants and lower cost, poor quality, PRS.

Therefore, there is evidence of having met Selective Licensing conditions relating to persistent ASB, persistent crime and in some areas, migration and deprivation. As only one statutory condition needs to be proven to consider a selective licensing area, given the prevalence of the evidence found it is recommended that the proposed area should be further considered for designation. However, further analysis is required to define the evidence required in the full consultation document, to include refreshed data and a further assessment in order to eliminate data not directly attributed to the PRS.

Additional Licensing Evidence Analysis

Evidence must be present to demonstrate that a significant number of Houses in Multiple Occupation (HMOs) are inadequately managed in order to justify the designation of an Additional Licensing scheme. As such, data relating to incidents of anti-social behaviour have been overlapped with currently known locations of HMOs.

Figure 8 shows the location of HMO and ASB incident data combined. It is clear that ASB is present where HMOs are prevalent.

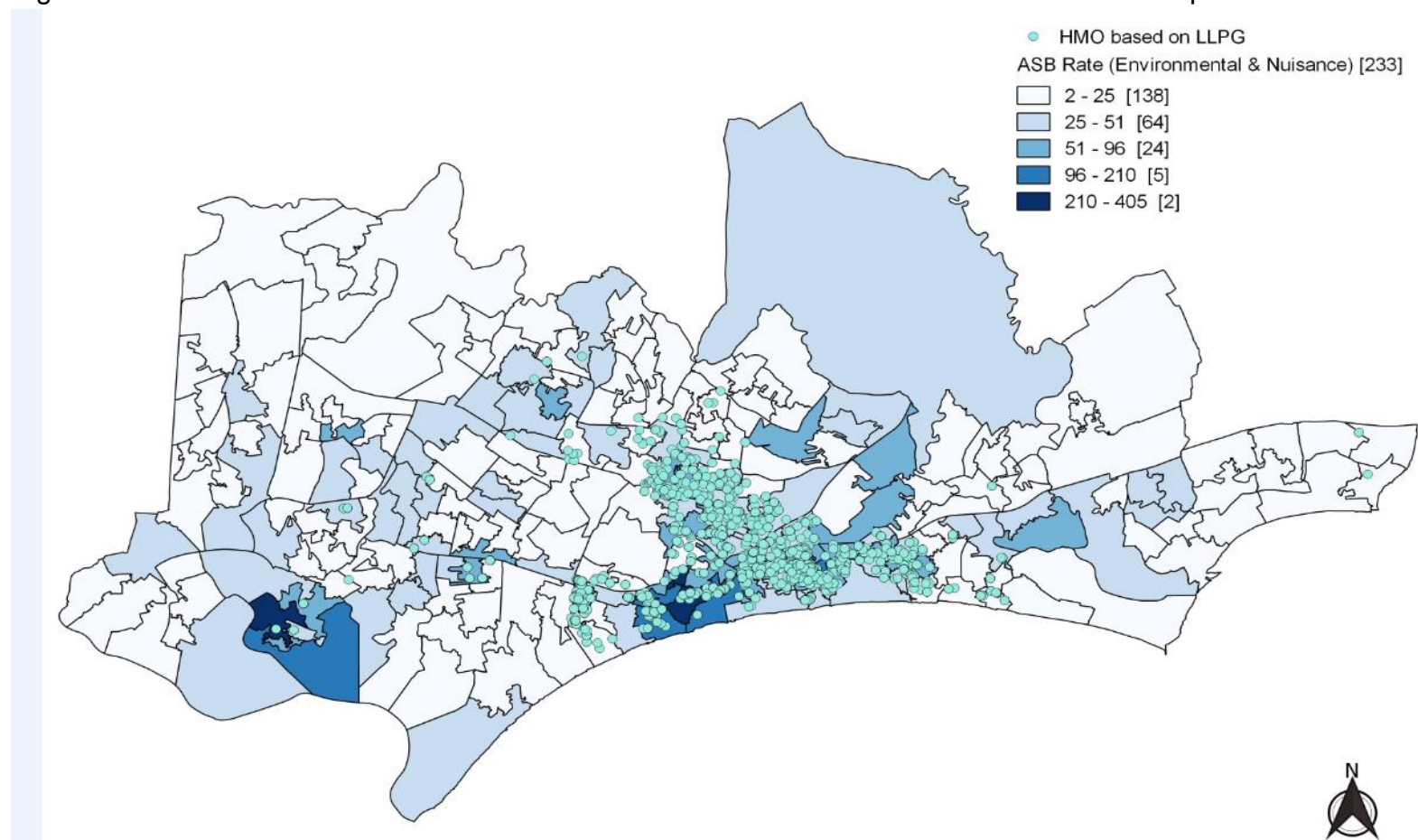


Figure 8- Location of HMOs overlapped with incidents of nuisance and environmental ASB

The Additional Licensing legislation requires the local authority to demonstrate that HMOs in the designated area are likely to contribute to community-based issues. As such, correlation between Figure 5 (data based on perception of crime and ASB) and Figure 9 (map of known HMOs) show a prevalence of negative opinion on crime and disorder rates where there is a high density of HMO accommodation. The other areas in figure 5 show as having a high percentage of negative perception are areas where social housing is prevalent. Other strategies are in place to address this, given that discretionary licensing is not permitted to this property type. Figure 10 shows the overlay of Figures 5 and 9.

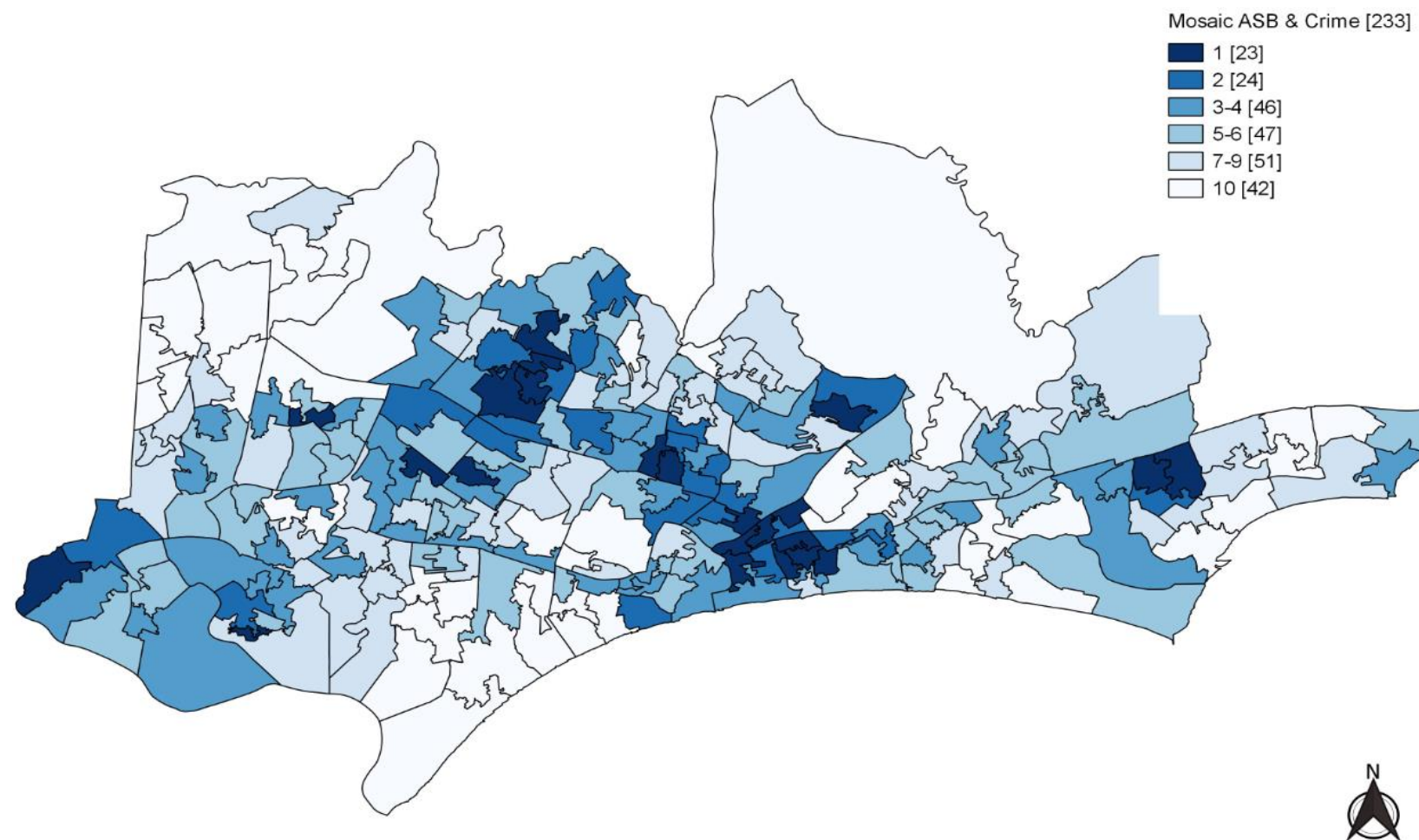


Figure 5- Perception of Crime and ASB from Mosaic by Experian data

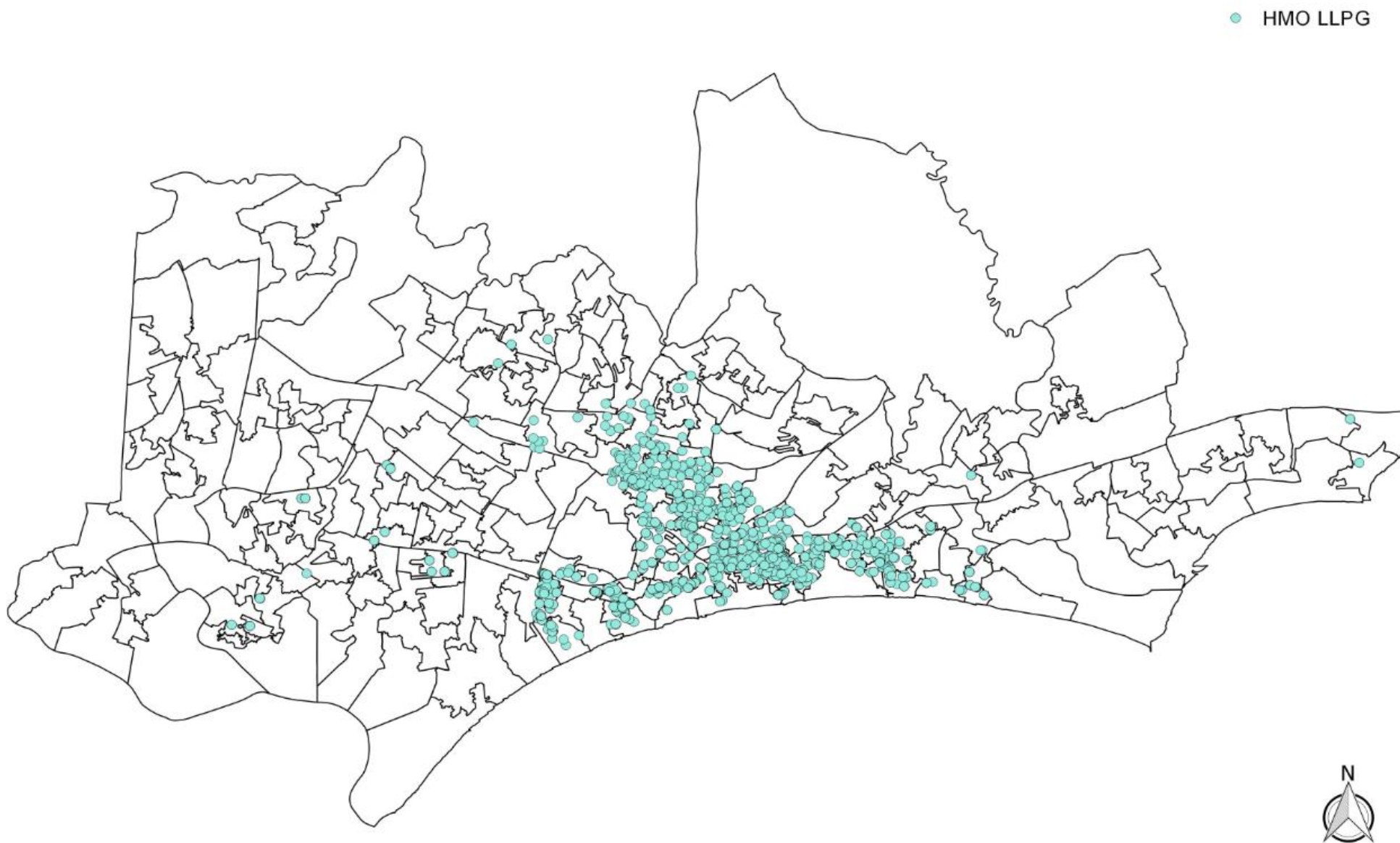


Figure 9- location of known HMOs

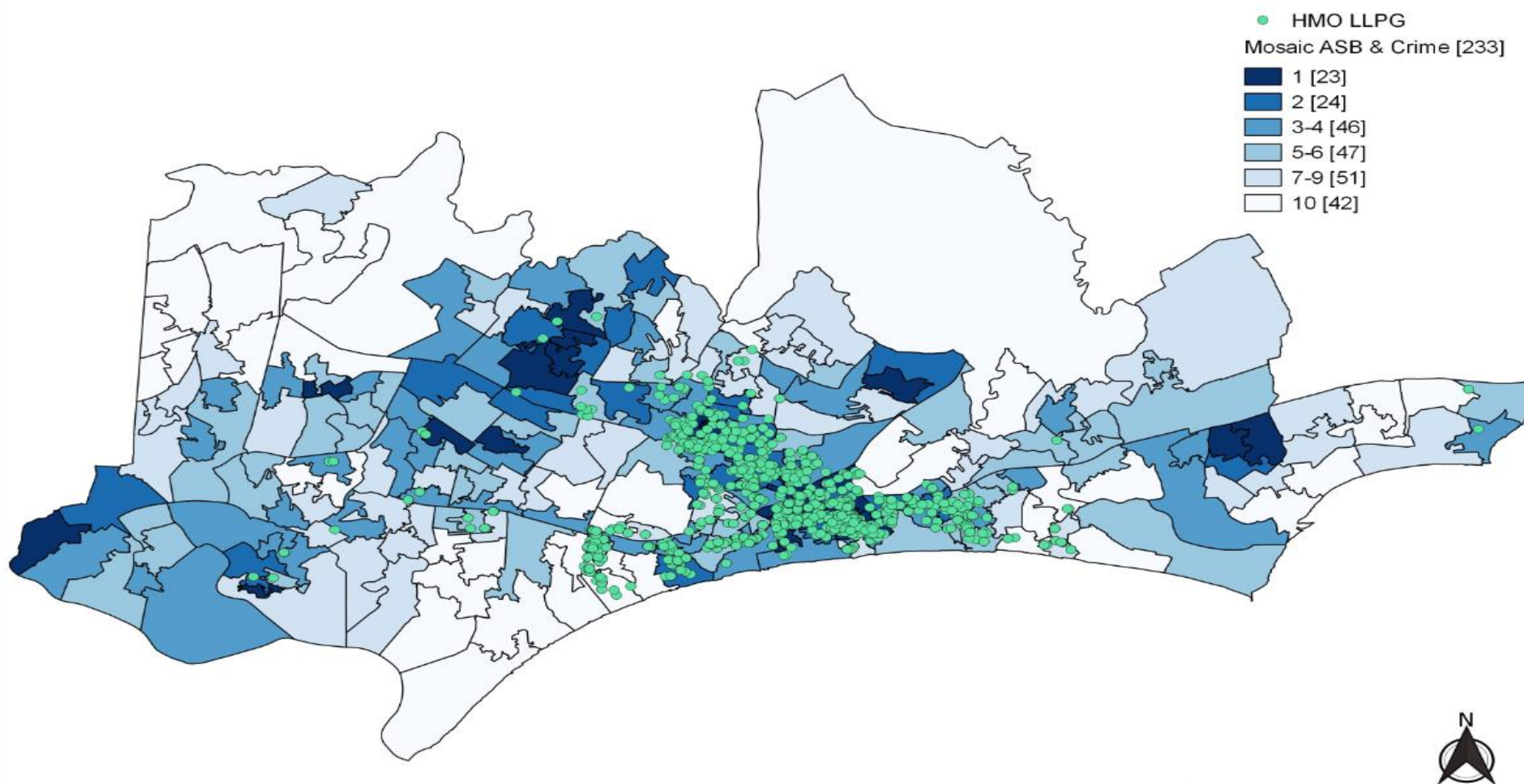


Figure 10- location of HMOs and perception of crime data

It is clear from this data that there is a high amount of ASB, crime and negative perception of crime and ASB in the areas where HMOs are present. This could be due to a lack of community cohesion and high turnover of tenancies (which is further supported by the migration data in Figure 7), which can directly be attributed to low cost, poor quality accommodation with ASB present.

BCP data on relevant service requests and public complaints

BCP Council have both pro-active and reactive services to address anti-social behaviour and housing conditions issues. The table at Figure 11 shows the evidence of complaints prevalent within the PRS sector, directly attributed to HMOs. These complaints, to include inspection of premises, take a significant amount of resource to address reactive concerns. The implementation of a licence for these premises offers continual regulation, and the culpability on landlords to undertake this, and therefore re-active complaints should reduce.

Detail	Number of cases between March 18- March 19
HMO Overcrowding complaints	23
Unauthorised HMO complaints	88
HMO management complaints	26
HMO Management schedules issued	48
Noise complaints residential	1104
Noise warnings issued (Bmth)	161
HMO Student noise notices issued (Bmth)	45

Figure 11- BCP Council complaints and enforcement data

Additional Licensing Evidence Analysis Conclusions

The evidence provided shows that:

1. HMO accommodation is present across BCP
2. HMO's are prevalent in areas where there is higher than average levels of anti-social behaviour
3. The public perception of anti-social behaviour and crime is higher where there is a prevalence of HMO accommodation.
4. HMO's yield high numbers of annual complaints with regard to anti-social behaviour and housing conditions, resulting in high levels of required enforcement.
5. Additional licensing conditions will support the Council to address the issues detailed through robust conditions, education of landlords on good practice behaviour and relevant enforcement.
6. Regulation of occupancy numbers, occupation documents and suitable management of smaller HMO premises is only achievable through additional licensing powers.
7. Additional Licensing should be considered for the BCP area to include all properties with 3 or 4 occupants from two or more households, based on the evidence provided.

Targeted Enforcement (TE)

Following previous selective licensing consultation by Bournemouth Borough Council in 2017, a decision was made by Cabinet to proceed with the Targeted Enforcement approach in the previously defined area. The objectives were to improve housing conditions and to address anti-social behaviour through the use of pro-active inspections. It was agreed that this approach would be reviewed against the initial objectives after a year of operation.

This review has now taken place and although TE has been partly effective in the work completed, the limited resource restricts the impact of the service and longevity of the effect of any enforcement. Enforcement relates to one-time issues found during inspection as opposed to continuous regulation. The enforcement outcomes support that informal action is generally successful with correct identification of responsible persons (landlord/agent.) Regulation would further support this by ensuring swift identification of responsible parties, thereby placing an onus on responsible persons to continue to maintain their properties and manage the behaviour of persons within. It would also ensure that properties are managed by fit and proper persons, when considering additional licensing, as well as regulating the sizes of suitable accommodation, which has been seen as an issue through the work of the Targeted Enforcement team. The TE experience has shown that a lack of proper maintenance has led to below standard housing conditions in many properties and has required enforcement action to address this.

Experience also proves that engagement and culpability of landlords to take relevant steps to address anti-social behaviour is challenging. Closure Orders on private properties, as defined under Anti-Social Behaviour Crime and Policing Act 2014, have increased significantly

across BCP in the last year. These orders are a last resort where all other options have failed and there is significant impact from the ASB emanating from the address, on the local community. Orders such as these are generally required when private landlords have not taken suitable early enforcement steps. There have been numerous orders of this nature within the TE area.

Simply, Targeted Enforcement cannot go far enough to make lasting impactful change and the current legislative tools being applied do not offer enough robust enforcement to continually regulate the private rented sector. A licence allows for additional conditions and regulation in order to truly improve the designated areas and defined property types.

The Targeted Enforcement approach supports the legislative condition that local authorities should consider all available options before considering the designation of a discretionary licensing scheme. Many options have now been considered and implemented, yet evidence is still present that details the need for further regulation.

Additional value offered by the Targeted Enforcement Team is that of the support offered to vulnerable tenants and enforcement required for non-compliance. This activity cannot be funded through any licence fee income raised as a result of Discretionary Licensing designation. Recommendations around these posts will need to be considered within the options appraisal following the consultation period.

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DISCRETIONARY LICENSING – Consultation Plan

This report sets out how the Council will undertake a robust and fit for purpose consultation programme for the proposal of a Selective Licensing scheme for the defined area and Additional Licensing across BCP. The consultation will consider both discretionary licensing schemes within the same consultation document and plan. For the purpose of this report this Selective Licensing area will be referred to as the designated area. For Additional Licensing the area will be referred to as borough wide.

It is essential that the consultation programme is meaningful and comprehensive, providing interested parties with detailed, accessible information on the proposal and providing a choice of methods for providing their views. It must also fully meet the legislative criteria and DCLG Guidance.

Concerns raised by all stakeholders through this consultation process will be accurately reported to Members in order that due regard can be given and informed decisions can be taken.

CONSULTATION

BCP Council is committed to asking everyone with an interest in the services that the Council provides, including residents, community groups, partners and staff, to consider proposals and share views so that they can be taken into account by Councillors when they make decisions on the future service delivery.

With particular reference to Selective Licensing, Part 3, Section 80 (9) of the Housing Act 2004 states that before considering making a designation for Selective Licensing the local housing authority must:

- a) Take reasonable steps to consult persons who are likely to be affected by the designation; and
- b) Consider any representations made in accordance with the consultation and not withdrawn.

The Department for Communities and Local Government procedural document on the subject of discretionary licensing: Approval steps for additional and selective licensing designations in England makes it clear that local authorities are required to conduct a full consultation in considering the designation of a discretionary licensing schemes. *Further useful links to DCLG Guidance can be found at the end of this report.*

A key challenge for councils is how to engage and consult with private landlords who operate in the designated area but live elsewhere in the local area, the UK or abroad. It is for this reason that we have included a wide range of communication processes and channels within our consultation programme.

Consultation must include local residents, including tenants, landlords and where appropriate their managing agents and other members of the community who live or operate businesses or provide services within the proposed designations. It should also include local residents and those who operate businesses or provide services in the surrounding area outside the proposed designation and that will be affected by the scheme.

The consultation period required by DCLG is 10 weeks. We are adopting a 12 week period for the consultation on the proposed Selective and Additional Licensing Schemes. The consultation period will commence on in January 2020 subject to approval by Cabinet.

The consultation will provide a detailed explanation of the proposed designation, explaining the rationale for the designation, how it will tackle specific problems, the potential benefits, fee structure etc. For example, we must be able to demonstrate what the local factors are, how they are currently being tackled, and how the discretionary licensing designation will improve matters.

Affected persons will be given adequate time to give their views and these will all be considered and responded to. Once the consultation has been completed the results will then be published and made available to the local community.

COMMUNICATION CHANNELS

Consultation should always be appropriate to the scale, scope and nature of the project being completed. Effective consultation that is meaningful and genuine depends on all stakeholders being sufficiently well-informed about the project, having clear, concise information, the opportunity to convey their perspectives and their concerns, and developing confidence that their perspectives are being reflected in the final design of the scheme.

It is common for consultation processes to result in changes to the project and to its design. In order to make the maximum contribution to risk management in return for the smallest cost, consultation therefore needs to commence early and continue throughout the project life-cycle.

This needs to be at the heart of BCP's consultation plan which has been set out for the proposed Licensing Schemes and we will achieve this via: -

- publishing a detailed business case/options appraisal outlining the reasons for the proposal, the evidence and method used to identify the proposed licensing areas, the components of the fee structure and any potential impacts both positive and negative.
- priming of discussions by providing some initial information about the project;
- making sure there is ongoing dialogue with consultees throughout the consultation process;
- participation of those tenants and residents affected or likely to be affected by the proposed implementation in the designated areas;

- facilitated interactions among participants;
- making sure that there is sufficient diversity among those groups or individuals being consulted, to ensure that all relevant perspectives are represented, and all relevant information is gathered
- making sure that each group has the opportunity to provide information;
- making sure that the method of consultation suits the consultation group, for example using workshops or focus groups as an alternative to, or even as well as, formal written consultation;
- making sure that the information provided and the perspectives, concerns and issues raised during the consultation process are analysed and duly considered in the final design and implementation of any scheme taken forward.

Discretionary Licensing Consultation will be taking place using the following methods:

- BCP Council website and intranet with a specific page for the proposed scheme
- Social media
- Direct mail-out to landlords and managing/letting agents.
- Engagement sessions with managing/letting agents.
- Mail drop to all residents and businesses or services within the designated area and in the surrounding areas outside of the proposed designation who may be affected or who are likely to consider that they live in the same locality as the proposed scheme.
- Direct mail and email to local communities (this includes a number of harder to reach groups).
- Press releases to local media/press and landlord trade journals.
- Posters erected in local venues such as cafes, libraries, pubs etc.
- Drop in sessions planned for stakeholders directly affected across BCP.
- Communications via LCD screens in council buildings;
- Written papers and presentations where appropriate.

Additional Licensing Consultation will be taking place using the following methods:

- The consultation will run alongside the 12-week selective licensing consultation
- As with selective licensing, a consultation document and summary will be produced as well as a paper and online survey.
- The consultation will be widely promoted as per the selective licensing plan.
- Paper questionnaires will be available in all libraries in the BCP area.
- Consultation packs including the consultation document and questionnaire will be emailed key stakeholders.
- Additional roadshows will be held at universities to promote the consultation and answer questions.

The Council will also produce a smaller, summarised version of the business case (the “Consultation Pack”) which will provide the same information in a condensed form. A questionnaire will also be produced which will be used to gather views from all stakeholders to the proposal.

A micro site will be developed which will sit within the Council’s main website and provide a direct link for people wanting to know more about the proposal for selective licensing. All documents will be published on the micro site and promoted to key groups through the methods outlined in the section below. This will include all consultation documents, questionnaires, details of drop in sessions, minutes of relevant meetings etc. An email address will be created to enable direct communication to the Discretionary Licensing Development Team.

STAKEHOLDER ENGAGEMENT

To ensure a true reflection of the views of affected groups related to this consultation, it is important that particular groups of stakeholders are effectively targeted with communications about the proposal and given every opportunity to share their views.

The following groups will receive direct communications about the proposal to request their views:

8

- **All residents in the proposed Selective Licensing area**

There are 42000 households in the proposed area. A questionnaire will be sent to every household within this area, complete with the “consultation pack” and prepaid return envelope to encourage a high response rate. A number of community drop-in sessions will be held at various locations within the designated area, which will enable local residents to find out more about the proposal. Details of the drop-in sessions will be provided with the questionnaire documentation.

- **Elected Members and local Members of Parliament**

The Business case and Consultation plan will be submitted to the portfolio holder for approval to go out to consultation. Following this all elected members for the proposed areas and the relevant Members of Parliament, will be e-mailed detailing the key aspects of the proposal and either a paper produced and/or presentation to the MPs and elected members for the areas where the schemes are located. This e-mail will invite any feedback /comments regarding the proposal. A full member briefing on additional licensing will also be offered.

- **Private Landlords, Letting Agents/Estate Agents and National and Local Landlord Associations**

All known landlords and letting agents and Estate Agents will be sent a letter explaining what the proposals are and how it will affect them as landlords. The letter will include links to the website where the full consultation document will be available and invite completion of the questionnaire.

The National Landlords Association, the Association of Residential Lettings Agents, the Guild of Residential Landlords and Residential Landlords Association and Training for Landlords will be contacted directly by letter and where applicable, e-mail.

A separate invitation will be sent regarding a number of drop-in sessions to be held at various venues and various times of the day. These drop-in sessions will be aimed predominately at those who are directly affected or are likely to be affected and will be informal so landlords or the public can call in at any time. The sessions will be held so that landlords can find out more about the proposal, ask any questions and provide any comments/feedback. Council staff will be on hand to answer any questions.

A specific meeting will be held for the local NLA & ARLA groups both at the pre consultation stage and during the formal consultation period. The session will provide landlords and lettings agents with an opportunity for feedback and discussion with the Discretionary Licensing Development Team.

- **Supported Housing Providers**

All known providers of supported accommodation who operate in the designated area or who could manage stock will be contacted directly by e-mail and advised of the consultation process, business case and will be invited to complete a questionnaire. There will be a link to the website within the email.

- **Businesses/services within the proposed designation areas and in the immediately surrounding areas**

Mail drop - All properties within the proposed streets within the designated areas will be mail dropped an overview letter, and executive summary of the business case. The letter will explain what the scheme is and what its potential implications are. The letter will encourage businesses and stakeholders to also visit the website to obtain further information and complete the questionnaire either online or they can request a paper copy if required. Details of a number of drop in sessions to be held at various venues and various times of the day will also be provided.

- **Social Landlords**

All social landlords who operate in the designated areas or who could manage stock will be contacted directly by e-mail and advised of the consultation process, business case and will be invited to complete a questionnaire.

- **Stakeholders, Partners & Community Groups in the proposed designated area**

Community groups will be contacted by letter and/or e-mail with details of the proposal. They will be advised of the information available on the website and that drop in sessions will be held with details to be made available on the Council website.

Stakeholders and interested parties such as Dorset Police, Dorset & Wiltshire Fire & Rescue Service, South Central Immigration Service, Shelter, Citizens' Advice Bureau and numerous others will be consulted directly through a consultation event and other methods.

Whilst direct consultation will attempt to be as exhaustive as possible, any interested groups not already identified and consulted directly will also be encouraged to complete the questionnaire or make comments. Groups not consulted directly are

considered likely to hear about the proposal through mediums such as the website, posters and local press releases.

- **BCP Council Staff**

An e-mail will be sent to relevant Departments/Teams to advise them of the proposal seeking comments. Relevant areas to include but are limited to – Housing Benefits, ASB Team, Community Wardens, Supported Housing and SP Hub, Housing Options Team, CRI, Strategic Planning, Economic Development and Social Care Teams. For any team who may experience a significant impact from the proposal, a meeting can be arranged to discuss the implications and to provide an opportunity for Council officers to provide suggestions and feedback on the proposal. Information will be sent through to all staff via the Chief Executive's weekly staff e-mail bulletin and a blog by the Director of Communities.

- **All Other Residents**

Press releases will be issued to local media to promote the consultation. Posters will be placed around the proposed Discretionary Licensing areas advertising the consultation. The Council will create a micro site within the Council's own website where all information regarding the proposal will be posted. LCD screens in Council buildings will display information and highlight the consultation being undertaken. Some key local venues (libraries/shops/cafes/pubs) will be asked to display poster/leaflets.

Information will be available on the council website so any people with internet access will be able to find out more about the proposal as well as completing an online questionnaire which also enables the opportunity to add comments. Details will be made available on the website and posters, once they are confirmed, of the number of drop in sessions to be held in public places in order to make them as accessible as possible.

Social media will also provide an opportunity to reach a larger audience and consideration will be given to asking stakeholders, such as Dorset Police to include information through their social media sites.

Further communication will be sent to a database resident email addresses with information related to the proposal and a direct link to the consultation questionnaire.

How issues raised will be dealt with as part of the consultation

Throughout the consultation process a record of each consultation event or period that has been undertaken and what issues were raised from these will be formally logged. This will detail the date of the consultation, what form the consultation took place, who was consulted and what were the results/issues raised. Different methods of communications will be used as part of the consultation process and a separate consultation report will be produced for each event to enable a 'portfolio' to be produced as one document at the end, with each element represented as a section.

BCP Council is committed to ensuring all comments received are recorded and there is a clear audit trail of all decisions made and how consultation responses were taken into consideration and balanced with any evidence and specific information gathered. The

consultation report will be published and placed on the website. Where feasible independent facilitation of focus groups and consideration of consultation results will be undertaken.

Consultation Pack

- Background and Overview of Private Sector Licensing
- Strategic Context and Objectives
- Options Appraisal
- Consultation Process
- Proposal
- Scheme Costs and Fee Structure

Consultation Costs

Selective licensing area

Postal consultation packs (printing and postage based on 24,500 residential addresses in designated area)	£21,000
Hard copies for libraries and drop-in events	£4,000
Business letters	£1,500
Independent workshops	£21,500
Data entry	£3,000
Translations and easy read versions	£2,500
Web and comms (inc. promotion on relevant websites)	£2,000
Insight team costs (research and reporting)	£7,000
TOTAL	£62,500

Additional licensing costs

Postal consultation packs to key stakeholders	£1,000
Hard copies for libraries and drop-in events	£6,000
TOTAL	£7,000

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BCP Equality Impact Assessment Screening Tool

Public Sector Equalities Duty

Please answer all the questions and provide a summary of the answers in the box noted below

1. Project Title:	Discretionary Licensing Consultation
2. Service Unit:	Communities
3. Summary of Project:	Cabinet report for the proposal

Equality Impact Assessment Screening Tool	Response Yes/No/Maybe/Don't Know
4. Will the policy or service change affect service users, employees or the wider community?	No- consultation only
5. Is there likely to be a positive or negative impact in terms of equality? Use the 9 protected characteristics to determine if this decision will affect any characteristic disproportionately.	No-full consultation plan is inclusive
6. Does it relate to a sector or physical area where there are known inequalities?	Yes- however full consultation in multiple formats
7. Does it relate to a service that is currently underused by people it should reach?	No
8. Does the policy or service change relate to functions that previous consultation has identified as important to a particular group?	No
9. Do different groups have different needs or experiences in relation to the policy/service?	No

Summary and conclusions

Please use this section to support the responses above and to determine if you will/will not carry out a full EIA.

It is important to remember that even when it has been decided not to carry out a full EIA the outcome of this decision record remains subject to the general duties and not carrying out a full EIA places the Council at greater risk of legal challenge

This proposal is for a public consultation across a wide area using various mediums. The consultation is to seek public opinion on the proposal for selective and additional licensing. The results will be independently analysed and proposals then made to formal cabinet, where any impact will be supported by a full EIA.

Will this decision record be supported by a full EIA?	No
Assessment Screening Tool completed by: Sophie Ricketts	Date: 6/9/2019

BCP Equality Impact Assessment Screening Tool

Key contacts for further advice and guidance:

Equality & Diversity: [Sam Johnson - Policy and Performance Manager](#)

Consultation & Research: [Lisa Stuchberry – Insight Manager](#)

Risk Assessment

Activity :

Discretionary licensing consultation

**Risk Assessment
Completed by :**

Sophie Ricketts

Date : 6/9/2019

**Review
Date :** 9/10/2021

IMPACT	Examples	Score	LIKELIHOOD	Timeline	Score	RATING	Action	Score
Low	Minor service disruption/inconvenience, minor injury, small financial loss, isolated service user complaint.	1	Unlikely to occur	0 – 10% chance	1	LOW	Continue to monitor; Reassess if any significant changes; Have long term plans to eliminate or reduce hazards	1 - 2
Medium	Service disruption, More serious injury or financial loss, adverse media coverage, numerous service user complaints	2	Could Happen	10 - 40% chance	2	MEDIUM	Try to eliminate or reduce hazards as soon as practicable; Reassess work routines and training; Increase controls; Continue to monitor.	3 - 6
High	Significant service disruption, major disabling injury, high financial loss, adverse national media coverage.	3	Likely to happen in time	40 – 80% chance	3	HIGH	Seek specialist advice; Try to eliminate or reduce hazards as soon as reasonably practicable; Reassess work routines and training; Increase awareness & controls; Increase monitoring.	8 – 16
Extreme	Total service loss for significant time period, fatality, catastrophic financial loss, ministerial intervention in service running	4	Certain to happen	80% or more chance	4			

Risk Assessment

Risk	Risk mitigation to date	Impact	Likelihood	Rating	Further mitigation required	Acceptable risk?
Increased public perception of crime	The crime statistics have been taken from Dorset Police systems and Mosaic perception of crime. Crime trends are within the public domain on police.uk Rational of data explained within the evidence base	Medium-2	Unlikely to occur-1	Medium-3	n/a	Yes
Abortive costs of consultation if discretionary licensing not implemented	This is not mitigatable; however, the public consultation will shape and inform future services, regardless of the recommendations that come from it. Full consultation plan has ensured comprehensive audience and mediums balanced with costs	Medium-2	Could happen-2	Medium-4	n/a	Yes
Legal challenge	As this is a public	Medium- 2	Unlikely to	Medium-3	Discussions with	Yes

Risk Assessment

<p>on the consultation</p>	<p>consultation, responses on evidence and legality can be fed in through the 12 weeks. Legal challenge regarding proposals will be carefully considered before any recommendations are made. Consultation and evidence collation is a statutory power afforded to the local authority through Housing Act 2004.</p>		<p>occur-1</p>		<p>landlords and stakeholders will take place through the consultation period.</p>	
<p>Damage of relationships with stakeholders who are against the notion of selective licensing</p>	<p>At this stage, the Council are consulting on the option of discretionary licensing, no decisions have been made</p>	<p>Low-1</p>	<p>Unlikely to occur-1</p>	<p>KLow-2</p>	<p>n/a</p>	<p>Yes</p>

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CABINET

Report subject	Revised policy and practice for unauthorised encampments
Meeting date	9 October 2019
Status	Public Report
Executive summary	To advise Cabinet of the variance in policy and practice for unauthorised encampments in Bournemouth, Christchurch and Poole, and recommend a way forward to develop a revised policy.
Recommendations	It is RECOMMENDED that: Cabinet establish a cross-party member working group, as outlined in para 27, to consider the alignment of policies and procedures across the Council area and report back to Cabinet.
Reason for recommendations	The complexity of disparate and often contrasting policy options would best be considered by a specific member working group that could develop a consolidated policy with future options, for further consideration by Cabinet.
Portfolio Holder(s):	Councillor Dr Felicity Rice (Portfolio Holder for Environment and Climate Change)
Corporate Director	Kate Ryan (Corporate Director of Environment and Community)
Contributors	<ul style="list-style-type: none"> ▪ Larry Austin, Service Director, Environment ▪ Peter Haikin, Regulatory Services Manager ▪ Andy MacDonald, Head of Parks (Greenspace) Operations
Wards	None specific
Classification	For Recommendation

Background

1. Separate and distinct policies evolved across Bournemouth, Poole, and Dorset for addressing unauthorised encampments on local authority land. The

policies differ considerably in terms of site management, target-hardening and legal process, albeit a single risk-assessment approach now operates across BCP (**Appendix A**).

2. A joint protocol between Dorset Police and Dorset local authorities provides for a coordinated approach. The vast majority of encampments within the conurbation are managed the local authorities, although police have powers in some circumstances to remove an unauthorised encampment, in particular where a transit site is provided by the local authority.
3. Policy and practice in Bournemouth and Poole has evolved since 2012 in response to some very high profile and challenging encampments together with a gradual increase in their regularity and size. (**Appendix B**).
4. The main differences in policy and practice within each locality are outlined in paragraphs 5. to 22.

Legal process

5. Poole: the criminal route through the Magistrates Courts is used (S. 77-79 Criminal Justice and Public Order Act 1994). Officers conduct the initial review and welfare assessments, serve Directions, attend court hearings, serve Court Orders, and accompany bailiffs for any forced evictions.
6. Bournemouth: the civil route through the County Court is used (Part 55 of Civil Procedures Rules). Officers conduct a needs assessment, issue proceedings followed by a hearing for a Possession Order, and where necessary obtain an eviction warrant through County Court Bailiffs / High Court Writ.
7. Christchurch: similar to Poole, albeit there has been no need for legal action in the last few years. Dorset Council has a transit site at Piddle Hinton, by which Christchurch Council previously would have derived some benefit.

Site management

8. Poole: portable toilets and skips are often provided, in order to reduce environmental damage and clean up costs. In recent years there has been a shift from working to holidaying, and hence there is less need to provide skips.
9. Bournemouth: security personnel are provided at many unauthorised encampments to help prevent additions to any encampments and provide reassurance to the local community. Toilet facilities are occasionally provided.
10. Christchurch: there is no policy to provide portable toilets, skips or on-site security which, in any case, would rarely be necessary.

Target-hardening of open spaces

11. Poole: the main tourist destinations are protected, but there is no on-going programme for the protection of other open spaces. Experience suggests that target-hardening prompts displacement to other locations, and also results in more damage and costs when breached.
12. Bournemouth: policy since 2002 (following the large unauthorised encampment in Kings Park in 2001) has been to erect physical defences on all identified vulnerable open spaces.

13. Christchurch: Many public open spaces have been target-hardened, albeit there has been no comprehensive target-hardening programme.

Target-hardening of car parks

14. Poole: carried out by exception, with just a few car-parks having height / width barriers. The rationale is that barriers deny the established and legitimate use of these facilities by users with wide or high-sided vehicles and roof carriers.
15. Bournemouth: many car parks have height barriers to prevent access by high-sided vehicles. The policy has previously prompted complaints from users of high sided vehicles such as motorhomes that the car parks deny access.
16. Christchurch: many of the car parks have height barriers, but there has been no comprehensive programme to provide these to all car parks.

Tolerance

17. Poole: incursions on open spaces used for recreational, tourist or sporting purposes are not tolerated, but otherwise there is a degree of toleration if the campers do not cause anti-social behaviour or deny legitimate use of the land.
18. Bournemouth: generally less tolerance of unauthorised encampments, but there are exceptions where an encampment is unobtrusive, small in size, and there is no evidence of anti-social behaviour.
19. Christchurch: there is a degree of toleration where there is no anti-social behaviour or denial of legitimate use by residents and visitors.

Communications

20. Poole: an initial email with links to a website which is updated regularly is sent to ward members, police and various council officers, following confirmation of a new unauthorised encampment.
21. Bournemouth: 'Traveller Alert' / 'Update' emails are sent to managers, officers, ward members, police, and a web page also provides information on current unauthorised encampments.
22. Christchurch: there is no formal system of email or web-page updates, albeit officers liaise with ward members and colleagues on current encampments.

Policy development

23. Pre-emptive Injunctions: previously considered in 2016 following discussions with Brandon Lewis (*the then Minister of State for the Department of Communities & Local Government*) and Tobias Ellwood MP, the matter was again revisited in March 2019. A QC has advised that pre-emptive injunctions could be obtained through the High Court in London and would last for 3 years, enabling accelerated evictions from BCP land. A recent High Court appeal however has thrown some doubt on the legitimacy of such injunctions.
24. MHCLG consultation: Bournemouth and Poole councils submitted responses to the 2018 the consultation paper 'Powers for dealing with unauthorised development and encampments'. A summary of the consultation responses was published in February 2019 (*see background papers*), with proposals including a more robust approach with increased police support, criminalising

certain types of unauthorised encampment, and the sharing transit sites. There is no timescale published for likely legislative changes.

25. There are challenges to development of a single BCP policy in view of the existing, divergent policies around target-hardening, site management, levels of tolerance, and legal process. Emerging policies around pre-emptive injunctions, exploration of the benefits of a transit site / temporary stopping place, and likely legislative changes need to be considered.
26. The complexity and profile of this policy area demands a more detailed examination of potential options and future direction. This could best be served by the establishment of a cross-party member working group.
27. The cross-party member working group would examine current policy and practice as outlined in paras 5 – 22, together with future policy options outlined in paras 23 – 25, in order to recommend to Cabinet a consolidated BCP policy together with any associated financial implications. The group would be chaired by the Cabinet Portfolio Holder for Environment and Climate Change, and supported by officers from Environment, Communities, and Law & Governance. The Group would comprise up to 11 councillors, nominated from the relevant political groups to reflect the political balance of the council, plus the Cabinet Portfolio-holder.

Summary of financial implications

28. There are no financial implications resulting from the recommendations. The outcome and recommendations from the member review could nevertheless have financial implications that would be detailed in a future report to Cabinet.

Summary of legal implications

29. There are no legal implications arising from the recommendation.

Summary of human resources implications

30. There are no human resource implications arising from the recommendation.

Summary of environmental impact

31. There are no environmental impacts arising from the recommendation.

Summary of public health implications

32. There are no public health implications arising from the recommendation.

Summary of equality implications

33. Gypsies and Travellers, who it is believed comprise the vast majority of unauthorised encampments in BCP, are afforded specific protections as a result of case law, the Human Rights Act 1998, and the Equality Act 2010. Their right to continue with a nomadic lifestyle is specifically protected, and the Council has a duty to consider how its policies or decisions will affect people who are protected under the Equality Act.
34. Each unauthorised encampment requires a Welfare Needs Assessment (WNA) to ascertain any issues relating to health, education, and wellbeing. Government guidance acknowledges that many within the travelling

community experience difficulty in accessing such services, and the WNA identifies issues and signposts Gypsies and Travellers to relevant services.

35. This report specifically addresses issues around unauthorised encampments, but does not cover wider but related Gypsy and Traveller policy matters such as permanent housing provision, public health impacts, or modern slavery.
36. The new consolidated policy on unauthorised encampments will require a full Equality Impact Assessment.

Summary of risk assessment

37. There is no risk relating to recommendation. However, the alternative to these recommendations would be for Overview and Scrutiny Board to analyse and consider a complex set of possible permutations of existing policies and future policy options, which would be demanding of time and resource.

Background papers

38. 'Government response to the consultation on powers for dealing with unauthorised development and encampments, February 2019':
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/776942/Unauthorised_development_and_encampments_response.pdf

Appendices

- Appendix A Dynamic risk assessment for Unauthorised Encampments
- Appendix B Unauthorised Encampments, 2016-2018 incl.

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Dynamic risk assessment for Unauthorised Encampments (UE)

Name of site:	Date:
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Site details

1. Has the UE group been informed that they have no permission to be on the site and asked to leave the site? **Yes/ No**

2. Has this site had other UE over the last 12 months? **Yes/ No**

If yes, please list dates and no of units:

3. Size of site UE is on (note for reference football pitch is 7,140 square metres)

Size:

4. Percentage of the available site area taken by UE (circle answer)

0-25% 25-50% 50-75% 75-100%

5. Distance from residences (note for reference a Tennis Court is 23m long) (circle answer)

0-25m 25m-50m 50m-100m 100m-200m Greater

6. Distance from commercial premises (circle answer)

0-25m 25m-50m 50m-100m 100m-200m Greater

7. Does the UE prejudice/prevent use of the site? **Yes/ No**

If yes, please describe (eg does the site carry any designations, stops sports use etc)

Impact on site users

Negligible		Low level		Moderate		High level		Severe	
1	2	3	4	5	6	7	8	9	10

Details of UE

8. Please record number of living units below. Are there more than 6 units? **Yes/ No**

Record no under each type of living unit			
Caravan	Camper	Tent	Total Units

1 Unit
 2-3 units = minor UE
 4-6 units = small UE
 7-9 units = medium UE
 > 9 units = large UE

9. Does it appear the group is working? (working/commercial vehicles, sign written vehicles) **Yes/ No**

If yes, please enter provide details

Background

10. Has damaged been caused to the land or property?

Yes/ No

If yes, please provide details (inc Crime no):

Assessment of damage level

Negligible		Low level		Moderate		High level		Severe	
1	2	3	4	5	6	7	8	9	10

11. Has threatening, abusive, insulting words or behaviour been used to the occupier/employees? **Yes/ No**

If yes, please provide details (inc Crime no):

Impact of abusive behaviour assessment (Circle one)

Negligible		Moderate		Disruptive		Unacceptable		Severe	
1	2	3	4	5	6	7	8	9	10

12. Does the UE meet the criteria the Police use to decide if they will use their powers under Sec 61 of the Criminal Justice & Public Order Act 1994? **Yes/ No**

Note Questions 1,7, 10, 11 should be answered Yes to facilitate a strong request to the Police considered using their powers under Sec 61 of the Criminal Justice & Public Order Act 1994

13. Have the Police been contacted?

Yes/ No

If yes, please provide details (inc Date & Crime /incident no):

14. Is there evidence/reports of ASB on site?

Yes/ No

If yes, please provide details, eg fires, ASB noise, ASB use of vehicles, fly tipping, human waste (inc Crime no)

Impact of ASB assessment (Circle one)

Negligible		Moderate		Disruptive		Unacceptable		Severe	
1	2	3	4	5	6	7	8	9	10

UE Management

15.. Is security required?

Yes/ No

Circle type and explain reasoning

Staff visits Mobile Stationary

16. Will the UE require toilet provision?

Yes/ No

Explain reasoning and what's provided

17. Will waste provision be provided?

Yes/ No

Circle type and explain reasoning (e.g. working group)

Black bags Wheelie bin Skip

Details of other comments/observations to be taken into account:

Completed by:

Date:

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Appendix B: Unauthorised Encampments, 2016-2018 incl

Poole					
2016		2017		2018	
Location	Pitches	Location	Pitches	Location	Pitches
Wessex Gate Retail Park (behind PC World)	4 Caravans	Kingland Road Car Park	8 Caravans 1 Motorhome	Adj to P&R	4 caravans
Montacute School	3 Caravans	Harbourside 1	3 caravans	Adj to Serpentine Road	4 caravans
Kingland Rd Car Park	4 Caravans	Copse Close Poole	9 caravans	Adj to P&R - Moved onto P&R	9 caravans
Poole Stadium, Coach Park, Stadium Way	5 Caravans	Kingland Road Car Park	4 Caravans	Kingland Road Car Park	11 Caravans
Kingland Rd Car Park	6 Caravans	Harbourside Car Park Baiter	4 Caravans	Copse Close	10 caravans, 3 motor homes
Kingland Rd Car Park	7 Caravans	Miller & Carter steakhouse car park	12 Caravans	Baiter Park	10 caravans, 3 motor homes
Land adjacent to P&R	8 Caravans	Baiter – grassed area	9 Caravans	Adj to P & R	2 caravans
Kingland Rd Car Park	9 Caravans	Kingland Road Car Park	10 Caravans	Branksome Park Open Space	2 caravans
Land adjacent to P&R	10 Caravans	Kingland Road Car Park	13 caravans	Toys R Us Site	2 caravans
Broadstone Rec	11 Caravans	Beach Road Car Park	3 caravans 1 motorhome	Sandbanks CP	3 caravans
Stadium Car Park	12 Caravans	Adj to P&R	2 caravans	Sterte Esplanade, Sterte Ave	7 caravans
Whitecliff by play park	13 Caravans	Beach Road Car Park	23 caravans 1 motorhome	Baiter Park	7 caravans 1 motorhome
Turlin Moor recreation ground car park	14 Caravans	Turlin Moor recreation ground car park	4 Caravans & 1 motor Home	Branksome Dene CP	2 caravans
Baiter Recreation ground	15 Caravans	Copse Close	3 Caravans & 1 motorhome	Ravine Rd/ Esplanade	1 motorhome 1 trailer tent 1 tent
Copse Close Car park area at end of close	16 Caravans	Harbourside 1 car park, Baiter	4 Caravans	Adj P&R	2 caravans
Kingland Road Car Park	17 Caravans	Poole Park (by war memorial)	8 Caravans	Turlin Moor car park	6 caravans 2 motorhome 3 tent
Copse Close	18 Caravans	Kingland Road Car Park	4 Campervans & 1 caravan	Baiter and Whitecliff	15 caravans
Sandbanks Car Park	19 Caravans	Kingland Road Car Park	4 caravans	Ravine Rd/ Esplanade	1 motorhome 1 trailer tent 1 tent
Turlin Moor recreation ground car park	20 Caravans	Turlin Moor recreation ground car park	4 caravans & 2 campervans	Sandbanks Car Park	7 caravans
Kingland Road Car Park	21 Caravans	Poole Park	3 Caravans	Whitecliff Recreation Car Park	2 Motorhomes
Turlin Moor recreation ground car park	22 Caravans	Copse Close	9 Caravans 2 motorhomes	Beach Road Car Park	20 Motorhomes
Kingland Road Car Park	23 Caravans	Labrador Drive Skate Park	3 caravans	Adj to Serpentine Road	4 caravans
Surface Car Park, Beach Road, Poole	24 Caravans	Sandbanks Car Park	3 caravans & 2 motor homes	Adj to Ripler road	5 caravans
Kingland Road Car Park	25 Caravans	Kingland Road Car Park	3 caravans & 2 motor homes	Harbourside 1 car park, Baiter	7 caravans
Sandbanks Car park	26 Caravans	Kingland Road Car Park	8 caravans & 3 motorhomes		
		Belgrave Rd	1 motorhome		
		Turlin Moor recreation ground car park	3 caravans 1 motorhome		
		Wessex Gate Retail Park	1 caravan		
		Kingland Road Car Park	4 caravans		
		Kingland Road Car Park	19 caravans		
		Northmead Drive Car Park	2 caravans		
TOTAL = 25		TOTAL = 31		TOTAL = 24	

Bournemouth

2016		2017		2018	
Location	Pitches	Location	Pitches	Location	Pitches
Queens Road Coach Park	1 caravan 1 motorhome	Queens Road Lorry Park	4 caravans	Queens Road Coach Park	3 caravans
Solent Beach Car Park	2 caravans	Overstrand Car Park	5 caravans	Seafront by pier	2 caravans
Queens Road Coach Park	2 caravans	Kings Park	7 caravans	Tesco - Littledown	2 caravans 1 motorhome
Holdenhurst Village	6 caravans	Broadway - Church of St Nicholas	2 caravans	Harewood Park / Littledown Valley	2 caravans 1 motorhome
Kings Park	1 caravan briefly	Park Road Car Parks	15 caravans	Hengistbury Head	1 caravan
Queens Road Coach Park	1 caravan	Kings Park Events Area	3 tents	East Overcliff Drive	3 motorhomes
Open Space Rear of Setley Gdns off Yeomans Way	4 caravans	West Overcliff Drive	1 caravan 4 motorhomes	Alum Chine Car Park	1 caravan 1 motorhome
Seafont Undercliff Drive (front of Surf School)	2 camper vans	Hawkwood Road Car Park	1 caravan 3 motorhomes	Redhill Park	2 caravans 2 motorhomes
Milhams Mead LNR	6 caravans	Town Hall Front Car Park	1 motorhome	Hawkwood Road car Park	2 caravans 2 motorhomes
Queens Road Coach Park	2 caravans 1 motorhome	Hawkwood Road Car Park	3 caravans	West Overcliff Drive	2 caravans 1 motorhome
Redhill	4 caravans	Hengistbury Head High Road	4 caravans	Pelhams Park	1 motorhome
Boscombe Overcliff	1 horse/ trad caravan	Hengistbury Head High Road	3 caravans	Mallard Road	5 caravans
West Overcliff Road	1 horse/ trad caravan	Coteland road	2 caravans	Kings Park	5 caravans
Kings Park	Multiple tents	Wharfdale road	4 motor homes	Overstrand Car Park	2 motorhomes
Southbourne Overcliff	2 motorhomes	East Overcliff	2 motorhomes	Glen Fern Car Park	10 caravans 10 motorhomes
Monkey Island	1 caravan 2 motorhomes			West Hill Road	2 motorhomes
Muscliff Park	21 caravans			Alum Chine Car Park	3 motorhomes
Boscombe Sea Road Car Park	4 caravans			Queens Road Coach Park	1 caravan
Staples Car Park	5 caravans				
Boscombe Overcliff	7 caravans				
TOTAL = 20		TOTAL = 15		TOTAL = 18	

Christchurch

2016		2017		2018	
Location	Pitches	Location	Pitches	Location	Pitches
Mayors Mead Car Park	1 Camper Van	Avon Beach	2 Caravans	Bargates Car Park	1 Caravan
Dudmoor Farm	1 Caravan	Wharnccliffe Road, Highcliffe	<4 Caravans	Old Police Station Car Park	10 Caravans
Waitrose Car Park Christchurch	1 Caravan & 1 Motor Carav	Highcliffe Top Car Park	<4 Caravans	Highcliffe Top Car Park	1 Motorhome
Mayors Mead Car Park	2 Caravans	Highcliffe Top Car Park	<4 Caravans		
Cliff Hanger Café Car Park	1 Camper Van				

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CABINET



Report subject	Private Sector Housing Enforcement Policy
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>This report seeks approval of the BCP Private Sector Housing Enforcement Policy in order for consistent regulation of housing conditions in the private rented sector be applied across Bournemouth, Christchurch and Poole.</p> <p>There is a significant amount of legislation to support the regulation of housing conditions, which authorised officers can apply and enforce to ensure compliance and safeguard private sector housing tenants. This policy details the legislation and its application across BCP to include the decision process for formal and informal enforcement, risk assessments and relevant financial penalties.</p> <p>The Private Sector Housing Enforcement Policy details the service and approach that the public and relevant parties should expect from the Council and what the Council expects from those with an interest in private rented accommodation. It details liability and the expected standards.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Cabinet approve the adoption of the BCP Private Sector Housing Enforcement Policy for immediate implementation.</p>
Reason for recommendations	<p>This policy supersedes previous policies from legacy BCP Councils and sets out clearly how the Council will implement the relevant legislation to regulate housing conditions in the private rented sector - and enforce that suitable conditions are met.</p> <p>The policy ensures that private rented accommodation meets the prescribed standard for habitation and that where premises do not meet this standard, that relevant action can be taken to ensure that works are completed in a suitable timeframe based on professional risk assessment and schedule of works.</p> <p>This policy seeks to work with landlords and those responsible for property conditions to educate them in</p>

	<p>legislative application and to enforce where informal processes have not been complied, or where significant risk is identified.</p> <p>The Council is committed to improving the quality of housing across Bournemouth, Christchurch and Poole. This policy enables the Council to target support, information and enforcement effectively.</p>
Portfolio Holder(s):	Councillor Kieron Wilson: Portfolio Holder Housing
Corporate Director	Kate Ryan: Corporate Director for Environment and Communities
Contributors	<p>Kelly Ansell: Director of Communities</p> <p>Steven Day: Private Sector Housing Manager</p> <p>Sophie Ricketts: Targeted Enforcement Manager</p> <p>Legal</p> <p>Sam Johnson: Policy and Performance Manager</p>
Wards	All BCP Wards
Classification	For Decision

Background

1. The Private Sector Housing Enforcement Policy details how the Council will regulate standards in Private Rented Sector Housing and tackle empty homes in Bournemouth, Christchurch and Poole. It also provides a background to the legislation and guidance on which it is based.
2. It is important for local authorities to have an enforcement policy to ensure consistency of approach among Council Officers and for members of the public to know what to expect from the service. An enforcement policy also provides clarity if the Council takes legal proceedings or enforcement action is appealed.
3. The proposed Policy has taken account of all legislative changes in relation to the regulation of the Private Rented Sector.
4. Our aim is to raise standards in Private Rented Sector Housing throughout Bournemouth, Christchurch and Poole, working with owners, landlords, letting agents and tenants to achieve this. However, it is recognised that if the law is broken, then enforcement action may be necessary to protect the public and the environment.
5. Given the complexity of the legislative and regulatory position relating to the Private Rented Sector and the need to ensure that common standards and approach is applied across BCP, the adoption of the proposed policy is a priority for the Communities Service. The proposed Policy has been developed in advance of some key BCP policies which the policy should have regard to. It is proposed that this Policy is further reviewed in 24 months to allow for the completion of the wider policy framework and its full consideration at that time.

6. Consultation on the policy has not been undertaken. This policy aligns preceding policies with minimal change to the legislative functions and processes and therefore public consultation has not been deemed necessary.

Legal Framework

7. The Housing Act 2004 provides the primary legislation to regulate conditions of accommodation in the private rented sector. There is statutory guidance and case law to further support the application of the law. Further legislation cited within this policy is as below:
 - Public Health Acts 1936 and 1961
 - Protection from Eviction Act 1977
 - Housing Act 1985
 - Environmental Protection Act 1990
 - Town and Country Planning Act 1990
 - Mobile Home Act 2013
 - The Redress Schemes for Letting Agency Work and Property Management Work (England) Order 2014
 - Deregulation Act 2015
 - The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
 - Housing and Planning Act 2016
 - Tenant Fees Act 2019
8. Relevant trained officers enforce the above legislation through delegated powers. Specific application of relevant legislation is cited within the body of the policy.

Summary of financial implications

9. Civil Penalties issued as a result of housing offences can be retained by the local housing authority provided that it is used to further the local housing authority's statutory functions in relation to their enforcement activities covering the private rented sector. The amounts generated are dependant on the nature and severity of the offences, of which specific matrices are attached within the policy appendices.
10. All reasonable costs incurred when serving statutory notices under the Housing Act 2004 can be recovered and the policy allows for this. Prosecutions of relevant offences will also include applications for costs to be awarded.
11. The enforcement and administration of the relevant housing legislation is a statutory requirement and officer costs are funded by central Council budgets.
12. Income from relevant licences and mobile home regulation fee's is held within the Communities budget and committed to the Private Sector Housing Enforcement team and used to administer licencing schemes.

Summary of legal implications

13. The application of relevant legislation is prescribed by statute and supported by case law and relevant guidance and regulation. Legal services have been consulted on the validity of this policy and are satisfied that it is within the legal framework.

Summary of human resources implications

14. There is a suitable staffing structure in place to administer and enforce the policy through current existing base budget and income resource.

Summary of environmental impact

15. Improvement of housing conditions leads to improved housing standards, increased energy efficiency within premises, reduced carbon footprint, increased health and wellbeing impact, reduced overcrowding and improvement of transient communities leading to increased community cohesion and sustainable communities. Improved housing conditions also leads to increased property values and economic sustainability of the conurbation.

Summary of public health implications

16. Improved housing standards through engagement and enforcement leads to improved health of housing occupants, reduction in risks caused by premises, and reduction of overcrowding.

Summary of equality implications

17. There is no adverse effect on protected groups.

Summary of risk assessment

18. A risk assessment has been undertaken. The risks identified are of not implementing a common BCP policy which enables common practice to be applied across Bournemouth, Christchurch and Poole. In addition, there is a risk of legal challenge should the policy or the actions taken as a result of it, not be compliant with the legislation around which it is based. All risks are fully mitigated through legal advice on policy content and lack of significant material change from legacy policies.

Background papers

Private Sector Housing Enforcement Policy
Equality Impact Assessment

Appendices

Private Sector Housing Enforcement Policy - Appendix A
Equality Impact Assessment- Appendix B
Risk Assessment- Appendix C

The Regulators' Compliance Code is a statutory code of practice for regulators hereafter referred to as 'The Code'. www.gov.uk/government/publications/regulators-code

Private Sector Housing Enforcement Policy

October 2019

Communities

Author: Steven Day and Sophie Ricketts
Version: 1
Review Date: October 2022



1. Purpose Statement

This Policy details how the Council will regulate standards in Private Rented Housing and tackle empty homes in Bournemouth, Christchurch and Poole. It also provides a background to the legislation and guidance on which it is based.

It is important for local authorities to have an enforcement policy to ensure consistency of approach among Council Officers and for members of the public to know what to expect from the service. An enforcement policy also provides clarity if the Council takes legal proceedings or enforcement action is appealed against.

Our aim is to raise standards in Private Sector Housing throughout Bournemouth, Christchurch and Poole, working with owners, landlords, letting agents and tenants to achieve this. However, it is recognised that if the law is broken, then enforcement action may be necessary to protect the public and the environment.

In applying this policy, we must remain impartial to both landlord and tenant to be fair to both sides and give help and advice to achieve our aim but we must also be firm in taking enforcement action if appropriate.

This Policy is the application of relevant legislation, however is also authorised by the Council's Cabinet. Relevant trained Council officers are authorised through the Council's Scheme of Delegation to apply the legislation as per the policy detail.

2. Who the policy applies to

This policy applies to all persons responsible for property within the private rented sector to include tenants, landlords, owners, leaseholders, freeholders, managing agents, letting agents, estate agents, property licence holders and any other person with a legal or financial interest in rented premises.

3. This policy replaces

This policy replaces:

- Bournemouth Borough Council Private Sector Housing Enforcement Policy 2017.
- Christchurch and East Dorset Council Private Sector Housing Enforcement Policy.
- Poole Borough Council Private Sector Housing Enforcement Policy.

4. Approval process

The policy is approved by BCP Council's corporate management board and BCP Council's Cabinet. The lead portfolio holder for this policy is the portfolio holder for Housing.

5. Introduction

The Private Sector Housing Enforcement Service is part of the Council's Communities Service Unit .

The Private Sector Housing Enforcement Policy outlines the Council's general approach to enforcement across a wide range of activities. This policy provides details of the Council's specific approach to regulating housing standards in Bournemouth, Christchurch and Poole.

The Private Sector Housing Enforcement Policy confirms that:

- The Council will provide awareness, advice and assistance whenever possible to the public, businesses and organisations to help them meet their legal obligations in relation to the relevant legislation before embarking on the enforcement process
- The Council is committed to carrying out its duties in a fair and consistent manner, ensuring that enforcement action is proportional to the seriousness of failure to comply with statutory requirements
- The decision to use enforcement action will depend on the severity of the non-compliance

Effective and well targeted regulation is essential in promoting fairness and protection from harm. The Regulators' Compliance Code is a statutory code of practice for regulators hereafter referred to as 'The Code'. www.gov.uk/government/publications/regulators-code

From 6 April 2014, the Council has been required to comply with the Code when regulating private rented housing standards and its specific obligations have been included in this policy. The overriding principle of the Code is that regulation and its enforcement should be proportionate and flexible enough to allow or even encourage economic progress.

6. Enforcement objectives

In normal circumstances enforcement action will be carried out with the objectives to ensure that:

- symptoms arising from empty homes are tackled to ensure the amenity of the area is not affected, the property is safe and secure and not causing a statutory nuisance;
- tenants of a private landlord or a Registered Provider of Social Housing live in homes free of enforceable hazards which affect their health and safety;
- privately rented houses, including Houses in Multiple Occupation (HMOs), are managed in accordance with any relevant statutory regulations or other legal requirements.
- reasonable and practicable steps are taken to prevent or reduce any anti-social behaviour by the occupiers or visitors to privately rented properties.
- all licensable rented properties are licensed, and licence conditions are met;
- owners or occupiers who are vulnerable and unable to support independent living, live in accommodation which is free of significant risks to their health and safety;
- owners or occupiers of privately owned land or property do not cause a statutory nuisance to other land or property owners, or do not present an unacceptable risk to public health, safety or the environment.
- persons are held responsible for their actions which are detrimental to local environmental quality or to the health safety and welfare of other residents.
- where required privately rented accommodation meets minimum energy efficiency ratings and that Energy Performance certificates are provided.
- letting professionals meet the legal requirements that apply to their business such as; to register with a Government Redress scheme; to advertise fees appropriately; and to comply with any other legislation that regulates services they provide.
- private rented sector tenants or residential occupiers are not subjected to unlawful eviction or harassment under the Protection from Eviction Act 1977 (or other relevant housing law). This includes taking appropriate action as a deterrent against other similar illegal behaviour.
- Private rented sector tenants are provided with required information about their tenancy under Housing Act 1988.

- the Private Sector Housing Enforcement team meets the Council's statutory duties which it is responsible for or to carry out the powers it has adopted.
- the Private Sector Housing Enforcement team undertake relevant investigation to prevent and address rogue landlord behaviours through a use of robust enforcement.

7. What to expect from us

7.1 Landlords

- We will advise you of the legislation and help you understand how you can comply with it
- We will advise you of any action you need to take to comply with the legislation and will ask you to respond with your proposal of how you intend to comply with any requirements of any Notice
- If we are satisfied with your proposal, we will work with you to comply within agreed timescales
- If we are not satisfied with your proposal or how the work is progressing, we will initiate formal action in a proportionate manner as appropriate to the circumstances
- In making any decision to prosecute we will have regard to how serious the offence is, the benefit of enforcement action and whether some other action would be appropriate
- A charge will be made for the service of the Notice

7.2 Tenants

- We will expect you to advise your landlord of any issues within your property, preferably in writing, before contacting us. Advice and guidance is given on the BCP Council website (www.bcpCouncil.gov.uk).
- We will advise you as to what action we can take and advise you of the expected timescales
- We will expect you to cooperate with the landlord to get the works carried out and to advise/update us of any action taken by the landlord

7.3 Owners

- We will expect owners to maintain the properties they live in
- Enforcement action will be considered if there is an imminent risk to a person's life

7.4 Owners of Empty Homes

- We will work proactively with owners of empty homes to encourage and assist in bringing their empty homes back into use
- Where an empty property is having detrimental impact on the neighbouring area enforcement action will be considered as appropriate
- If owners fail to take responsibility for their properties, are not willing to engage or negotiations have failed, and where there is little prospect of a property being brought back into use voluntarily, enforcement action (Compulsory Purchase Order, Empty Dwelling Management Order, and Enforced Sale) will be considered

8. Enforcement policy and principles

8.1 Role of the Private Rented Sector

The supply of good quality, affordable, privately rented accommodation is essential to meeting local housing need. In order to adequately meet that need, we must strive to provide professionally managed and well-maintained homes. We will work with landlords to improve and sustain good quality accommodation and will only intervene when there is a risk to the health and safety of occupants, neighbours or visitors to a property.

8.2 Risk Assessment

The Private Sector Housing Enforcement Team use risk assessments to concentrate resources in the areas that need them most and on the properties in the worst condition. In doing so, we also take account of any safeguarding issues and vulnerability of the occupant.

Suitably trained Officers routinely use the Housing Health and Safety Rating System (HHSRS), which is a statutory, evidence-based, risk assessment method for assessing and dealing with poor housing conditions.

Following the receipt of a service request or complaint about poor housing conditions, an initial risk assessment will normally be carried out. Follow-up advice or action will be dependent on the outcome of the initial risk assessment and may not always involve a visit to the property.

Complaints about Social Housing properties will be referred to the Providers to investigate in the first instance. However, where it is necessary that intervention is required, we will do so.

8.3 Housing Health & Safety Rating System (HHSRS)

The Housing Act 2004 introduced the **Housing Health & Safety Rating System (HHSRS.)** Statutory guidance released in November 2018 includes an addendum to the HHSRS pertaining to assessment of high-rise residential buildings with unsafe cladding systems. The Council will give due regard to this guidance and undertake relevant action where a significant risk is identified.¹

HHSRS is a calculation of the effect of 29 possible hazards on the health of occupiers. The legislation provides a range of actions for addressing identified hazards. It is a two-stage calculation combining the likelihood of an occurrence taking place and then the range of probable harm outcomes that might arise from that occurrence which would result in a numerical rating. This is repeated for each of the hazards present. The assessment is not based upon the risk to the actual occupant but upon the group most vulnerable to that particular risk. Once scored, any action that is then considered will take into account the effect of that risk upon the actual occupant.

The scores for each hazard present are then banded from A to J. Bands A to C (ratings of 1,000 points and over) are the most severe and are known as **Category 1 hazards** when considering action. Bands D to J, the less severe (rating less than 1,000 points) are known as **Category 2 hazards**.

HHSRS provides a combined score for each hazard identified and does not provide a single score for the dwelling as a whole. It is applied to all residential premises, whether owner-occupied or rented.

This Policy takes account of guidance provided by the Government and sets out how the Council will use its powers and reach its decisions in relation to the Housing Health & Safety Rating System (Part 1 of the Housing Act 2004).

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/760150/Housing_Health_and_Safety_Rating_System_WEB.pdf

The Council has a duty to take appropriate action in response to a **Category 1 hazard**. (When a Category 1 hazard is identified, the Council must decide which of the available enforcement options it is most appropriate to use. These are explained in more detail below.)

The Council will exercise its discretion and consider individual cases and circumstances when deciding whether to take action in response to **Category 2 hazards**.

8.4 Advice and Guidance

The Private Sector Housing Enforcement Service will provide authoritative, accessible advice around Private Sector Housing. The Council's website is used to provide general information, advice and guidance to make it easier for landlords, agents, home owners and others to understand their obligations, is provided in clear, concise and accessible language, using a range of appropriate formats and media. The Private Sector Housing Enforcement Service will consult with landlords' associations and other appropriate stakeholders when developing the content and style of this guidance.

When offering compliance advice, the Private Sector Housing Enforcement Service will distinguish between statutory requirements and advice or guidance aimed at improvements above minimum standards. Advice will be confirmed in writing, if requested.

The Private Sector Housing Enforcement Service welcomes enquiries from home owners and landlords about complying with minimum standards and ensuring homes are safe and warm. However, the Service will not act as a consultant for home owners or landlords and is not able to complete non-statutory, detailed assessments for specific properties (such as fire safety risk assessments; confirming in detail the work that would be required to let a property in multiple occupation; or detail the work required to reduce the risk from significant hazards in a property to an acceptable level).

8.5 Inspections, Other Visits and Information Requirements

No inspection will take place without reason. Inspections and other visits will take place in response to a reasonable complaint or request for service or where poor conditions have been brought to our attention;

- In accordance with risk-based programmes
- In accordance with statutory inspection requirements (such as for mandatory licensing of houses in multiple occupation, HMOs)
- Or on receipt of relevant intelligence

Unless the visit is intended for advice purposes only, the landlord or his or her agent will be contacted and given the opportunity to accompany the Investigating Officer at the visit. Following an inspection, positive feedback will be given wherever possible to encourage and reinforce good practices.

The Private Sector Housing Enforcement Service will focus its resources on the highest risk properties, those in worst condition and properties owned by landlords who regularly fail to comply with regulations or frequently have properties with poor conditions. The Service will endeavour not to ask for unnecessary information or to ask for the same piece of information twice.

8.6 Compliance and Enforcement Actions

The Private Sector Housing Enforcement Service will seek to identify landlords, agents, property owners or businesses that persistently break regulations and ensure that they face proportionate

and meaningful sanctions. By facilitating compliance through a positive and proactive approach, the Private Sector Housing Enforcement Service aims to achieve higher compliance rates and reduce the need for reactive enforcement actions. However, those who deliberately or persistently break the law will be targeted.

When considering formal enforcement action the Private Sector Housing Enforcement Service will, where appropriate, discuss the circumstances with those suspected of a breach and take these into account when deciding on the best approach. This will not apply where immediate action is required to prevent or respond to a serious breach or to deal with an imminent risk to health or safety, or where to do so is likely to defeat the purpose of the proposed enforcement action.

The Private Sector Housing Enforcement Service will ensure that clear reasons for any enforcement action are given and complaints and appeals procedures are explained at the same time. PSHE will work with other officers within Communities and wider enforcement agencies to consider use of powers outside of the remit of this specific policy where problematic landlords, properties or tenants require it.

The Private Sector Housing Enforcement team will work with other officers within the Communities service and wider partnerships to consider use of powers outside of the remit of this specific policy where problematic landlords, properties or tenants require it.

8.7 Accountability

The Service will be accountable for the efficiency and effectiveness of its activities, while remaining independent in the decisions that it takes. Employees will provide a courteous, prompt and efficient service and will identify themselves by name. A contact point, telephone number and email address will be provided. Applications for licences etc., will be dealt with efficiently and promptly and services will be effectively coordinated to minimise unnecessary overlaps and time delays.

Information about independent appeal mechanisms, such as to the First-Tier Tribunal (Property Chamber) can be found here:

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>

Complaints about our service will be handled in line with the Council's corporate complaints procedure which is found on the BCP Council website.²

9. Tenure

The Housing Health and Safety Rating System (HHSRS) outlined at Section 9.3 of this policy applies all tenures of housing. Furthermore, it does not specify that particular approaches or solutions should be used on the basis of ownership or the occupier's status. All enforcement options are available to the Council regardless of whether the premises in question are owner-occupied, privately rented or belong to a Social Housing Provider. Generally, the Council considers that owner-occupiers are usually in a position to take informed decisions concerning maintenance and improvement issues that might affect their welfare and are then able to set their financial priorities accordingly; tenants however, are not usually able to do so.

For this reason, the Council proposes that it is appropriate for its powers to be used according to tenure, as follows:

9.1 Owner-Occupiers

² <https://www.bcpCouncil.gov.uk/Contact-Us/comments-and-complaints.aspx>

The Council anticipates that Hazard Awareness Notices will frequently be the appropriate course of action. However, the use of Improvement Notices, Prohibition Notices and their emergency equivalents will be considered in cases involving:

- Vulnerable elderly people who are judged incapable of making informed decisions about their own welfare
- Vulnerable individuals who require the intervention of the Council to ensure their welfare is best protected
- Hazards that might reasonably affect persons other than the occupants
- Serious risk of life-threatening harm such as electrocution or fire

Unless an identified hazard is judged to pose an imminent risk of serious harm, the Council will contact the owner to confirm its involvement, explain the nature of the hazard and confirm the action it is intending to take. The Council will take account of any proposals or representations made by, or on behalf of the owner. The Council will solicit and take account of the opinion of the relevant Welfare Authority in considering both the vulnerability and capability of such persons as well as in determining what action it will then take.

9.2 Social Landlords

Housing Providers exist to provide suitable and properly maintained accommodation for their tenants. They are managed by Boards (which typically include tenant representatives) and their performance is scrutinised by Homes England). Housing Providers normally employ staff to both manage and maintain their properties and will usually have written arrangements for reporting problems, setting out the response times they aim to achieve, and also for registering any complaints about service failure.

On this basis, the Council will not normally take formal action against Housing Provider unless:

- It is satisfied that the problem in question has been properly reported to the Housing Provider and
- The Housing Provider has then failed to take appropriate action

If the Council determines that it is appropriate to take action, it will then normally notify the Housing Provider that a complaint has been received and/or a hazard identified and seek the Housing Provider's comments and proposals. Only in cases where it judges that an unsatisfactory response has been received will the Council take further action and will then determine which of the available enforcement options is the most appropriate, considering the facts of the case.

9.3 Private Landlords

The Council will have regard to the principles of statutory guidance and relevant guidance from the First-tier Tribunal (Property Chamber) decisions and will initially seek to proceed informally.

Formal action will be initiated immediately if a hazard in question is judged by the Council:

- To pose an imminent risk of serious harm to any person (whether or not immediate action is required, and whether the hazard(s) in question is likely to affect a tenant, an employee or a member of the public), or
- The landlord in question is known to have failed, on a previous occasion, to take appropriate action in response to an informal approach
- Where a hazard exists and retaliation eviction as defined by the Deregulation Act 2015 is in process or is likely to occur

When arranging an inspection, the Council will write to the landlord (or his/her relevant agent) to confirm their involvement and the time and date of the visit. Following the inspection, the Council will explain the nature of any hazard(s) identified in writing and seek the landlord/agent's proposals for remedying the problem. Unless the Council already holds the required information, a Requisition for Information Notice may also be served at this point.

Following the inspection, the Council will not normally need to take any further action to discharge its duties as long as:

- Satisfactory proposals and timescales for the work to be carried out are received and agreed within 14 days and
- The work is carried out to a satisfactory conclusion within agreed timescales

Landlords are expected to either:

- Provide any agent acting for them with sufficient authority to act on their behalf, in the event that they are contacted by the Council, or
- To ensure that they maintain appropriate communication with their agent in order that appropriate decisions and responses can be provided to the Council

The failure of an agent to respond to communication from the Council or any failure to take appropriate action may be treated as a failure by the landlord.

If the Council receives:

- No response from the landlord/agent or
- A response it judges inadequate or
- Proposals that were judged acceptable but which are not then followed through (for example if works fail to start when agreed, fail to make proper progress or are completed to an inadequate standard) or
- In the event of retaliation eviction as defined by the Deregulation Act 2015 is in process or is likely to occur.

it will proceed with formal action by taking the most appropriate enforcement action in accordance with this Policy.

9.4 What is expected of Tenants

Before considering taking any action in respect of a tenanted property, the tenant(s) will normally be required to contact their landlord about the problems (preferably in writing), allowing a reasonable time period for the landlord to make representation.

Legislation covering landlord and tenant issues requires that tenants notify their landlords of any problems with the property. This is because it is more difficult for landlords to carry out their obligations under the legislation, unless they have been made aware of the problem.

Where the matter appears to present an imminent risk to the health and safety of the occupants, it is expected that tenants will continue to try to contact their landlord, even if this is after they have contacted the Private Sector Housing Enforcement Services. Copies of correspondence between the landlord and tenant should be provided for Officers.

In certain situations, tenants, will not be required to write to their landlord first, for example:

- Where there is a history of harassment/threatened eviction/poor management practice
- Where the tenant appears to be vulnerable or where there are vulnerable members of the household

- Where the tenant could not for some other reason be expected to contact their landlord/managing agent
- Where the property is a House in Multiple Occupation which appears to fall within HMO licensing

Tenants are responsible for keeping Officers informed of any contact they have had with their landlord (or the landlord's agent or builder, etc.) which may affect the action the Council is taking or considering taking. Tenants should also consider seeking independent legal advice about their own individual powers to resolve any dispute with their landlord.

Housing Provider tenants have standard procedures to follow if their landlord does not carry out repairs in a satisfactory manner and also a final right of appeal to the Housing Ombudsman Service. However, if the Housing Provider has not taken appropriate action to deal with problems with the property, then the Council will investigate and take appropriate action.

9.5 Retaliatory Evictions

Retaliatory eviction is where a tenant makes a legitimate complaint to their landlord about the condition of their property and, in response, instead of making the repair, their landlord serves them with an eviction notice. On 1st October 2015, a number of provisions in the Deregulation Act 2015 came into force. These provisions are designed to protect tenants against unfair eviction.

Where a tenant makes a genuine complaint about the condition of their property that has not been addressed by their landlord, their complaint has been verified by a local authority inspection, and the local authority has served either an improvement notice or a notice of emergency remedial action, a landlord cannot evict that tenant for 6 months using the 'no fault' eviction procedure (a section 21 eviction). The landlord is also required to ensure that the repairs are completed.

In order to rely on the protection against retaliatory eviction that the Deregulation Act 2015 provides, a tenant must approach the landlord in writing in the first instance. If, after 14 days from the tenant making a complaint, the landlord does not reply, that reply is inadequate, or they respond by issuing a Section 21 eviction notice, the tenant should approach the Private Sector Housing Enforcement Team and ask them to carry out an inspection to verify the need for a repair. We will then undertake an HHSRS inspection. If the inspection verifies the tenant's complaint, the enforcement officer will take appropriate action.

If the council serves an Improvement Notice or Notice of Emergency Remedial Action, the landlord cannot evict the tenant for 6 months using the no-fault eviction procedure.

We will work with landlords to understand their obligations and the implications of this legislation, and will work alongside the Council's Housing Options team and other advice agencies to provide support, advice and guidance to the tenant in these circumstances.

10. Situations where a service may not be provided

Where any of the following situations arise, consideration will be given to not providing or cease to provide a service:

- Where the tenant(s) unreasonably refuse access to the landlord, managing agent or landlord's builder, to arrange or carry out works
- Where the tenant(s) have, in the opinion of the Council, clearly caused the damage to the property they are complaining about, and there are no other items of disrepair
- Where the tenant's only reason for contacting the Private Sector Housing Enforcement Service, in the opinion of the Council, is in order to pursue a position on the housing

register or by means of a contrived homeless application. The Council will aim to bring their present accommodation up to standard as a first priority

- Where the tenant(s) have requested a service and then failed to keep an appointment and not responded to a follow-up letter or appointment card
- Where the tenant(s) have been aggressive, threatening, verbally or physically abusive towards Officers
- Where there is found to be no justification for the complaint, on visiting the property
- Where the tenant unreasonably refuses to provide the Council with relevant documentation

11. Specific enforcement policies

11.1 Authority to Investigate or Enforce

The Housing Act 2004 and associated secondary legislation sets out the duties and powers that the Council has in relation to regulating housing standards in its capacity as the Local Housing Authority. Powers are also contained in the Housing Act 1985, as amended, and other legislation, such as the Environmental Protection Act 1990, the Town and Country Planning Act 1990, the Public Health Acts 1936 and 1961, the Mobile Home Act 2013, the Housing and Planning Act 2016, Deregulation Act 2015, Anti-Social Behaviour Crime and Policing Act 2014, Tenant Fees Act 2019. This is not a complete list of the powers available.

11.2 Authorisation of Officers

Only Officers who are competent by training, qualification and/or experience will be authorised to undertake enforcement action. The Council's Scheme of Delegation sets out the delegated powers given to Officers.

Officers who undertake criminal investigations will be conversant with the provisions of all relevant criminal investigation law.

Officers are sometimes asked to give evidence on behalf of one of the parties in a private action. In order to prevent any implication that the officer has taken sides, officers will usually only attend in response to a witness summons.

11.3 Powers of Entry and Power to Require Information

The Council has the power of entry to properties at any reasonable time to carry out its duties under Section 239 of the Housing Act 2004 provided that:

- The Officer has written authority from an appropriate Officer stating the particular purpose for which entry is authorised
- The Officer has given 24 hours' Notice to the owner (if known) and the occupier (if any) of the premises they intend to enter

No Notice is required where entry is to ascertain whether an offence has been committed under Sections 72 (offences in relation to licensing of HMOs), 95 (offences in relation to licensing of houses) or 234(3) (offences in relation to HMO Management Regulations).

If admission is refused, premises are unoccupied or prior warning of entry is likely to defeat the purpose of the entry, then a warrant may be granted by a Justice of the Peace on written application. A warrant under this section includes power to enter by force, if necessary.

The Council also has power under Section 235 of the Housing Act 2004 to require documentation to be produced in connection with:

- Any purpose connected with the exercise of its functions under Parts 1-4 of the Housing Act 2004
- Investigating whether any offence has been committed under Parts 1-4 of the Housing Act 2004

The Council also has powers under Section 237 of the Housing Act 2004 to use the information obtained above and Housing Benefit and Council Tax information obtained by the authority to carry out its functions in relation to these parts of the Act.

11.4 Choice of Appropriate Enforcement Action

Unless there is an imminent risk to the health and safety of the occupant or visitors to the property, the Council will attempt to secure the required improvements informally and within a reasonable amount of time.

Where this approach fails, the Council will determine which of the specific enforcement options it will use, taking into account the facts and circumstances in each individual case.

A statement of reasons will be provided with any Notice it serves, explaining why the Council has decided to take a particular course of action.

11.5 Enforcement Action

In accordance with the Enforcement Policy, the decision to use enforcement action will depend on the severity of the non-compliance. Factors that will be taken into consideration include:

- The risk that the non-compliance poses to the safety, health or economic welfare of the public at large or to individuals
- The culpability of the responsible party
- Evidence that suggests that there was premeditation in the commission of an offence
- Whether the alleged offence involves a failure to comply in full or in part with the requirements of a statutory Notice or order
- Whether there is a history of previous warnings or the commission of similar offences
- Aggravated circumstances such as aggressive or violent behaviour

Enforcement action will be consistent with the Council's overall Housing Strategy and the Private Sector Housing Enforcement Service will adopt a coordinated approach with other Council services and other relevant agencies, in particular with preventing and dealing with homelessness.

11.6 Power to Charge for Enforcement Action

The Local Authority has the power under Section 49 of the Housing Act 2004 to make a reasonable charge as a means of recovering certain administrative and other expenses incurred in serving an Improvement Notice, Hazard Awareness Notice, making a Prohibition, Emergency Prohibition or Demolition Order or taking Emergency Remedial Action. The Council will charge under the following:

Housing Act 2004	
Section	Type of Notice
Section 11 and 12	Improvement Notices
Section 20 and 21	Prohibition Notice
Section 28 and 29	Hazard Awareness Notice

Section 40	Emergency Remedial Action
Section 43	Emergency Prohibition Order
Section 64	Licence for House in Multiple Occupation
Section 265 HA 1985	Demolition Order

11.7 Charges for Notices & Orders

Where a charge is made, the Council can recover a reasonable amount for expenses incurred in connection with time spent gaining entry, visiting and inspecting the premises to determine appropriate action and the administration costs for the production of a Notice, Order or Remedial Action.

Costs incurred carrying out Work in Default or Remedial Action will be charged separately. When the charge demand becomes operative, the sum recoverable will be a local land charge. Costs will be charged at an hourly rate for enforcement officer, administration and management costs.

11.8 Failure to Comply with Notices

If a Notice is complied with, no further action will be taken. However, if the Notice is not complied with, the Council will consider the following options:

- Prosecution;
- Carrying out the works in default;
- Carrying out the works in default and prosecution;
- Whether a simple caution is appropriate;
- Civil Penalty

Failure to comply with an Improvement Notice or a Prohibition Order is an offence punishable by an unlimited fine. Following conviction, it is an offence to carry on using the premises in breach of the Prohibition Order, attracting a daily fine.

The Council will take action to recover its costs in connection with works in default. The Council will also take action to recover the costs incurred in carrying out works associated with Emergency Remedial Action.

As a charge on the property, the costs give the Authority the same powers and remedies as a Mortgagee under the Law of Property Act 1925 (Enforced Sale).

11.9 Revocation and Variation of Notices

The Council must revoke an Improvement Notice once the Notice has been complied with. If part of the work required within the Notice is carried out, then the Notice can be varied.

11.10 Review of Enforcement Action

If there is a change in the occupation of a premises (leading to either an increase or decrease in the apparent risk to occupiers) the current state of any outstanding enforcement action should be reviewed by the investigating officer, in consultation with his or her line manager, to ensure that it is still appropriate and proportionate to the risk posed from the identified hazard(s).

11.11 Recovery of Debts

Where charges for enforcement action are levied, they will be registered as a local land charge against the owner's property. This means that when the property is sold the debt has to be repaid

including any interest accrued on the initial charge. The Council will vigorously pursue all debts owed to it as a result of enforcement charges or charges for carrying out works in default (as well as any other charges). This includes smaller debts where the cost of recovery is greater than the debt owed. To recover debts the Council will use some of the following means;

- The enforced sale procedure under the Law and Property Act 1925. This allows the Council to force the owner to sell their property in order to recover its costs
- Use tracing services to track down debtors and secure judgments to recover debts
- Demand rents are paid to the Council instead of the landlord to recover outstanding debts (where the legislation allows and it is appropriate to do so).

11.12 Improvement Notices

It is anticipated that Improvement Notices will be an appropriate and practical remedy for most hazards.

Where the Council determines that an Improvement Notice should be served in respect of a Category 1 Hazard, it will:

- Require works that will either remove the hazard entirely or
- Will reduce its effect so that it ceases to be a Category 1 hazard,

The Council will take whichever of these two options it considers appropriate, having considered the circumstances of the case. If the Council determines that the hazard can only be reduced to a Category 2 hazard rather than removed, it will require works to be carried out as far as is reasonably practical to reduce the likelihood of harm.

Where the Council determines that an Improvement Notice should be served in respect of a Category 2 Hazard, it will:

- Require works it considers sufficient either to remove the hazard or
- Reduce it to an appropriate degree

The Council will take whichever of these two options it considers appropriate having considered the circumstances of the case.

11.13 Suspended Improvement Notice

The Council has the power to suspend an Improvement Notice once served and will consider this course of action where it is reasonable in the circumstances, to do so. The following are situations in which it may be appropriate to suspend an Improvement Notice:

- The need to obtain planning permission (or other appropriate consent) that is required before repairs and/or improvements can be undertaken
- Works which cannot properly be undertaken whilst the premises are occupied and which can be deferred until such time as the premises falls vacant or temporary alternative accommodation can be provided
- Personal circumstances of occupants; for example, temporary ill health, which suggests that works ought to be deferred

When deciding whether it is appropriate to suspend an Improvement Notice, the Council will have regard to:

- The level of risk presented by the hazard(s)
- The turnover of tenants at the property
- The response or otherwise of the landlord or owner

- Any other relevant circumstances (e.g. whether the vulnerable age group is present)

Suspended Improvement Notices will be reviewed on an ongoing basis, at least every 6 months.

11.14 Prohibition Orders

Prohibition Orders can be used in respect of both Category 1 and Category 2 hazards for all or part of a dwelling and are likely to be used if repair and/or improvement appear inappropriate on grounds of practicality or excessive cost (i.e. the cost is unrealistic in terms of the benefit to be derived). Examples include:

- A dwelling or part of a dwelling where adequate natural lighting or adequate fire escape cannot realistically be provided
- In an HMO, to prohibit the use of specified dwelling units or of common parts. This might, for example, be used if the means-of-escape is unsatisfactory
- To specify the maximum number of persons who can occupy a dwelling where it is too small for the household's needs, in particular in relation to the number of bedrooms
- In relation to premises lacking certain facilities but which are nonetheless suitable for a reduced number of occupants

In addition to prohibiting all uses in relation to the whole or part of the premises in question (other than uses specifically approved by the Council), Prohibition Orders can prohibit specific uses (Section 22 (4)(b) Housing Act 2004); this option may be employed to prevent occupation by particular descriptions of persons. Use of this power may be appropriate in situations such as the following:

- Premises with steep staircases or uneven floors which make them particularly hazardous to elderly occupants
- Premises with open staircase risers or widely spaced balustrades that make them particularly unsuitable for infants

11.15 Suspended Prohibition Order

The Council has the power to suspend a Prohibition Order once served and will consider this course of action where it is reasonable in the circumstances to do so. Suspended Prohibition Orders will be reviewed on an ongoing basis, at least every 6 months.

The Council will consider any written requests made for alternative uses of premises or part-premises which are subject to a Prohibition Order and will not withhold its consent unreasonably. Any such consent will be confirmed in writing.

11.16 Hazard Awareness Notice

Hazard Awareness Notices may be served to notify owner-occupiers of the existence of hazards (for example where the risk from the hazard is mitigated by the long-standing nature of the occupancy). It might also be applicable where:

- It is judged appropriate to draw a landlord's attention to the desirability of remedial action
- To notify a landlord about a hazard as part of a measured enforcement response

11.17 Emergency Remedial & Prohibition Action

The situations in which Emergency Remedial Action and Emergency Prohibition Orders may be used are specified by Sections 40 to 45 of the Housing Act 2004. Specifically, the Council must be satisfied that:

- A Category 1 hazard exists, and that
- The hazard poses an imminent risk of serious harm to health or safety, and that
- Immediate action is necessary

If these conditions are met, the Council intends will take appropriate emergency action.

Situations in which emergency action may be appropriate include:

- Residential accommodation located above commercial premises which lack a safe means of escape in the event of fire because there is no independent access
- Risk of electrocution, fire, gassing, explosion or collapse

11.18 Demolition Orders

The Housing Act 2004 provides the Council with the power to make Demolition Orders. Demolition Orders are a possible response to a Category 1 hazard (where they are judged the appropriate course of action). In determining whether to issue a Demolition Order, the Council will take account of Government guidance and will consider all the circumstances of the case.

11.19 Clearance Areas

The Council can declare an area to be a Clearance Area if it is satisfied that each of the premises in the area is affected by one or more Category 1 hazards (or that they are dangerous or harmful to the health and safety of inhabitants as a result of a bad arrangement or narrowness of streets). In determining whether to declare a Clearance Area, the Council will act only in accordance with Section 289 of the Housing Act 1985 (as amended) and having had regard to relevant Government guidance on Clearance Areas and all the circumstances of the case.

11.20 Simple Cautions

Officers may use Simple Cautions where someone has committed a less serious offence. Simple Cautions warn people that their behaviour has been unacceptable and makes them aware of the legal consequences should they commit further offences. Simple cautions can only be issued where:

- There is evidence an offender is guilty
- The offender is eighteen years of age or over
- The offender admits they have committed the crime
- The offender agrees to be given a caution – if the offender does not agree to receive a caution then they are likely to be prosecuted instead

Simple cautions are normally not appropriate where there is history of offending within the last 2 years or where the same type of offence has been committed before. In these circumstances prosecution is more appropriate.

11.21 Works in Default

Works in Default will be considered if all other methods to try to remedy the necessary works have been unsuccessful. In determining if work in default is appropriate, Officers will report to the Tier 4 management who will consider approval based on the following information;

- The effects of not carrying out the work on the health and safety of the occupant of the property concerned
- The wishes of the tenant where the Notice has been served in respect of a rented property

- The reason for the work not being carried out in the first place
- Any other factors that are specific to individual properties
- The Council will normally seek to recover all of the costs associated with undertaking work in default (including time spent by its Officers, administrative costs, contractors costs, the cost of any specialist reports, supervisory costs etc.)

In the case of Officer time, the Council will calculate costs as follows:

- The actual time spent by Council Officers on the chargeable activities and recorded using file notes and database
- Time spent will be converted into a monetary figure using the appropriate hourly rate set for the Officer(s) concerned.

The expenses incurred are to be recovered from the person(s) on whom the Notice or Order is/are served ("the relevant person"). Where the relevant person receives the rent on behalf of another, the expenses are also to be recovered from that other person. The expenses will carry interest from the date of service until payment of all sums due under the demand at a rate of 1% over the Bank of England Base Rate. The recoverable expenses, together with interest accrued on them, are a charge on the premises.

In addition, as a means of recovering the costs, the Council may also serve Recovery Notices to recover, receive and give a discharge for any rent or sums in the nature of rent.

12. The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

Where the Council has reasonable grounds to believe that the requirements of these Regulations have not been met by a landlord, there is a duty on the Council to serve a 'remedial notice'. Failure to comply with a remedial notice imposes a further duty on the Council to arrange remedial action and a power to require payment of a penalty charge. Penalty charges for non-compliance are set within Appendix A.

In determining the level of the fixed penalty notice the Council has considered the likely costs it will incur and the amount required sufficient to provide a deterrent to non-compliance. Increasing the fine for a second or third offence reflects the seriousness of the offence and is designed to deter repeat offending.

While these charges are set as standard, a landlord may seek to review a penalty charge notice within 28 days by service of notice on the Council. A senior officer not directly involved in the service of the original notice, will carry out this review. The reviewing officer will consider the representations made by the landlord and decide whether to confirm, vary or withdraw the penalty charge notice.

In doing so the reviewing officer will have regard to the amount required for the Council to recover its costs and that the Council has considered and agreed a level of fine that it considers is sufficient to provide a deterrent to non-compliance. After reviewing the fixed penalty notice the reviewing officer will inform the landlord by service of notice of their decision. The 50% reduction for a first offence will apply to any revised charge set should payment be within 14 days of service of the revised notice.

13. The Redress Schemes for Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014

Where the Council is 'satisfied on the balance of probabilities' that a person has failed to belong to a redress scheme as required by article 3 or 5 of the 2014 Order it may by notice require that person to pay a 'monetary penalty'.

The Council will follow the procedure for issuing a monetary penalty as set out in the 2014 Order. This includes serving notice that it intends to issue a monetary penalty for specified reasons. It will also outline how the person notified can submit any representations and what the appeal process is.

The standard penalty charge for breach of duty under article 3 or 5 is set as follows:

Breach of duty under article 3 or 5	£5,000	Reduced to £2,500 if paid within 14 days for first offence only
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In determining the level of the fixed penalty notice the Council has considered the likely costs it will incur and the amount required sufficient to provide a deterrent to non-compliance. If written representations are received within 28 days of the service of the notice of intent, a senior officer not directly involved in the service of the original notice, usually the appropriate Head of Service will carry out a review.

When considering any formal review of a notice of intent, the reviewing officer will consider the representations and decide whether to serve the final notice. The final notice shall state the reasons for imposing the monetary penalty, the amount to be paid, how to pay and by when. The notice shall include information about rights of appeal and the consequences of non-payment which would normally be prosecution.

The 50% discount will apply to any revised charge set should payment be within 14 days of service of the revised notice. The reviewing officer will refer to this protocol in considering any request for a review.

14. Civil penalties

The Housing & Planning Act 2016 introduces a range of measures to tackle rogue landlord practice including the power for Councils to issue Civil Penalties of up to £30,000 as an alternative to prosecution for certain specified offences. This power came in to force on 6 April 2017 and was introduced by section 126 and Schedule 9 of the Housing and Planning Act 2016.

Funds received from a Civil Penalty can be retained by the local housing authority provided that it is used to further the local housing authority's statutory functions in relation to their enforcement activities covering the private rented sector.

A civil penalty may be imposed as an alternative to prosecution for the following offences under the Housing Act 2004:

- Failure to comply with an Improvement Notice (section 30)
- Offences in relation to licensing of Houses in Multiple Occupation (section 72)
- Offences in relation to licensing of houses under Part 3 of the Act (section 95)
- Offences of contravention of an overcrowding notice (section 139)
- Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234)

The amount of penalty is to be determined by the Council in each case. In determining an appropriate level of penalty, the Private Sector Housing Enforcement Team will have regard to statutory guidance given in the DCLG publication 'Civil Penalties under the Housing and Planning Act 2016'.

Only one penalty can be imposed in respect of the same offence and a civil penalty can only be imposed as an alternative to prosecution. However, a civil penalty can be issued as an alternative to prosecution for each separate breach of the Housing Act 2004 provides that a person commits an offence if he fails to comply with a regulation. Therefore, each failure to comply with the regulations constitutes a separate offence for which a civil penalty can be imposed.

The same criminal standard of proof is required for a civil penalty as for prosecution. This means that before taking formal action, the Council must satisfy itself that if the case were to be prosecuted in a magistrates' court, there would be a realistic prospect of conviction. In order to achieve a conviction in the magistrates' court, the Private Sector Housing Enforcement Team must be able to demonstrate beyond reasonable doubt that the offence has been committed.

14.1 Determining the Sanction

The following principles will apply to each case to be considered in relation to a Civil Penalty;

- Each case will be considered on its own merits
- There must be sufficient, reliable evidence to justify the action taken
- The action taken must be in the public interest
- Any mitigating circumstances will be considered
- The decision to prosecute an individual is a serious step and has serious implications for all involved. Decisions to prosecute should always be fair and consistent.

14.2 Factors to be taken into consideration when Determining the Penalty

In accordance with the statutory guidance, the Council will consider the following factors to help ensure that the civil penalty is set at an appropriate level:

- Severity of the offence: the more serious the offence, the higher the penalty should be.
- Culpability and track record of the offender: a higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
- The harm caused to the tenant: this is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
- Punishment of the offender: a civil penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.
- Deter the offender from repeating the offence: the ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
- Deter others from committing similar offences: while the fact that someone has received a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An

important part of deterrence is the realisation that (a) the local housing authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.

- Remove any financial benefit the offender may have obtained as a result of committing the offence: the guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

14.3 Penalties Structure

For the purpose of the offence, a fine will usually be calculated using the financial penalty notice matrix Appendix 1. The selection of the relevant fine range, and the position of the individual offence within that range, is determined by the seriousness of the offence. The following factors will be considered;

- In assessing seriousness there is a need to consider both culpability and harm

There can be an imbalance i.e.

- Harm that results is greater than the harm intended by the offender
- Culpability may be at a higher level than the harm resulting from the offence

Culpability will be greater if;

- The offender deliberately causes more harm than necessary
- The offender targets a vulnerable victim (old age, youth, disability)
- The culpability of the offender should be the initial factor in determining the seriousness of the offence

14.4 Procedure

The Council will issue the person deemed to have committed a relevant offence a notice of its proposal ('notice of intent') to impose a financial penalty. This will set out;

- The amount of the proposed financial penalty;
- The reasons for proposing to impose the penalty;
- Information about the right of the landlord to make representations.

The notice of intent must be given no later than 6 months after the Council has sufficient evidence of the conduct to which the penalty relates, or at any time when the conduct is continuing.

A person who is given a notice of intent may make written representations to the Council about the intention to impose a financial penalty within 28 days from the when the notice was given.

Where written representations are made, a senior officer not previously involved with the case will consider the appeal. This will usually be the Appropriate Head of or another relevant officer at this level within the Council's structure. The decision of the senior officer will set out their reasons for making their decision clearly and the following options will be available to them;

- Withdraw a notice of intent or final notice; or
- Reduce the amount specified in a notice of intent or final notice
- Uphold the original decision to issue the notice of intent

At the end of the 28-day period, the Council will decide whether to impose a penalty and, if so, will set the amount of the penalty. If the decision is made to impose a financial penalty, we will give

the person a final notice requiring that the penalty is paid within 28 days. The final notice will include the following information;

- The amount of the financial penalty;
- The reasons for imposing the penalty;
- Information about how to pay the penalty;
- The period for payment of the penalty (28 days);
- Information about rights of appeal; and
- The consequences of failure to comply with the notice.

A person who receives a final notice may appeal to the First-tier Tribunal (Property Chamber.) against:

- The decision to impose a penalty; or
- The amount of the penalty.

In these circumstances, the final notice is suspended until the appeal is determined or withdrawn.

15. Rent Repayment Orders

In addition to the powers provided by the Housing Act 2004 to apply Rent Repayment Orders (RROs) in regard to offences related to HMOs as outlined at section 73 and 74 of Housing Act 2004, the Housing and Planning Act 2016 extended the power to apply RROs in respect of the following offences committed after 6th April 2017;

- Failure to comply with an Improvement Notice under Section 30 of the Housing Act 2004
- Failure to comply with a Prohibition Order under Section 32 of the Housing Act 2004
- Breach of a banning order made under Section 21 of the Housing and Planning Act 2016
- Using violence to secure entry to a property under Section 6 of the Criminal Law Act 1977
- Illegal eviction or harassment of the occupiers of a property under Section 1 of the Protection from Eviction Act 1977

The maximum amount of rent that can be recovered is capped at 12 months. A criminal standard of proof is required. The Council must apply to the First Tier Property Tribunal for an RRO. BCP Council will consider application for RROs in all cases where a successful prosecution has been achieved.

16. Houses in Multiple Occupation

The Housing Act 2004 introduced a mandatory licensing system for certain types of Houses in Multiple Occupation (HMO). The aim of licensing is to ensure that every licensable HMO is safe for the occupants and visitors and is properly managed. The Housing Act 2004 enables Local Authorities to charge a fee to cover the administration of such schemes, details of the fee can be found on the Council's website³.

From 1st October 2018 all HMOs with 5 or more persons and two or more households must apply to the Council to have their properties licensed. The responsibility for applying for a licence rests with the person having control of or the person managing the property.

There are certain exemptions to the mandatory licensing of HMO's within purpose-built blocks of flats and further advice should be sought from the Private Sector Housing team regarding this.

³ <https://www.bournemouth.gov.uk/Housing/Landlords/housesinmultipleoccupation.aspx>

A House in Multiple Occupation, where a license is currently not required, can also be defined as:

- a converted block of flats where the standard of the conversion does not meet the relevant building standards and fewer than two-thirds of the flats are owner-occupied
- a premises where three or more people from two or more households are in occupation with shared facilities.

All HMO's are required to have a Gas Safe Certificate⁴ to ensure the safety of the occupants and relevant documentation will be required within the licencing process.

The HMO legislation allows for the Council to issue a licence for up to a maximum of 5 years. Where there is ongoing enforcement work or likely to be enforcement action taken by the Council, or an established pattern of rogue landlord behaviour and practice, the licence may be issued for shorter period, at the discretion of the Authorised Officer. Where a property is not classed as a house in multiple occupation under planning usage, a shorter licence may be granted following consultation with the relevant enforcement team.

The Housing Act 2004 also provides the Council with the power to apply Discretionary Licensing, either by way of Additional or Selective Licensing based on specific conditions being met. Should an area within Bournemouth, Christchurch and Poole ever become subject to discretionary licensing, a full detailed designation of the specific area would be made.

When considering the Amenities required in a House in multiple occupation regard will be made to the BCP Amenity Standards, locally adopted standards relating to sizes of premises, heat and amenities provided. The amenity standards are found on the BCP website.⁵

16.1 Licensing Offences

The Housing Act 2004 sets out a number of licensing related offences all of which carry an unlimited fine, including:

- Operating an unlicensed HMO or allowing an HMO to be occupied by more persons than a licence allows
- Breach of licence condition
- Supplying incorrect information in a licence application

In addition to the above, a landlord who operates an unlicensed HMO can be subject to a Rent Repayment Order (RRO) by a First-tier Tribunal (Property Chamber) under sections 96 and 97 of the Housing Act 2004. The Council may also decide to apply a Civil Penalty for certain offences using the Housing and Planning Act 2016. The approach to these sanctions is outlined at sections 10.

A RRO requires repayment of rent received by the landlord over a period of up to 12 months. The Council will usually consider applying for such a measure if the landlord has received rent that has been paid by Housing Benefit.

Where an unlicensed HMO is identified, the Council will assess whether there are good reasons why an application has not been received. If there are no good reasons, the Council will look to take formal proceedings with a view to prosecution in the courts or by way of issuing a Civil Penalty.

⁴ <https://www.gassaferegister.co.uk/help-and-advice/renting-a-property/information-for-landlords/>

⁵ <https://www.bournemouth.gov.uk/Housing/PDFs/Amenity-Standards.pdf>

If a landlord of an unlicensed HMO approaches the Council for licensing and the landlord fully cooperates with the Council, including addressing any management, safety or amenity issue within an agreed timescale, the Council would not normally take enforcement action.

Generally, any breach of licence condition will be dealt with informally initially. However, if the breach is serious and affects the safety of the occupants or the responsible person does not carry out necessary works within an agreed timescale, the Council will pursue legal proceedings.

16.2 Interim and Final Management Orders

An Interim Management Order (IMO) transfers the management of a residential property to the Council for a period of up to twelve months. The circumstances in which an order can be made are discussed below. In particular, the IMO allows the Council possession of the property against the immediate landlord, and subject to existing rights to occupy can;

- Do anything in relation to the property, which could have been done by the landlord, including repairs, collecting rents etc.
- Spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the property
- To create new tenancies (with the consent of the landlord).

Under an IMO the Council must pay to the relevant landlord (that is the person(s) who immediately before the order was made was entitled to the rent for the property) any surplus of income over expenditure (and any interest on such sum) accrued during the period in which the IMO is in force. It must also keep full accounts of income and expenditure in respect of the house and make such accounts available to the relevant person.

The Council must take enforcement action in respect of a licensable property (which means an HMO subject to Part 2, or other residential property subject to Part 31) by making an IMO if:

- The property ought to be licensed, but is not, and the Council considers there is no reasonable prospect of it granting a licence in the near future. An IMO may not, however, be made on these grounds if an effective application is outstanding with the authority for the grant of a licence or a temporary exemption notice or if such a notice is in force
- The Private Sector Housing Enforcement Service is satisfied that the Health and Safety Condition isn't met and, therefore, it would not have granted an application for a licence
- The Private Sector Housing Enforcement Service intends to revoke the licence on one or more of the grounds specified in Parts 2 or 3 of the Act, other than the property has ceased to be licensable, and upon revocation there will be no reasonable prospect of the property being licensed in the near future (e.g. to another suitable person)
- The Private Sector Housing Enforcement Service is satisfied that when the licence is revoked the Health and Safety Condition test will be met

16.3 Final Management Orders

In exceptional circumstances the Council can also apply for a Final Management Order (FMO) which can last for up to five years. Such powers will only be used in exceptional circumstances and will be agreed by relevant senior manager as per the Council's scheme of delegation.

A FMO cannot be made unless an IMO or another FMO was already in force. An FMO transfers the management of the house to the Private Sector Housing Enforcement Service for the duration of the order. In particular, the FMO allows the Council;

- Possession of the property against the immediate landlord, but subject to existing rights of occupation

- To do anything in relation to the property, which could have been done by the landlord, including repairs, collecting rents etc.
- To spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the property;
- To create new tenancies (without the consent of the landlord).

16.4 Management Order Management Schemes

The Council must adopt a management scheme for a property subject to an FMO. The scheme must set out how the Council intends to manage the house. In particular, the management scheme must include:

- The amount of rent it will seek to obtain whilst the order is in force
- Details of any works which the Council intends to undertake in relation to the property
- The estimate of the costs of carrying out those works
- Provision as to the payment of any surpluses of income over expenditure to the relevant landlord, from time to time
- In general terms how the authority intends to address the matters that caused the Council to make the order. The Council must also keep full accounts of income and expenditure in respect of the house and make such accounts available to the relevant landlord.

16.5 Temporary Exemption Notices

Where a landlord is, or shortly will be taking steps to make an HMO non-licensable, the Council may serve a Temporary Exemption Notice (TEN). A TEN can only be granted for a maximum period of three months. In exceptional circumstances a second TEN can be served for a further three-month period. A TEN will be served where the owner of the HMO states in writing that steps are being taken to make the HMO non- licensable within 3 months.

16.6 Raising Standards in HMOs

Under current legislation many HMOs do not currently require a licence. These include houses containing self-contained flats and smaller HMOs. Many of these still pose a significant degree of risk to occupants and/or have a history of being poorly managed. The Council will continue to regulate such HMOs through enforcement of the HMO Management Regulations and by use of the Housing Health and Safety Rating system. All HMOs will however, be subject to a risk assessment which will allow the prioritisation of proactive inspections to secure appropriate improvement work.

16.7 Fire Safety in HMOs

Statistically, HMOs have one of the highest incidents of deaths caused by fire in any type of housing. It is therefore essential that any HMO possesses an adequate means of escape in event of a fire and adequate fire precautions. The actual level of fire protection and detection required will be determined by a risk assessment.

The Private Sector Housing Enforcement Team is generally the lead enforcing authority for fire safety in HMOs, however where an HMO contains communal areas, a Fire Risk Assessment must be carried out in accordance with the Regulatory Reform Order which is administered by Dorset and Wiltshire Fire & Rescue Service. For clarification, and/or general fire safety guidance, contact the Private Sector Housing Enforcement Team.

16.8 General Management of HMOs

The Management of Houses in Multiple Occupation (England) Regulations 2006 require the person having control of the house to ensure that: -

- All services, furnishings, fixtures and fittings are maintained in good, sound, and clean condition
- The structure is kept in good order
- All communal areas of the interior are regularly cleaned and redecorated as necessary
- All yards, boundary walls, fences, gardens and outbuildings are maintained in a safe and tidy condition
- Satisfactory arrangements for the disposal of refuse and litter have been made
- At the commencement of all tenancies the lettings are clean, in a satisfactory state of repair and decoration, and comply in all respects with these standards
- All staircases and multiple steps should be provided with suitable handrails
- All Tenants should fulfil their tenancy obligations.

17 Empty Homes

Empty homes can be a blight on our community as well as a wasted housing resource. Our approach will be to work alongside owners of empty homes with a solution-based approach to support and encourage voluntary action. However, we are also committed to using appropriate enforcement action where owners fail to take responsibility for their properties, reasonable negotiations fail or there is little prospect of the property being bought back into use voluntarily.

A number of factors will be considered in deciding the best course of action for an empty home with due regard given to Empty Homes Strategy 2016 – 2022.

The Council will provide advice, assistance and possible financial assistance to the owners of empty properties to help bring the home back into use, subject to appropriate funding being available. It will however also consider using any of the following enforcement options:

17.1 Empty Dwelling Management Orders (EDMO)

Where a property has been left empty for over two years and is attracting anti-social behaviour, the Council may seek an EDMO, the provisions for which are contained in the Housing Act 2004. An EDMO allows the Council to take over full management of the property for up to seven years, reclaiming any management and refurbishment costs from the rental income.

17.2 Compulsory Purchase Orders (CPO)

CPOs can be made under s17 of the Housing Act 1985 or s226 of the Town & Country Planning Act 1990. They allow local authorities to purchase properties in specific circumstances without the owner's consent.

17.3 Statutory Nuisance Provisions

If a property is unsafe, causing or is likely to cause a nuisance to the locality, there are several legislative tools available to the Council to ensure that the condition of the property is improved. A full list of these enforcement powers is available on request. The powers included provisions to ensure the property is safe, secure and not adversely affecting the amenity of the area.

17.4 Enforced sale procedure

The Law of Property Act 1925 allows the recovery of debt secured by a registered charge by forcing the sale of a property. In situations where the Council has served notices requiring the

owner to ensure that their property is not unsafe or having a negative impact, but they have failed to act, the Council may be forced to carry out the works in default. If the costs incurred are not paid, the Council will register a charge against the property and should the owner still not pay this debt, the Council can commence legal proceedings to sell the property to recover the costs. An enforced sale under a different procedure can also be used to recover Council Tax arrears.

18 Tenant Fees Act 2019

Landlords or agents are no longer able to require tenants in the private rented sector in England, or any persons acting on behalf of a tenant or guaranteeing the rent, to make certain payments ***in connection with a tenancy***. In the legislation “***in connection with a tenancy***” is defined as requirements:

- in consideration of, or in consideration of arranging for, the grant, renewal, continuance, variation, assignment, novation or termination of a tenancy;
- on entry into a tenancy agreement containing relevant provisions;
- pursuant to a provision of a tenancy agreement, or pursuant to an agreement relating to such a tenancy with a letting agent, which requires or purports to require the person to do any of those things in the event of an act or default of the person or if the tenancy is varied, assigned, novated or terminated; and
- as a result of an act or default related to the tenancy unless pursuant to, or for breach of, a tenancy agreement or other agreement; and
- in consideration of providing a reference for a former tenant.

Permitted payments are defined in the Act as:

- the rent
- refundable tenancy deposit capped at no more than five weeks rent, where the annual rental income is below £50,000 and six weeks rent where an annual rental income is above £50,000
- refundable holding deposit (to reserve a property) capped at no more than one weeks rent
- payment in the event of a default of the tenant
- payments on assignment, novation or variation of a tenancy when requested by the tenant, capped at £50 or reasonable costs incurred if higher
- payments associated with early termination of a tenancy, when requested by the tenant
- payments in respect of utilities, communication services and council tax

A breach of the legislation will usually be defined as a civil breach with a financial penalty of up to £5,000. However, if a further breach is committed within five years of the imposition of a financial penalty or conviction for a previous breach, this will be pursued as a criminal offence. Upon conviction, the penalty is an unlimited fine and is a banning order offence under the Housing and Planning Act 2016.

Where an offence is committed, the Council may impose a financial penalty of up to £30,000 as an alternative to prosecution. In such a case, the Council will have discretion over whether to prosecute or impose a financial penalty. Where a financial penalty is imposed this does not amount to a criminal conviction.

A breach of the requirement to repay the holding deposit is a civil offence and will be subject to a financial penalty of up to £5,000.

The final determination of any financial penalty will be considered alongside the general principle that a penalty should be fair and proportionate but, in all instances, act as a deterrent and remove any gain as a result of the breach. Further information on Civil Penalties are found in Section 14 of this policy. The application of such civil penalties and decision matrix is attached at Appendix B.

19 Minimum Energy Efficiency Standards

Since April 2018 landlords with properties which are let to the Private Rented Sector are required to have a minimum energy performance certificate rating of E or above. This applies to new lets, tenancy renewals or extensions and tenancies that fall into a statutory periodic tenancy starting on or after 1 April 2018. It will apply to all tenancies from 1 April 2020.

A landlord with a property with an EPC rating below an E (F&G) are required to improve their properties with energy efficiency improvements to bring the property up to at least an E rating before the property is rented out, unless the landlord qualifies for an exemption and the exemption is registered on the Public Exemptions Register.

It is unlawful to rent a property which breaches the requirement for a minimum E rating, unless there is an applicable exemption. A civil penalty of up to £4,000 will be imposed for breaches. The application of such civil penalties and decision matrix is attached at Appendix C.

20 Protection Against Eviction 1977

Under S1(2) Protection from Eviction Act 1977 it is an offence for any person to unlawfully deprive a residential occupier of the premises (or any part of it) that they occupy.

In the main, an eviction Notice, followed by a Possession Summons, then a Possession Order is the usual procedure for landlords to regain possession of a premises. Even when the Possession Order expires, the tenants can remain in occupation until the landlord obtains a Bailiffs Warrant of Execution. Only the County Court Bailiff can carry out the eviction.

The Council can prosecute for breaches of the Protection Against Eviction Act 1977 and such prosecutions can amount to a criminal offence. Enforcement officers will work alongside the Housing Options team and support providers such as Citizens Advice and Shelter in order to gather evidence and undertake prosecution where required.

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

Penalty charges for non-compliance are currently as follows:

First offence	£1500	Reduced to £750 if paid within 14 days
Second offence	£3,000	No reduction for early payment
Any additional offences	£5,000	No reduction for early payment

Civil Penalties Matrix- Housing Act 2004 offences

	Financial Penalty Matrix				
	Score =1	Score = 5	Score = 10	Score =15	Score = 20
1					
4 FACTORS					
1. Severity of offence and culpability	No previous enforcement history. Single low level offence.	Minor previous enforcement. Single offence.	Recent second time offender. Offence has moderate severity or small but frequent impact(s).	Multiple offender. Ongoing offence of moderate to large severity or a single instance of a very severe offence.	Serial offender. Multiple enforcement over recent times. Continuing serious offence.
2. Deterrence of offender and others	High confidence that a financial penalty will deter repeat offending. Informal publicity not required as a	Medium confidence that a financial penalty will deter repeat offending. Minor informal publicity required for	Low confidence that a financial penalty will deter repeat offending (e.g. no contact from offender). Some informal publicity will be required to prevent similar offending in the landlord community.	Little confidence that a financial penalty will deter repeat offending. Likely informal publicity will be required to prevent similar offending in the landlord community.	Very little confidence that a financial penalty will deter repeat offending. Informal publicity will be required to prevent similar offending in the landlord community.

	deterrence.	mild deterrence in the landlord community.			
4. Removal of financial benefit	No significant assets. No or very low financial profit made by offender.	Little asset value. Little profit made by offender.	Small portfolio landlord (between 2- 3 properties). Low asset value. Low profit made by offender.	Medium portfolio landlord (between 4-5 properties) or a small Managing Agent. Medium asset value. Medium profit made by offender.	Large portfolio landlord (over 5 properties) or a medium to large Managing Agent. Large asset value. Large profit made by offender.
115 3. Harm to the tenants (x2 weighting)	Very little or no harm caused. No vulnerable occupants. Tenant provides no information on impact.	Likely some low-level health/harm risk(s) to occupant. No vulnerable occupants. Tenant provides poor quality information on impact	Likely moderate level health/harm risk(s) to occupant. Vulnerable occupants potentially exposed. Tenant provides some information on impact but with no primary or secondary evidence	High level of health/harm risk(s) to occupant. Tenant(s) will be affected frequently or by occasional high impact occurrences. Vulnerable occupants. more than likely exposed. Small HMO (3-4 occupants), multiple occupants exposed. Tenant provides good information on impact with primary evidence (e.g. prescription drugs present, clear signs	Obvious high level health/harm risk(s) and evidence that tenant(s) are badly and/or continually affected. Multiple vulnerable occupants. exposed. Large HMO (5+occupants), multiple occupants exposed. Tenant provides excellent information on impact with primary and secondary evidence provided (e.g. medical, social services reports).

				of poor health witnessed) but no secondary evidence.	
Score range	Penalty				
<6	£250.00				
6<11	£500.00				
11<21	£750.00				
21<31	£1,000.00				
31<41	£2,500.00				
41<51	£5,000.00				
51<61	£10,000.00				
61<71	£15,000.00				
71<81	£20,000.00				
81<91	£25,000.00				
91+	£30,000.00				

Appendix B- Civil Penalty Matrix Tenant Fees Act 2019

FACTORS	Score =1	Score = 2	Score = 3	Score =4	Score = 5	
1. Severity of offence and culpability	No previous enforcement history. Single low level offence.	Minor previous enforcement. Single offence.	Recent second time offender. Offence has moderate severity or small but frequent impact(s).	Multiple offender. Ongoing offence of moderate to large severity or a single instance of a very severe offence.	Serial offender. Multiple enforcement over recent times. Continuing serious offence.	
2. Deterrence of offender and others	High confidence that a financial penalty will deter repeat offending. Informal publicity not required as a deterrence.	Medium confidence that a financial penalty will deter repeat offending. Minor informal publicity required for mild deterrence in the landlord community.	Low confidence that a financial penalty will deter repeat offending (e.g. no contact from offender). Some informal publicity will be required to prevent similar offending in the landlord community	Little confidence that a financial penalty will deter repeat offending. Likely informal publicity will be required to prevent similar offending in the landlord community.	Very little confidence that a financial penalty will deter repeat offending. Informal publicity will be required to prevent similar offending in the landlord community.	
3. Removal of financial benefit	No significant assets. No or very low financial profit made by offender.	Little asset value. Little profit made by offender.	Small portfolio landlord (between 2- 3 properties). Low asset value. Low profit made by offender.	Medium portfolio landlord (between 4-5 properties) or a small Managing Agent. Medium asset value. Medium profit made by offender.	Large portfolio landlord (over 5 properties) or a medium to large Managing Agent. Large asset value. Large profit made by offender.	

4. Harm to the tenants	Very little or no harm caused. No vulnerable occupants. Tenant provides no information on impact.	Likely some low level health/harm risk(s) to occupant. No vulnerable occupants. Tenant provides poor quality information on impact	Likely moderate level health/harm risk(s) to occupant. Vulnerable occupants potentially exposed. Tenant provides some information on impact but with no primary or secondary evidence	High level of health/harm risk(s) to occupant. Tenant(s) will be affected frequently or by occasional high impact occurrences. Vulnerable occupants. more than likely exposed. Tenant provides good information on impact with primary evidence (e.g. prescription drugs present, clear signs of poor health witnessed) but no secondary evidence.	Obvious high level health/harm risk(s) and evidence that tenant(s) are badly and/or continually affected. Multiple vulnerable occupants. exposed. Tenant provides excellent information on impact with primary and secondary evidence provided (e.g. medical, social services reports).	
Total						

118

Penalties

Score range	Penalty		17-19	£4,000.00	TOTAL PENALTY AMOUNT £
1-4	£500.00		20	£5,000.00	
5-8	£1000.00				
9-12	£2000.00				
13-16	£3000.00				

FACTORS	Score =1	Score = 2	Score = 3	Score =4	Score = 5	
1. Severity of offence and culpability	No previous enforcement history. Single low level offence.	Minor previous enforcement. Single offence.	Recent second time offender. Offence has moderate severity or small but frequent impact(s).	Multiple offender. Ongoing offence of moderate to large severity or a single instance of a very severe offence.	Serial offender. Multiple enforcement over recent times. Continuing serious offence.	
2. Deterrence of offender and others	High confidence that a financial penalty will deter repeat offending. Informal publicity not required as a deterrence.	Medium confidence that a financial penalty will deter repeat offending. Minor informal publicity required for mild deterrence in the landlord community.	Low confidence that a financial penalty will deter repeat offending (e.g. no contact from offender). Some informal publicity will be required to prevent similar offending in the landlord community	Little confidence that a financial penalty will deter repeat offending. Likely informal publicity will be required to prevent similar offending in the landlord community.	Very little confidence that a financial penalty will deter repeat offending. Informal publicity will be required to prevent similar offending in the landlord community.	
3. Removal of financial benefit	No significant assets. No or very low financial profit made by offender.	Little asset value. Little profit made by offender.	Small portfolio landlord (between 2- 3 properties). Low asset value. Low profit made by offender.	Medium portfolio landlord (between 4-5 properties) or a small Managing Agent. Medium asset value. Medium profit made by offender.	Large portfolio landlord (over 5 properties) or a medium to large Managing Agent. Large asset value. Large profit made by offender.	

4. Harm to the tenants	Very little or no harm caused. No vulnerable occupants. Tenant provides no information on impact.	Likely some low level health/harm risk(s) to occupant. No vulnerable occupants. Tenant provides poor quality information on impact	Likely moderate level health/harm risk(s) to occupant. Vulnerable occupants potentially exposed. Tenant provides some information on impact but with no primary or secondary evidence	High level of health/harm risk(s) to occupant. Tenant(s) will be affected frequently or by occasional high impact occurrences. Vulnerable occupants. more than likely exposed. Tenant provides good information on impact with primary evidence (e.g. prescription drugs present, clear signs of poor health witnessed) but no secondary evidence.	Obvious high level health/harm risk(s) and evidence that tenant(s) are badly and/or continually affected. Multiple vulnerable occupants. exposed. Tenant provides excellent information on impact with primary and secondary evidence provided (e.g. medical, social services reports).	
Total						

Penalties

- Landlord has let a sub-standard property in breach of regulations for period of less than 3 months OR failed to comply with compliance letter:

Score range	Penalty		17-20	£2,000.00	TOTAL PENALTY AMOUNT £
4	£250.00				
5-8	£500.00				
9-12	£1000.00				
13-16	£1500.00				

- Landlord has let a sub-standard property in breach of regulations for period of more than 3 months:

Score range	Penalty	17-19	£3,000.00	TOTAL PENALTY
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4	£500.00
5-8	£1000.00
9-12	£1500.00
13-16	£2000.00

20	£4,000.00

AMOUNT £

- Landlord has registered false or misleading information on the PRS exemptions register.

Score range	Penalty
4	£100.00
5-8	£250.00
9-12	£500.00
13-16	£750.00

17-20	£1,000.00

TOTAL PENALTY
AMOUNT £

A financial penalty can be imposed for both the landlord letting a sub-standard property AND failing to comply with a compliance letter or registering false or misleading information on the PRS exemption register for the same breach

Executive Summary and Conclusions

Once the Equality Impact Assessment Template has been completed, please summarise the key findings here.

The Private Sector Housing Enforcement Policy is designed to benefit the community through consistent regulation of the private rented sector. There should be no adverse effect on those classed as having protected characteristics and it is expected that some protected characteristics such as race, socio-economic, disability and age will be disproportionately positively impacted by this policy due to the demographic of housing and its occupation.

122

Part 1 - The Project

Policy/Service under development/review:	Private Sector Housing Enforcement Policy
Service Unit:	Communities
Service Lead:	Kelly Ansell
Equality Impact Assessment Team:	Sophie Ricketts, Steven Day, Kelly Ansell, Johanne McNamara, Sam Johnson, Sean Whitney, Kerry Ruff, Lorraine Mealings, Cat McMillan
Date assessment started:	02/09/2019
Date assessment completed:	

Part 1 - The Project

What are the aims/objectives of the policy/service?	To regulate housing conditions within the private rented sector.
What outcomes will be achieved with the new or changed policy/service?	There will be an improvement in the quality of housing within the private sector that is available to prospective tenants. Informal and formal enforcement options will be made available to ensure housing conditions in the private rented sector meet the prescribed legislative standard. The implementation of new and updated legislation will be utilised to bring better regulation to the private rented sector in a consistent manner. Engagement with stakeholders to support and educate responsible persons of the correct standards of accommodation. Communication with key stakeholders to ensure the licensing of relevant premises.
Are there any associated services, policies or procedures?	<p>Yes</p> <p>Services: Trading Standards, Community Enforcement, Environmental Health, Targeted Enforcement, Residential Landlords Association, National Landlords Association, Council Tax, Housing Benefit, Shelter, Citizens Advice Bureau, Ministry of Housing Communities and Local Government, Ministry of Housing, Chartered Institute of Housing, Anti-social Behaviour Team, Dorset Police, Dorset and Wiltshire Fire and Rescue Services, Community Development, Communities, Housing, Community Safety, Licensing, Planning, Planning Enforcement</p> <p>Policies: Bournemouth Private Sector Housing Enforcement Policy 2017, Poole Borough Council Private Sector Housing Enforcement Policy, Christchurch and East Dorset Private Sector Housing Enforcement Policy, Housing Strategy</p> <p>Procedures: Civil Penalty Procedure, Energy Performance Certificate Procedure.</p>

Part 1 - The Project

Please list the main people, or groups, that this policy/service is designed to benefit, and any other stakeholders involved:	Private Rental tenants Landlords, estate agents, letting agents, managing agents, freeholders, leaseholders, licence holders Landlord regulatory bodies Redress schemes Tenancy support services
With consideration for their clients, please list any other organisations, statutory, voluntary or community that the policy/service/process will affect:	Shelter Citizens Advice Bureau National Landlords Association Residential Landlords Association Dorset Race Equality Council Community Groups Social Registered landlords

Part 2 – Supporting Evidence⁶

Please list and/or link to below any recent & relevant consultation & engagement that can be used to demonstrate a clear understanding of those with a legitimate interest in the policy/service/process and the relevant findings:

Community Overview and Scrutiny Committee February 2019

Empty Homes Survey 2018

Housing Conditions Survey 2008

Bournemouth Opinion Survey 2017, 2015, 2013

Selective Licensing Consultation 2017

ONS - UK private rented sector: 2018 [2018 publication](#)

The surveys listed support the use of relevant enforcement to regulate the private rented sector. The surveys support the proportion of private rented accommodation across BCP and the requirement for the application of the listed legislation within the policy.

Public perception of property conditions within certain areas of private rented accommodation is negative and therefore enforcement and regulation needs to be consistent and easily accessible.

⁶ This could include: service monitoring reports, research, customer satisfaction surveys & feedback, workforce monitoring, staff surveys, opinions and information from trade unions, previous completed EIAs (including those of other organisations) feedback from focus groups & individuals or organisations representing the interests of key target groups or similar.

Part 2 – Supporting Evidence⁶

If there is insufficient consultation or engagement information please explain in the Action plan what further consultation will be undertaken, who with and how.

Please list or link to any relevant research, census and other evidence or information that is available and relevant to this EIA:

Census 2011
Indices of Deprivation 2015
Indoors sub-domain from IMD from CLG, 2015

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	Actual or potential positive outcome	Actual or potential negative outcome
1. Age ⁷	Under the risk assessment profile, those over 55 are classed as a vulnerable age group for hazards relating to cold. This policy looks to ensure conditions of accommodation are suitable regardless of age, through enforcement and engagement with property owners. Houses in Multiple Occupation are more likely to be occupied by young people under the age of 35 ⁸ as shared accommodation is often the only type of affordable accommodation available to benefit reliant tenants as a result of housing benefit caps for young people. Many of these individuals are forced to accept accommodation within the private rented sector as they usually have no access to social housing. Better regulation and proactive enforcement of the private rented housing sector will ensure that suitable action is taken against landlords and managers who do not comply with the law or licence conditions. This is expected to help drive bad landlords out of the market which should have the beneficial effect of better quality and well managed private rented housing.	There is no negative outcome. There is a risk that complaints regarding non-compliance could result in unfair eviction notices. This could adversely impact on those under 35, legislation such as the Protection Against Eviction Act 1977 and Deregulation Act 2015 should assist with the mitigation of this.
2. Disability ⁹	Those with disabilities are more likely to be negatively affected by poor housing conditions, therefore robust enforcement to ensure housing conditions are regulated will positively impact on disabled persons There are a significant number of tenants with mental health disabilities living in HMO' in the	Unknown due to lack of data available

⁷ Under this characteristic, The Equality Act only applies to those over 18.

⁸ Office for National Statistics - UK private rented sector: 2018

⁹ Consider any reasonable adjustments that may need to be made to ensure fair access.

Part 3 – Assessing the Impact by Equality Characteristic

Use the evidence to determine the impacts, positive or negative for each Equality Characteristic listed below. Listing negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue.

[Click here](#) for more guidance on how to understand the impact of the service/policy/procedure against each characteristic.

If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
	private rental sector. The envisaged benefits of better quality shared housing accommodation that is well managed and complies with all relevant standards will have a positive impact on this group. HMO residents are eight times more likely than the general population to suffer from mental health problems as well as having other problems ¹⁰ :	
127 3. Sex	Lower paid job roles may lead those on minimal wages to occupy lower cost accommodation. It is unknown the effect of gender pay gaps locally to establish if there is disproportionate gender affected by poor quality low cost accommodation, however if this is the case, this gender group are likely to be subject to increased benefit of consistent regulation of housing conditions.	Unknown due to lack of data available
4. Gender reassignment ¹¹	n/a	Unknown due to lack of data available
5. Pregnancy and Maternity	n/a	Where properties are occupied to a maximum occupancy through licence conditions, this may cause adverse affect on those that have children within the premises. This could lead to eviction notices, however, housing options advice and assistance will be offered.

¹⁰ Shaw M, Danny D and Brimblecombe N (1998) Health problems in houses in multiple occupation.

¹¹ Transgender refers to someone who considers that they do not identify strictly to one gender to the other, identifying themselves as neither male nor female. NO

Part 3 – Assessing the Impact by Equality Characteristic

Use the evidence to determine the impacts, positive or negative for each Equality Characteristic listed below. Listing negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue.

[Click here](#) for more guidance on how to understand the impact of the service/policy/procedure against each characteristic.

If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
6. Marriage and Civil Partnership	n/a	n/a
7. Race	<p>There is a significant concentration of migrant households in the private rented sector and in particular in shared HMO accommodation as they are often on low wages meaning low quality homes are the only affordable form of accommodation for a working household. Vulnerable tenants, such as new arrivals in the country may be more likely to be exploited and affected by poor housing conditions. Overcrowding disproportionately affects migrants. Tenants within ethnic minority groups are therefore likely to be positively affected by this policy due to better quality accommodation and landlord management practices that will result from better enforcement of the sector. Greater protection from eviction should also result from increased powers to use civil penalties against those landlords who harass or unlawfully evict tenants as these will serve as a deterrent for potential offenders.</p>	Unknown due to lack of data available
8. Religion or Belief	There is insufficient data available to measure accurately the potential effect of these proposals in relation to religion or belief of tenants.	Unknown due to lack of data available

Part 3 – Assessing the Impact by Equality Characteristic

Use the evidence to determine the impacts, positive or negative for each Equality Characteristic listed below. Listing negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue.

[Click here](#) for more guidance on how to understand the impact of the service/policy/procedure against each characteristic.

If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
9. Sexual Orientation	There is insufficient data available to measure accurately the potential effect of these proposals in relation to sexual orientation of tenants.	Unknown due to lack of data available
129 10. Any other factors/groups e.g. socio-economic status/carers etc ¹²	Those that live in deprived areas are statistically more likely to suffer from poor housing conditions, therefore regulation of the private rented sector will positively improve their health and wellbeing Vulnerable residents and those on low incomes have found that access to housing appropriate to their needs has been restricted by a lack of affordability and large numbers find themselves living in the worst properties or shared accommodation. Changes to the national welfare system has had a further negative impact on the provision of quality housing options due to displacement of benefit dependent households into cheaper shared accommodation as a result of the Local Housing Allowance rent caps. Greater regulation and enforcement of the Private rented sector, particularly those HMO' that are required to be licensed, may force some landlords to leave the private rented sector altogether which could negatively impact	n/a

¹² People on low incomes or no income, unemployed, carers, part-time, seasonal workers and shift workers

Part 3 – Assessing the Impact by Equality Characteristic

Use the evidence to determine to the impacts, positive or negative for each Equality Characteristic listed below. Listing negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue.

[Click here](#) for more guidance on how to understand the impact of the service/policy/procedure against each characteristic.

If the impact is not known please explain in the Action plan what steps will be taken to find out.

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	Actual or potential positive outcome	Actual or potential negative outcome
	<p>tenants due to a reduction in the supply of HMO's and subsequent increase in evictions and homelessness.</p> <p>On the positive side, a significant protection that would be provided for assured shorthold tenants is that a s.21 Notice to evict tenants cannot be used by a landlord where a property has not been licensed when it is required to be. The Courts will therefore refuse to issue Possession Orders on that basis and enforcement action will be taken against those landlords who evict tenants unlawfully.</p> <p>The life chances of residents are closely linked to the quality of their neighbourhoods and their housing accommodation. Better enforcement of the private housing sector seeks to address some of these issues by improving housing conditions and security of tenure, particularly for the poorest tenants, over the longer term.</p>	
11. Human Rights	n/a	Where warrants of entry are required to access a premises, Article 6 HRA may be affected, however due notice is previously given. Entry is required to positively impact the resident to ensure housing conditions are suitable.

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Appendix B BCP Equality Impact Assessment Template

Executive Summary and Conclusions

Once the Equality Impact Assessment Template has been completed, please summarise the key findings here.

The Private Sector Housing Enforcement Policy is designed to benefit the community through consistent regulation of the private rented sector. There should be no adverse effect on those classed as having protected characteristics and it is expected that some protected characteristics such as race, socio-economic, disability and age will be disproportionately positively impacted by this policy due to the demographic of housing and its occupation.

Part 1 - The Project

Policy/Service under development/review:	Private Sector Housing Enforcement Policy
Service Unit:	Communities
Service Lead:	Kelly Ansell
Equality Impact Assessment Team:	Sophie Ricketts, Steven Day, Kelly Ansell, Johanne McNamara, Sam Johnson, Sean Whitney, Cat McMillan
Date assessment started:	02/09/2019

Appendix B BCP Equality Impact Assessment Template

Part 1 - The Project	
Date assessment completed:	24/09/2019
What are the aims/objectives of the policy/service?	To regulate housing conditions within the private rented sector.
What outcomes will be achieved with the new or changed policy/service?	There will be an improvement in the quality of housing within the private sector that is available to prospective tenants. Informal and formal enforcement options will be made available to ensure housing conditions in the private rented sector meet the prescribed legislative standard. The implementation of new and updated legislation will be utilised to bring better regulation to the private rented sector in a consistent manner. Engagement with stakeholders to support and educate responsible persons of the correct standards of accommodation. Communication with key stakeholders to ensure the licensing of relevant premises.
Are there any associated services, policies or procedures?	<p>Yes</p> <p>Services: Trading Standards, Community Enforcement, Environmental Health, Targeted Enforcement, Residential Landlords Association, National Landlords Association, Council Tax, Housing Benefit, Shelter, Citizens Advice Bureau, Ministry of Housing Communities and Local Government, Ministry of Housing, Chartered Institute of Housing, Anti-social Behaviour Team, Dorset Police, Dorset and Wiltshire Fire and Rescue Services, Community Development, Communities, Housing, Community Safety, Licensing, Planning, Planning Enforcement</p> <p>Policies: Bournemouth Private Sector Housing Enforcement Policy 2017, Poole Borough Council Private Sector Housing Enforcement Policy, Christchurch and East Dorset Private Sector Housing Enforcement Policy,</p>

Appendix B BCP Equality Impact Assessment Template

Part 1 - The Project

	<p>Housing Strategy</p> <p>Procedures: Civil Penalty Procedure, Energy Performance Certificate Procedure.</p>
Please list the main people, or groups, that this policy/service is designed to benefit, and any other stakeholders involved:	<p>Private Rental tenants</p> <p>Landlords, estate agents, letting agents, managing agents, freeholders, leaseholders, licence holders</p> <p>Landlord regulatory bodies</p> <p>Redress schemes</p> <p>Tenancy support services</p>
With consideration for their clients, please list any other organisations, statutory, voluntary or community that the policy/service/process will affect:	<p>Shelter</p> <p>Citizens Advice Bureau</p> <p>National Landlords Association</p> <p>Residential Landlords Association</p> <p>Dorset Race Equality Council</p> <p>Community Groups</p> <p>Social Registered landlords</p>

Part 2 – Supporting Evidence¹

¹ This could include: service monitoring reports, research, customer satisfaction surveys & feedback, workforce monitoring, staff surveys, opinions and information from trade unions, previous completed EIAs (including those of other organisations) feedback from focus groups & individuals or organisations representing the interests of key target groups or similar.

Appendix B BCP Equality Impact Assessment Template

Part 2 – Supporting Evidence¹

Please list and/or link to below any recent & relevant consultation & engagement that can be used to demonstrate a clear understanding of those with a legitimate interest in the policy/service/process and the relevant findings:

Community Overview and Scrutiny Committee February 2019

Empty Homes Survey 2018

Housing Conditions Survey 2008

Bournemouth Opinion Survey 2017, 2015, 2013

Selective Licensing Consultation 2017

ONS - UK private rented sector: 2018 [2018 publication](#)

The surveys listed support the use of relevant enforcement to regulate the private rented sector. The surveys support the proportion of private rented accommodation across BCP and the requirement for the application of the listed legislation within the policy. Public perception of property conditions within certain areas of private rented accommodation is negative and therefore enforcement and regulation needs to be consistent and easily accessible.

If there is insufficient consultation or engagement information please explain in the Action plan what further consultation will be undertaken, who with and how.

Please list or link to any relevant research, census and other evidence or information that is available and relevant to this EIA:

Census 2011

Indices of Deprivation 2015

Indoors sub-domain from IMD from CLG, 2015

Please list below any service user/employee monitoring data available and relevant to this policy/service/process and what it shows in relation to any Protected Characteristic:

Enforcement is take against responsible persons, namely landlords and residential property businesses. Demographic data of landlords is not collected as standard by the enforcement team.

Appendix B BCP Equality Impact Assessment Template

Part 2 – Supporting Evidence¹

If there is insufficient research and monitoring data, please explain in the Action plan what information will be gathered:

Part 3 – Assessing the Impact by Equality Characteristic

Use the evidence to determine the impacts, positive or negative for each Equality Characteristic listed below. Listing negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue.

Click here for more guidance on how to understand the impact of the service/policy/procedure against each characteristic.

If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
1. Age ²	Under the risk assessment profile, those over 55 are classed as a vulnerable age group for hazards relating to cold. This policy looks to ensure conditions of accommodation are suitable regardless of age, through enforcement and engagement with property owners. Houses in Multiple Occupation are more likely to be occupied by young people under the age of 35 ³ as shared accommodation is often the only type of affordable accommodation available to benefit reliant tenants as a result of housing benefit caps for young people. Many of these individuals rely on accommodation within the private rented sector as there is limited provision of social housing. Better regulation	There is no negative outcome as the legislative application is consistent across all groups. There is a risk that complaints regarding non-compliance could result in unfair eviction notices. This could adversely impact on those under 35, legislation such as the Protection Against Eviction Act 1977 and Deregulation Act 2015 should assist with the mitigation of this.

² Under this characteristic, The Equality Act only applies to those over 18.

³ Office for National Statistics - UK private rented sector: 2018

Appendix B BCP Equality Impact Assessment Template

Part 3 – Assessing the Impact by Equality Characteristic

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If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
	and proactive enforcement of the private rented housing sector will ensure that suitable action is taken against landlords and managers who do not comply with the law or licence conditions. This is expected to help drive bad landlords out of the market which should have the beneficial effect of better quality and well managed private rented housing.	
2. Disability ⁴	Those with disabilities are more likely to be negatively affected by poor housing conditions, therefore robust enforcement to ensure housing conditions are regulated will positively impact on disabled persons There are a significant number of tenants with mental health disabilities living in HMO' in the private rental sector. The envisaged benefits of better quality shared housing accommodation that is well managed and complies with all relevant standards will have a positive impact on this group. HMO residents are eight times more likely than the general population to suffer	Unknown due to lack of data available

⁴ Consider any reasonable adjustments that may need to be made to ensure fair access.

Appendix B BCP Equality Impact Assessment Template

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If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
	from mental health problems as well as having other problems ⁵ :	
3. Sex	Lower paid job roles may lead those on minimal wages to occupy lower cost accommodation. It is unknown the effect of gender pay gaps locally to establish if there is disproportionate gender affected by poor quality low cost accommodation, however if this is the case, this gender group are likely to be subject to increased benefit of consistent regulation of housing conditions.	Unknown due to lack of data available
4. Gender reassignment ⁶	n/a	Unknown due to lack of data available
5. Pregnancy and Maternity	n/a	Where properties are occupied to a maximum occupancy through licence conditions, this may cause adverse affect on those that give birth to children whilst living in the premises. This could lead to eviction notices, however, housing options advice and assistance will be offered.

⁵ Shaw M, Danny D and Brimblecombe N (1998) Health problems in houses in multiple occupation.

⁶ Transgender refers to someone who considers that they do not identify strictly to one gender to the other, identifying themselves as neither male nor female.
NO

Appendix B BCP Equality Impact Assessment Template

Part 3 – Assessing the Impact by Equality Characteristic

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Click here for more guidance on how to understand the impact of the service/policy/procedure against each characteristic.

If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
6. Marriage and Civil Partnership	n/a	n/a
7. Race	<p>There is a proportion of migrant households in the private rented sector and in particular in shared HMO accommodation as they may be on low wages meaning smaller homes are the only affordable form of accommodation for a working household.</p> <p>Vulnerable tenants, such as new arrivals in the country may be more likely to be exploited and affected by poor housing conditions.</p> <p>Overcrowding disproportionately affects migrants.</p> <p>Tenants within ethnic minority groups are therefore likely to be positively affected by this policy due to better quality accommodation and landlord management practices that will result from better enforcement of the sector. Greater protection from eviction should also result from increased powers to use civil penalties against those landlords who harass or unlawfully evict tenants as these will serve as a deterrent for potential offenders.</p>	Unknown due to lack of data available

Appendix B BCP Equality Impact Assessment Template

Part 3 – Assessing the Impact by Equality Characteristic

Use the evidence to determine to the impacts, positive or negative for each Equality Characteristic listed below. Listing negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue. [Click here](#) for more guidance on how to understand the impact of the service/policy/procedure against each characteristic. If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
8. Religion or Belief	There is insufficient data available to measure accurately the potential effect of these proposals in relation to religion or belief of tenants.	Unknown due to lack of data available
9. Sexual Orientation	There is insufficient data available to measure accurately the potential effect of these proposals in relation to sexual orientation of tenants.	Unknown due to lack of data available
10. Any other factors/groups e.g. socio-economic status/carers etc ⁷	Those that live in deprived areas are statistically more likely to suffer from poor housing conditions, therefore regulation of the private rented sector will positively improve their health and wellbeing Vulnerable residents and those on low incomes have found that access to housing appropriate to their needs has been restricted by a lack of affordability and large numbers find themselves living in the worst properties or shared accommodation. Changes to the national welfare system has had a further negative impact on the provision of quality housing options due to displacement of benefit dependent households into cheaper shared	n/a

⁷ People on low incomes or no income, unemployed, carers, part-time, seasonal workers and shift workers

Appendix B BCP Equality Impact Assessment Template

Part 3 – Assessing the Impact by Equality Characteristic

Use the evidence to determine to the impacts, positive or negative for each Equality Characteristic listed below. Listing negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue.

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If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
	<p>accommodation as a result of the Local Housing Allowance rent caps.</p> <p>Greater regulation and enforcement of the Private rented sector, particularly those HMO' that are required to be licensed, may force some landlords to leave the private rented sector altogether which could negatively impact tenants due to a reduction in the supply of HMO's and subsequent increase in evictions and homelessness.</p> <p>On the positive side, a significant protection that would be provided for assured shorthold tenants is that a s.21 Notice to evict tenants cannot be used by a landlord where a tenant has formally reported disrepair and the Council have taken relevant enforcement action. The Courts will therefore refuse to issue Possession Orders on that basis and enforcement action will be taken against those landlords who evict tenants unlawfully.</p> <p>The life chances of residents are closely linked to the quality of their neighbourhoods and their housing accommodation. Better enforcement of the private housing sector seeks to address</p>	

Appendix B BCP Equality Impact Assessment Template

Part 3 – Assessing the Impact by Equality Characteristic

Use the evidence to determine to the impacts, positive or negative for each Equality Characteristic listed below. Listing negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue.

[Click here](#) for more guidance on how to understand the impact of the service/policy/procedure against each characteristic.

If the impact is not known please explain in the Action plan what steps will be taken to find out.

	Actual or potential positive outcome	Actual or potential negative outcome
	some of these issues by improving housing conditions and security of tenure, particularly for the poorest tenants, over the longer term.	
11. Human Rights	n/a	Where warrants of entry are required to access a premises, Article 6 HRA may be affected, however due notice is previously given. Entry is required to positively impact the resident to ensure housing conditions are suitable.

Part 4 – Equality Impact Action Plan

Please complete this Action Plan for any negative or unknown impacts identified in the assessment table above.

Issue identified	Action required to reduce impact	Timescale	Responsible officer
None	n/a		

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Appendix C: Risk Assessment

Activity :

Enforcement Policy

Risk Assessment
Completed by :

Sophie Ricketts

Date : 6/9/2019

Review
Date : 9/10/2021

IMPACT	Examples	Score	LIKELIHOOD	Timeline	Score	RATING	Action	Score
Low	Minor service disruption/inconvenience, minor injury, small financial loss, isolated service user complaint.	1	Unlikely to occur	0 – 10% chance	1	LOW	Continue to monitor; Reassess if any significant changes; Have long term plans to eliminate or reduce hazards	1 - 2
Medium	Service disruption, More serious injury or financial loss, adverse media coverage, numerous service user complaints	2	Could Happen	10 - 40% chance	2	MEDIUM	Try to eliminate or reduce hazards as soon as practicable; Reassess work routines and training; Increase controls; Continue to monitor.	3 - 6
High	Significant service disruption, major disabling injury, high financial loss, adverse national media coverage.	3	Likely to happen in time	40 – 80% chance	3	HIGH	Seek specialist advice; Try to eliminate or reduce hazards as soon as reasonably practicable; Reassess work routines and training; Increase awareness & controls; Increase monitoring.	8 – 16
Extreme	Total service loss for significant time period, fatality, catastrophic financial loss, ministerial intervention in service running	4	Certain to happen	80% or more chance	4			

Appendix C: Risk Assessment

Risk	Risk mitigation to date	Impact	Likelihood	Rating	Further mitigation required	Acceptable risk?
Legal challenge on policy contents	BCP legal advice sought on content of the policy and legislative frameworks. Policy details statutory legislation and formal legal advice has been sought on financial penalty matrices.	Medium-2	Could happen -2	Medium- 4	Continual monitoring of case law and legislative guidance to ensure policy updated in the event of legislative change or developments	Yes
Operational process if policy not adopted	Legal advice sought on policy content, therefore policy written on solid legal framework. The policy relates to the application of legislation and relates to a statutory duty of the Council to apply such legislation ,therefore the risk of non-implementation of the policy is low. Policies of other	Medium- 2	Unlikely to occur- 1	Medium- 3	Cabinet should approve the policy implementation	Yes

Appendix C: Risk Assessment

	local authorities have been considered in the creation of the policy.					
Reduction in capacity through increased enforcement	The policy has no significant changes from preceding legal council policies and therefore enforcement is not expected to dramatically increase through the implementation of the policy	Low- 1	Unlikely to occur- 1	Low-2	n/a	Yes

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CABINET

Report subject	BCP Housing Strategy – approval to consult
Meeting date	9 October 2019
Status	Public
Executive summary	To inform Cabinet of the proposed approach and timetable to develop a new BCP Housing Strategy which will detail the current and anticipated future housing issues, setting out the strategic priorities and action plan to address local issues.
Recommendations	To support the proposed approach and timetable for developing a new BCP Housing Strategy
Reason for recommendations	To set out to Cabinet the proposed approach to developing a new Housing Strategy, including the proposed timetable and the intended consultation process that will take place.

Portfolio Holder(s):	Councillor Kieron Wilson, Portfolio Holder for Housing
Corporate Director	Kate Ryan, Corporate Director of Environment and Community
Contributors	Lorraine Mealings, Director of Housing Kerry Ruff, Strategic & Private Sector Housing Manager
Wards	All
Classification	For Decision

Background

Strategy context and purpose

1. Councils are expected to have a Housing Strategy in place and now that we are a new Council across a larger area there is a recognised need for us to have one Housing Strategy that reflects the needs and vision for the whole Council area. As a new organisation, the ambitions for shaping BCP need to be suitably reflected in the shaping of a new and ambitious Housing Strategy for the area.
2. The Housing Strategy is a key policy document for the Council and its partners. It needs to be cross cutting in nature in recognition that Housing has a significant impact on many other Council services, partners and our residents. The Strategy is a key document at the heart of many other local strategies, to be delivered in partnership with many, both internal and external to BCP Council.
3. The Housing Strategy is key to place-shaping for an area. The impact of delivering an effective Housing Strategy is ultimately focused on delivering positive housing outcomes for the area and its residents. Housing impacts on multiple issues including community safety, economic growth, vulnerable people, social care provision and much more. As such, effective consultation on developing the new Housing Strategy is key.
4. Housing is a crucial component of wellbeing. Good quality housing, which meets an individual's or family's needs, provides a sound platform to build a good quality of life. Poor quality or inadequate housing often brings detrimental outcomes for people. e.g. damp conditions impacting on health, overcrowding impacting on children's school attainment.
5. Meeting the housing demands for our area, now and in the future, is important to residents. There is a specific need to provide services which help address health and socio-economic inequalities, and support people who are likely to have fewer chances in life and be vulnerable to poverty.
6. The economic climate has a major effect on the housing market. Also, significant demographic changes to the age structure of the population impact on the local housing demands.

7. At present, the Bournemouth and Poole areas have refreshed housing strategies that will expire in 2020. Christchurch's Housing Strategy has already expired.

Content and format

8. Housing Strategies help local authorities to provide context, background and evidence around local issues and look to set out priorities for funding and delivery. Providing evidence of housing needs and demands and setting out the Council's strategic approach will inform how services need to move forward in the future and help present opportunities to attract funding to support that work.
9. The issues which will be addressed within a Housing Strategy are broad; ranging from homelessness to new housing supply, from energy efficiency to the management of Council homes, from private sector housing standards to specialist care and support provision to enable independent living.
10. It is proposed that a 3-year Strategy will be developed which is considered to be a suitable medium-term duration to reflect the period of transition as we move through the early stages of BCP Council as a new organisation.
11. The proposed layout will include a summary on national context and policies as key drivers. The Strategy will provide information on the local housing context and issues to inform what the key strategic priorities might be.
12. The Strategy will look at specific policy areas, considering priorities such as housing supply, homelessness prevention, specialist housing, older persons housing and private sector housing. The Strategy will set out how we intend to address these through defining the key strategic priorities together with a high level action plan which will evolve and be reviewed and refreshed over time.
13. The Strategy will set out how it is intended to monitor the priorities. It will set out the governance arrangements which are needed to ensure an effective implementation of the Strategy. It is clear that the Housing Strategy will need to be developed with multiple partners both across the Council and with external agencies and stake-holders.

Consultation process

14. An 'issues and options' discussion document will be compiled with input from our communications team to help encourage residents and agencies to engage in the debates. This will form the basis of a 12-week public consultation period during which time we will provide high profile communications across different channels to encourage people to input.
15. We will set up a multi-disciplinary steering group which will manage the preparation of the Strategy, the consultation process and help articulate the final Strategy document.
16. We will run several targeted and interactive stakeholder consultation and engagement workshops which will be widely advertised to encourage broad participation across all sectors and stakeholders. Discussion will also be tabled at various formal groups such as the Overview & Scrutiny Panel, Health and Wellbeing Board, Corporate Parenting Panel and the Community Safety Partnership.

17. We will hold an all Councillor consultation session and will encourage resident engagement using appropriate social media channels guided by the communication team, to ensure we use all appropriate options for consultation.
18. Links will be made during the consultation process with our key national partners such as Homes England and central government departments. Good practice will also be sought nationally from other areas to help shape the local Strategy.
19. After the 12-week consultation period we will produce a final Housing Strategy and return to Cabinet for consideration of its endorsement and adoption.

Timetable

20. The following sets out the proposed timescales for the development of the Housing Strategy.

Dates	Action
Oct 19	Approval from Cabinet on the principles for developing the Strategy
Oct 19 – Mar 20	Develop an issues & options document to encourage discussion and engagement
Mar 20	Public consultation period (12 weeks)
July 20	End of consultation period
Sept / Oct 20	Draft BCP Housing Strategy presented to Cabinet for consideration of endorsement and adoption

Summary of financial implications

20. The new Housing Strategy will set out how we intend to commit to achieving housing priorities which will inform future budget requirements. The development of the document will take place within existing staffing resources.

Summary of legal implications

21. There are no specific legal implications emerging from this report.

Summary of human resources implications

22. The development and ongoing monitoring of the new Strategy will require dedicated staff time and will take place within existing staffing resources.

Summary of environmental impact

23. There are no specific environmental implications emerging from this report. However, it is clear that the provision of new housing and the energy efficiency of existing housing stock across BCP requires consideration in terms of sustainability and energy efficiency issues, and these will be considered as part of the Strategy itself.

Summary of public health implications

24. There are no specific public health implications emerging from this report. However, through developing the new Strategy it is likely that the Council will consider what elements of Housing should be targeted for improvement to help address the public health agenda.

Summary of equality implications

25. A full equality impact assessment will be compiled when developing the Strategy.

Summary of risk assessment

26. There are no specific risk management implications arising from this report. However, the Strategy itself will include an assessment of risks in the appropriate sections.

Background papers

Bournemouth Housing Strategy 2017-2020 –

<https://www.bournemouth.gov.uk/Housing/homelessness/homelessness-strategies-policies-and-performance.aspx>

Poole Housing Strategy 2018-2020 - <https://www.poole.gov.uk/council-and-democracy/strategies-plans-and-policies/housing-strategy-refresh-2018-2020/>

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CABINET

Report subject	Housing Delivery Test Action Plan
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>Cabinet are asked to agree the publication of the BCP Housing Delivery Test (HDT) Action Plan which is required by national policy. Locally across the BCP area, the need for additional homes is recognised in the legacy Housing Strategies and adopted Local Plans.</p> <p>An HDT Action Plan is required where delivery falls below 95% of local housing requirements. The 2018 HDT results (published in February 2019) were assessed against housing requirements for the preceding Bournemouth, Christchurch and Poole Councils where each area fell below the 95% benchmark. The Action Plan must set out measures the Council will take to increase delivery back to required rates. Given Local Government Reorganisation, a consolidated action plan for BCP Council is proposed to be published.</p> <p>Officers across Growth & Infrastructure and Housing have worked collaboratively to produce this Action Plan. The timeframe for the Action Plan covers the period 2019 to 2022 to allow for the various actions to be implemented. A 3-year time period will also provide the Council with resilience for future HDT results, which are likely to remain a challenge to meet in the short term.</p> <p>The Action Plan will be monitored via a Steering Group jointly led by Growth & Infrastructure and Housing including input from the Portfolio Holders of Strategic Planning and Housing. It is envisaged that an update on progress will be reported to Cabinet on an annual basis. Within BCP Council, sufficient staff resources will be applied to deliver this programme.</p>
Recommendations	<p>It is RECOMMENDED that Cabinet:</p> <p>(a) Endorse the work undertaken to date and agree to publish the Action Plan at Appendix 1.</p>
Reason for recommendations	To ensure the Council complies with the NPPF requirement to publish an action plan setting out the measures that will be taken to increase housing delivery rates.

Portfolio Holder(s):	Councillor Margaret Phipps, Portfolio Holder for Strategic Planning Councillor Kieron Wilson, Portfolio Holder for Housing
Corporate Director	Bill Cotton (Corporate Director of Regeneration and Economy) Kate Ryan (Corporate Director of Environment)
Contributors	Julian McLaughlin, Director of Growth and Infrastructure Lorraine Mealings, Director of Housing George Whalley Planning Policy Team Leader Bill Gordon, Senior Planning Officer Malcolm Hodges, Senior Planning Officer Kerry Ruff, Strategic Housing and Private Sector Manager
Wards	All
Classification	For Decision

Background

1. In February 2017, the Housing White Paper “Fixing our broken housing market” was published. It set out the government’s plans to increase housing supply, in acknowledgment that for decades, the pace of house building had not kept pace with population growth. To address this issue the government set an ambitious target of delivering at least 300,000 new homes annually ‘for the foreseeable future’.
2. Locally across the BCP area, the issues around the need for additional homes and an increase in housing supply across all tenures is recognised in the legacy Housing Strategies and adopted Local Plans. Housing demand is very high and housing costs are equally high. Work has already been underway across the legacy Councils to assist in enabling the supply of additional homes but this report sets out a move towards a ‘step change’ in enabling additional housing supply to help meet housing demands. This sets out a structured plan for a consolidated single approach for BCP.
3. To ensure local authorities and wider interests are held accountable for their role in ensuring new homes are delivered in their area, the White Paper introduced a new housing delivery test, designed to show whether the number of houses built in a local authority area is below target and, where this is the case, provide a mechanism for establishing why this is happening and, where necessary, trigger policy responses to ensure more land comes forward.
4. The NPPF 2018 formally set out the requirement for the Housing Delivery Test (HDT), an annual measurement of housing delivery in plan-making authorities,

the purpose of which is to require that actions are put in place to ensure an area's housing needs are met on an ongoing basis. To maintain the supply of housing, local planning authorities are required to monitor progress in the build out of sites which have planning permission.

5. The first HDT results were published on the 19th February 2019. Bournemouth returned a delivery measurement of 84% against the number of homes required, Christchurch 75% and Poole 68%. These results were based on the number of homes delivered in their respective areas over the three-year period between April 2014 - March 2015 to April 2016 - March 2017. The HDT result for Poole was subsequently queried and, as a consequence, the figure was re-calculated, resulting in a revised figure for Poole of 85%.
6. The NPPF states that where the HDT indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.
7. Although the HDT figures for Bournemouth, Christchurch and Poole were calculated individually for the February results, the decision was taken to produce a single HDT Action Plan for the newly formed BCP Council area, as it was considered that many of the issues relating to housing delivery and the actions identified to ensure housing needs are met on an ongoing basis, would be common to all three areas.
8. Subsequently, officers from both planning and housing have been working collaboratively together to review the issues that are affecting housing delivery across the BCP area. This included engagement with agents and developers seeking their views on what is stopping delivery and how they could be addressed.
9. There are a series of issues that are affecting delivery and multiple actions that the Council can take to help boost housing delivery in the long term. The culmination of this work is set out in the proposed BCP Housing Delivery Test Action Plan set out in Appendix 1.
10. The Action Plan sets out a series of actions that are designed to address under delivery of housing in the longer term. Given that many of the proposed actions will take time to implement the Action Plan has an initial timeframe of three years from 2019 to 2022.
11. The Action Plan will be monitored via a Steering Group jointly led by Growth & Infrastructure and Housing including input from the Portfolio Holders of Strategic Planning and Housing. It is envisaged that an update on progress will be reported to Cabinet on an annual basis.
12. Within the Housing Service Unit, staffing resources will be increased to help ensure a targeted focus on driving forward this important housing supply delivery programme.

13. Publishing an action plan with a 3 year timeframe will also ensure the Council can continue to meet the NPPF requirement to publish an action plan in future years where delivery continues to be below 95% of current requirements. It is likely that BCP Council HDT result will again fall below 95% when the results are published around November 2019.
14. The Action Plan will evolve over time as the strategy for increasing Housing Supply is developed and with oversight from the Steering Group. This Action Plan effectively forms a much-needed consolidated programme of activity which will gain momentum and profile over the next few years as resources are focused on increased housing delivery.
15. A communications strategy will be developed with multiple audiences to ensure that there are high profile communications around this work programme to help encourage a shared vision and ultimately a 'step change' in delivery.
16. Cabinet are asked to endorse the work undertaken to date and agree to publish the Action Plan at Appendix 1.

Summary of financial implications

17. Ensuring the Council complies with the Government's expectations of publishing an action plan it may help the Council with future discussions for central funding for housing-related initiatives by highlighting the commitment to boosting delivery.

Summary of legal implications

18. None identified.

Summary of human resources implications

19. There is a resource implication in terms of producing and implementing the action plan that will affect both planning and housing teams. Sufficient staff resources are currently available to publish the document in 2019. Once published, the Council may need to consider the reallocation of staffing resources to adequately drive forward the interventions. Publishing a 3-year plan as opposed to producing one every year will help to reduce the amount of resource needed over the period.

Summary of environmental impact

20. The action plan is proposed to be published online to minimise environmental impact. There are environmental impacts of building new homes but this will be mitigated by encouraging good sustainable build standards.

Summary of public health implications

21. Provision of sufficient housing to meet the area's needs had clear positive health benefits. The action plan will help this indirectly by setting the actions that are needed to be taken to increase housing delivery going forward.

Summary of equality implications

22. The publication will be available on line in accordance with the Council's equality guidelines.

Summary of risk assessment

23. The main risk relates to not publishing the action plan and how it might affect planning decisions. There is clear national intent to increase house building that can tip the balance in favour of housing at appeals on schemes the Council would seek to resist. By not having an action plan in place could therefore affect the planning balance undertaken by independent planning inspectors as it would give an impression that the Council is not being proactive to resolve the issues within its various powers.

Background papers

24. None

Appendices

Appendix 1: BCP Council Housing Delivery Test Action Plan

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Housing Delivery Test Action Plan 2019 - 2022

**Bournemouth, Christchurch and
Poole Council**

October 2019

1 Introduction

Background

- 1.1 In February 2017, the Housing White Paper 'Fixing our broken housing market' was published. It set out the government's plans to increase housing supply, in acknowledgment that for decades, the pace of house building had not kept pace with population growth. To address this issue the government set an ambitious target to deliver at least 300,000 new homes annually 'for the foreseeable future'.
- 1.2 The White Paper also introduced a new 'housing delivery test' (HDT) designed to assess whether local authority housing delivery is above or below target. The HDT measures net additional dwellings provided in a local authority area against the homes required for the 3 preceding financial years. The methodology for calculating the HDT is set out in the Housing Delivery Test Measurement Rule Book¹. The Ministry of Housing, Communities and Local Government (MHCLG) will publish the HDT result for each local planning authority annually. The first housing delivery test measurement was published in February 2019.
- 1.3 HDT Action Plans are required in local authority areas where housing delivery has fallen below 95% of the housing target. The purpose of housing delivery test action plans is to assess reasons for under delivery and to identify measures to improve delivery to meet annual housing requirements.

Local Context

- 1.4 Delivering the number of new homes required across BCP needs to be considered in the context of local environmental constraints. The South East Dorset Green Belt and nationally and internationally designated areas of heathland to the north are a significant constraint. Poole and Christchurch are also affected by significant areas of high flood risk in the town centres and the Twin Sales Regeneration Area when present day and future tidal and fluvial flood risk is taken into account. These constraints limit the opportunities for identifying and bringing forward suitable sites for housing development and makes delivery of the housing numbers required challenging.

The Housing Delivery Test Action Plan for Bournemouth, Christchurch and Poole

- 1.5 This Bournemouth, Christchurch and Poole (BCP) Housing Delivery Test (HDT) Action Plan has been prepared in response to the 2018 HDT result. In the BCP area housing delivery over the last 3 years has been less than 95% of adopted Local Plan requirements. Therefore, in accordance with the National Planning Policy Framework (NPPF) an HDT Action Plan is required. The 2018 HDT result was calculated in relation to housing delivery measured against the housing

¹ <https://www.gov.uk/government/publications/housing-delivery-test-measurement-rule-book>

requirements set out in the adopted Bournemouth Core Strategy (2012), Christchurch and East Dorset Core Strategy (2014) and Poole Local Plan (2018).

- 1.6 This Action Plan sets out housing delivery performance against Local Plan targets, analysis of housing land supply, issues affecting housing delivery and measures to improve the delivery of new homes. The Action Plan covers the period 2019 – 2022 which reflects the delivery timescales for actions contained in the plan.
- 1.7 On the 1st April 2019 the Bournemouth, Christchurch and Poole (BCP) Council was established. The new BCP Council brings together the former Bournemouth, Poole and Christchurch borough councils. BCP is preparing a single Action Plan as this is the most effective way of addressing issues affecting housing delivery for the new council area.
- 1.8 The 2018 Housing Delivery Test measurement was published on the 19th February 2019 and the results for the BCP areas are set out in Table 1.

Area	Number of homes required			Total number of homes required	Number of homes delivered			Total number of homes delivered	Housing Delivery Test: 2018 measurement	Housing Delivery Test: 2018 consequence
	2015-16	2016-17	2017-18		2015-16	2016-17	2017-18			
Bournemouth	730	730	893	2,353	732	607	631	1,970	84%	Action Plan / 20% Buffer
Christchurch & East Dorset	488	500	540	1,528	300	436	405	1,141	75%	Action Plan / 20% Buffer
Poole	500	500	500	1,500	392	584	300	1,276	85%	Action Plan

(Table 1, BCP February 2018 HDT Result).

- 1.9 The HDT measurement will continue to be calculated against the relevant housing requirement for the adopted Local Plans in Bournemouth, Christchurch and East Dorset, and Poole, or household projections where those plans are more than five years old, until these plans are superseded by new Local Plans for the BCP and Dorset councils.
- 1.10 East Dorset now forms part of the new Dorset Council unitary authority and a separate Action Plan will be prepared by the Dorset Council for this area. BCP is working closely with the Dorset Council in relation to cross border measures that are appropriate to assist housing delivery in East Dorset.
- 1.11 This Action Plan was prepared collaboratively by BCP Council with the involvement of the Growth and Infrastructure and Housing Departments. The process of identifying issues affecting housing delivery and measures to address

these issues has involved consultation with the development industry. This Action Plan received sign off through Cabinet on the 9th October 2019.

- 1.12 Locally across the BCP area, the issues around the need for additional homes and an increase in housing supply across all tenures is recognised in the legacy Housing Strategies. Housing demand is very high and housing costs are equally high. Work has already been underway across the legacy Councils to assist in enabling the supply of additional homes but this report sets out a move towards a 'step change' in enabling additional housing supply to help meet local housing requirements. A priority for BCP council is to put in place a new housing strategy. The purpose of a housing strategy is to inform local residents and partners about BCPs housing needs and issues and set out key challenges where action will be required to help meet both current and future housing need. The strategy will contribute towards the Council's wider strategic aims and priorities and will link into many key policies such as local plans.

- 1.13 The structure and scope of this Action Plan is as follows:

- 1. Introduction**
- 2. BCP Housing Market Delivery and Supply Analysis**
 - a. BCP Housing Delivery Analysis
 - b. BCP Housing Supply Analysis:
 - i. Nature and Composition of Local Housing Market
 - ii. An overview of the typologies of sites/development activity
- 3. Strategic Approach to Housing Delivery**
 - a. Planning Context – Adopted Plans / BCP Local Plan
 - b. Housing Delivery & Cross Border Working
 - c. Strategic Infrastructure & Delivery
- 4. Addressing Barriers to Housing Delivery**
- 5. BCP SMART Housing Delivery Test Action Plan**
- 6. Project Management & Monitoring Arrangements**

2 BCP Housing Market Delivery and Supply Analysis

Housing Delivery Analysis

- 2.1 This section sets out an analysis of housing delivery in BCP measured against the housing requirements of the current adopted Bournemouth, Christchurch and East Dorset and Poole Local Plans. Separate tables are set out for Bournemouth, Christchurch and Poole to reflect housing delivery since the adoption of the respective local plans.

Bournemouth Housing Delivery

	2006 / 07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Core Strategy Housing Target	730	730	730	730	730	730	730	730	730	730	730	730	730	1,422
Net Completions	1089	1534	1218	622	492	555	639	394	964	730	581	635	659	N/A

(Table 2, Bournemouth Housing Delivery, Core Strategy 2012)

- 2.2 The Bournemouth Core Strategy was adopted in 2012 and covers a plan period of 2006 to 2026.
- 2.3 Over the first 5 years of the plan period a total of 4,955 dwellings were delivered. This equates to an average of 991 dwellings per year which was in excess of the annual local plan requirement. Since 2009 housing delivery has fluctuated but generally fallen below the adopted plan target. However, over the first 13 years of the plan period 10,112 dwellings have been delivered against a target of 9,490.
- 2.4 From 2019/20 onwards the housing requirement in Bournemouth steps up significantly from 722 to 1,422 dwellings per annum with the transition to the government's standard methodology. This step change in housing requirement presents a significant challenge for BCP in relation to housing delivery and housing land supply.

Christchurch and East Dorset Housing Delivery

	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Core Strategy Housing Target	566	566	566	566	566	566	791(Standard Methodology)
Christchurch Completions	149	154	117	245	100	182	N/A
East Dorset Completions	156	180	237	185	305	290	N/A
Combined	305	334	354	430	405	472	N/A

(Table 3, Christchurch Housing Delivery, Core Strategy 2014)

- 2.5 The Christchurch and East Dorset Core Strategy was adopted in 2014 and covers a plan period of 2013 to 2028. The Core Strategy housing target and 5 year land supply remains joint for the Christchurch and East Dorset plan area (until superseded by the new BCP and Dorset Council Local Plans).
- 2.6 Over the first 6 years of the plan period 2,300 dwellings have been delivered against a housing requirement of 3,396 dwellings for this period.
- 2.7 From 2019/20 the housing requirement for the Christchurch and East Dorset Plan area moves to the Government's standard methodology of 791 dwellings per annum (Christchurch, 349 dwellings / East Dorset, 442 dwellings p.a.). The uplift in housing requirement presents a challenge for both BCP and the Dorset Council in relation to housing land supply, particularly in Christchurch.

Poole Housing Delivery

	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Local Plan Housing Target	500	500	500	500	500	710	710
Net Completions	177	298	335	570	307	426	N/A

(Table 4, Poole Housing Delivery, Local Plan 2018)

- 2.8 The Borough of Poole Local Plan was adopted in November 2018 and covers a plan period of 2013 to 2033. Over the first 6 years of the plan period a total of 2,113 dwellings have been delivered against a requirement of 3,210 dwellings.
- 2.9 The Poole Local Plan was recently adopted, therefore the adopted Local Plan housing target will apply until superseded by the BCP Local Plan.

Bournemouth, Christchurch and Poole Housing Delivery

	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
BCP Housing Requirement	1,796	1,796	1,796	1,796	1,796	2,006	2,481
BCP Net Completions	876	1,596	1,419	1,581	1,347	1,557	N/A

(Table 5, BCP Housing Delivery based on adopted Local Plans)

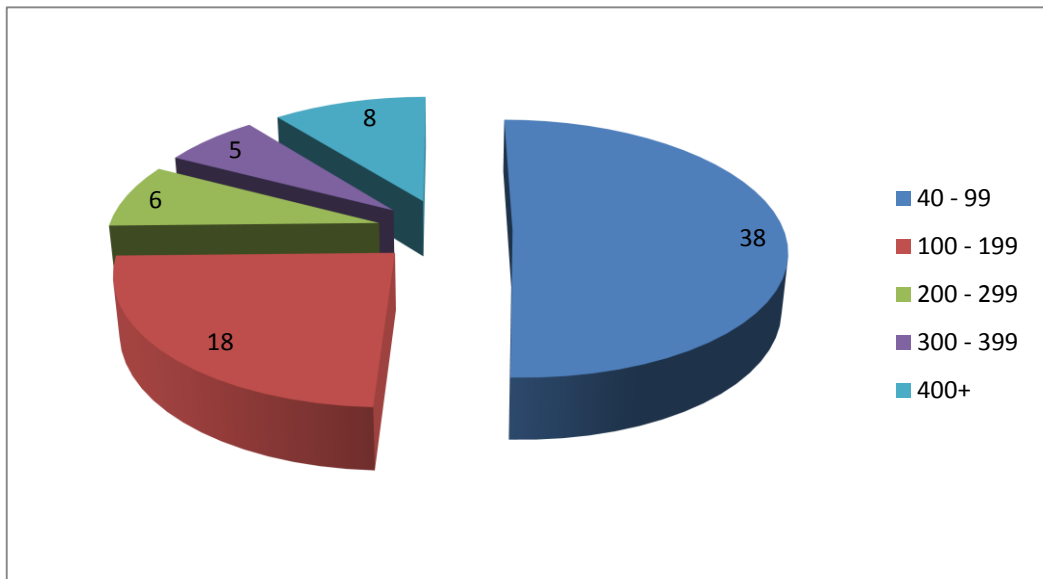
- 2.10 Separate Local Plans are in place for Bournemouth, Christchurch and Poole but it is useful to examine the aggregate position for the BCP Council area.
- 2.11 Over the period 2013 / 14 to 2018/19 an aggregate total of 10,986 dwellings have been required based on the adopted Local Plans for Bournemouth, Poole and Christchurch. Over this period a total of 8,376 dwellings have been delivered which presents a shortfall of 2,610 dwellings.
- 2.12 From 2019/20 the Government's standard methodology housing requirement applies in Bournemouth and the Christchurch / East Dorset Plan area which represents a significant step change in housing delivery required. This Action Plan sets out a range of measures to address housing delivery including the production of the BCP Local Plan to an accelerated timeframe.

Housing Supply Analysis

- 2.13 Understanding the current supply of sites available for delivering the new homes required across the BCP Council area, is crucial to ensuring delivery targets are met.
- 2.14 As a starting point, evidence bases were compiled for the former local authority areas of Bournemouth, Christchurch and Poole, of key sites contributing to the current supply and falling within the following categories:
- Strategic sites of 40+ dwellings;
 - 'Major' sites with planning permission for 10+ dwellings (net); and
 - Sites for 10+ dwellings (net) identified in Strategic Housing Land Availability Assessments (SHLAA).
- 2.15 An analysis of the identified sites has been undertaken to establish the nature and scale of sites currently available to meet housing needs. The following provides a summary of this analysis for the BCP Council area.

Strategic sites of minimum 40+ new homes

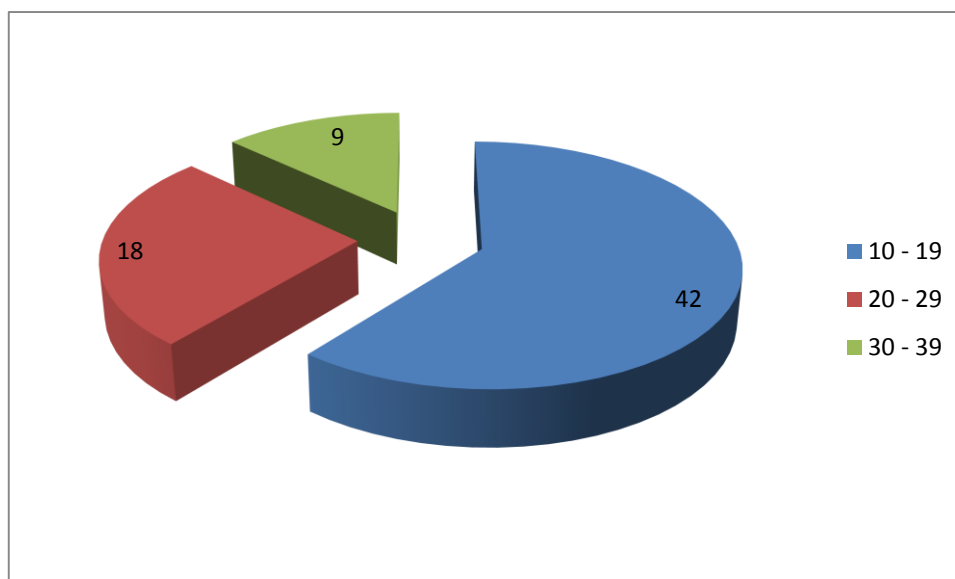
- 2.16 Strategic housing sites are defined as those having the capacity to deliver a minimum of 40 new homes. They predominantly consist of sites allocated through the adopted local plans of the three former local authority areas of Bournemouth, Christchurch and Poole. Also included are a number of major sites with planning permission which exceed the 40 dwelling strategic site threshold. It should be noted that site allocations normally provide an estimated figure for the number of new homes that a site could accommodate, with this figure often exceeded at the formal planning application stage.
- 2.17 A total of 81 strategic sites in the BCP area were identified and included in the analysis. It is important to note that a further 10 strategic housing allocations (remaining to come forward) are located in East Dorset which form part of the Christchurch and East Dorset plan area housing supply.
- 2.18 A key consideration in relation to these sites was what issues, challenges and barriers there might be to their coming forward for development. An assessment of the sites was undertaken utilising a green, amber red 'traffic light' system, which established that there were 35 'green' sites where little or no delays or barriers were identified to their development. The same number of 'amber' sites were considered to have issues that needed to be overcome or resolved in the immediate to short term before development could proceed, and a further 11 'red' sites were identified as having significant challenges to their coming forward for development. The issues and barriers identified through the evidence gathering and assessment process, together with appropriate actions aimed at addressing the challenges to unlocking many of these sites for development are set out in detail in Sections 4 and 5.
- 2.19 The strategic sites identified across the BCP Council area currently have a total combined capacity of 13,180 dwellings. However, monitoring indicates that 13 of these sites are under construction, delivering 1,220 dwellings on completion, leaving remaining capacity of approximately 11,960 dwellings. Of this remaining capacity, a further 25 sites (31%) currently benefit from planning permission for a total of 4,090 dwellings. The majority of strategic sites are categorised as being on previously developed land (brownfield land), whilst 8 sites fall into the category of greenfield sites. 44 (54%) of sites have the capacity to deliver between 40 and 99 dwellings. The remaining 37 sites have the capacity to deliver a minimum of 100 new homes, with 8 (10%) of these identified as large sites delivering in excess of 400+ new homes.
- 2.20 Figure 1 shows the number of strategic sites categorised within number ranges by the dwellings each site could accommodate.



(Figure 1: Strategic sites across the BCP Council area categorised by number of dwellings)

Major sites of 10+ new homes with planning permission

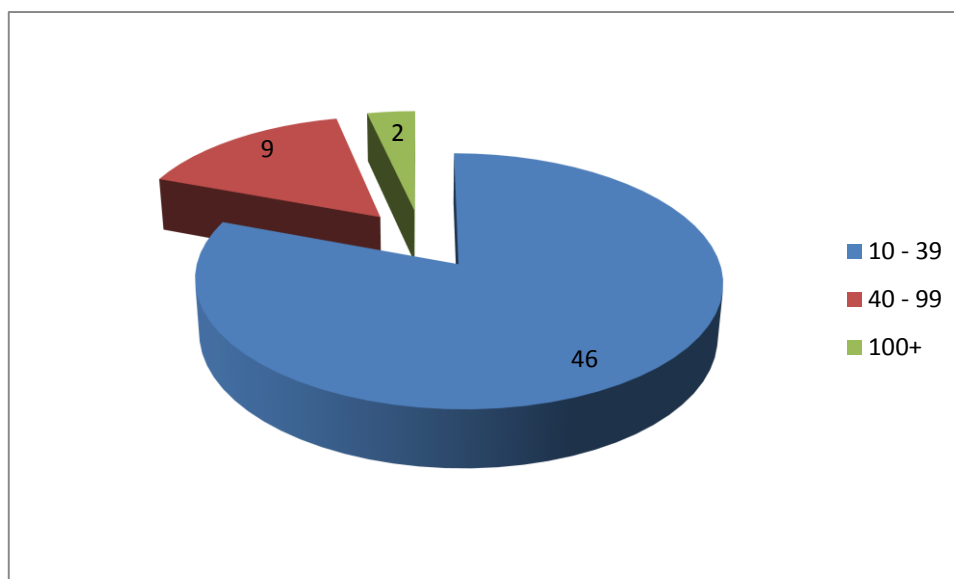
- 2.21 In total, 84 sites were identified and classified as major sites (i.e. 10+ dwellings (net) and above) with planning permission, having total overall capacity of 1,544 dwellings. Of these 52 (62%) were smaller scale sites delivering between 10 and 19 dwellings. The remaining sites vary in capacity of between 20 and 39 dwellings.
- 2.22 Annual housing development monitoring indicates that of the 84 major sites identified, 32 (38%) are now under construction, delivering 521 new homes on completion and leaving capacity across the remaining sites of just over 1,020 dwellings. Only 2 of the major sites are categorised as greenfield sites.
- 2.23 As the majority of these sites have secured planning permission (a small number of qualifying sites are currently in the process of being determined), a 'traffic light' assessment has identified a limited number of issues and barriers to development. As with the strategic sites, appropriate actions aimed at overcoming impediments to development are set out in detail in sections 4 and 5.
- 2.24 Figure 2 shows the number of major sites categorised within number ranges by the dwellings each site could accommodate.



(Figure 2: Major sites across the BCP Council area categorised by number of dwellings)

SHLAA sites (non-allocated sites and sites without planning permission, with minimum capacity of 10+ new homes (net))

- 2.25 The 57 sites identified in this category are included in the annual SHLAA updates for Bournemouth, Christchurch and Poole and represent sites assumed to be deliverable in the medium to long-term. They are identified from a number of sources, with no clear indication of when they might become available and, as a consequence, are included in the 6 - 15 year land supply. The sites in this category would, if developed, deliver 1,655 new homes.
- 2.26 Figure 3 shows the number of sites categorised by the number of dwellings each site could potentially accommodate.



(Figure 3: SHLAA sites (non-allocated sites and sites without planning permission for 10+ new homes(net)) categorised by number of dwellings)

- 2.27 As part of the early work on the BCP Local Plan, it would be appropriate to review the identified SHLAA sites to determine their future potential for allocation, or whether, working with the owners/developers, there are opportunities to bring them forward sooner for development.

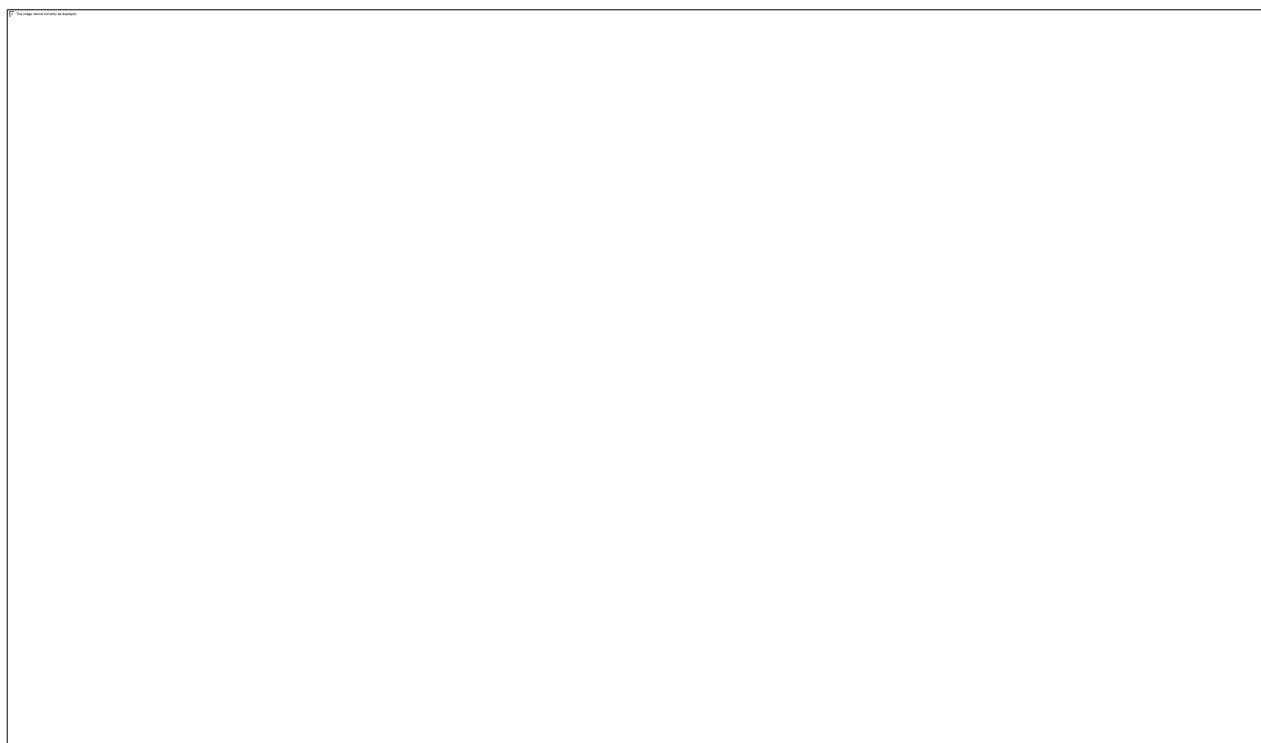
Summary of BCP Housing Supply Analysis

- 2.28 Analysis of housing sites across the BCP Council area demonstrates a healthy supply of sites of various sizes and greenfield / brownfield locations available for development. This mix of supply provides a sufficient range of large strategic sites and smaller sites to not significantly affect the rate of housing delivery.
- 2.29 The sites identified would deliver approximately 14,700 new homes, which does not include smaller sites of less than 10 dwellings identified through individual SHLAA's and which represent long term development opportunities. There is a broadly even division between the number of 'strategic' scale sites (81) capable of delivering in excess of 40 dwellings and the smaller 'major' sites (84) delivering between 10 and 40 dwellings.
- 2.30 It is worth noting that the majority of the 165 strategic and major sites identified for analysis, 94% are categorised as being on 'previously developed land', with only 6% of sites being categorised as 'greenfield' land development. Of these greenfield sites, 8 are strategic in scale and would deliver approximately 3,380 dwellings. Four of these strategic greenfield sites are large, with each delivering 400 new homes or more.
- 2.31 Whilst many of the sites identified through this HDT Action Plan process present little or no issues in their coming forward for development (a number being already under construction), there are sites which have more significant issues and

barriers to their development. It is the issues and barriers affecting these sites that have been addressed in Sections 4 and 5.

The Letwin Review

- 2.32 In seeking to support the Government's objective of significantly boosting the supply of homes², it is appropriate to consider the findings of the 'Independent Review of Build Out' (October 2018), led by Sir Oliver Letwin. The review considers the effect that the homogeneity of the types and tenures of the homes on offer on large sites in areas of high housing demand, and the limits on the rate at which the market will absorb such homogenous products, are fundamental drivers of slow build out rates.
- 2.33 Sites currently under construction and those likely to begin construction in the near future, within or near to the BCP Council area were identified. These sites are shown on Map 1.
- 2.34 Analysis of the sites indicated that a significant proportion of the dwellings being delivered, or proposed, were either 3, 4 or 5 bedroom homes. At present there is no evidence that the similarity of product being delivered across these sites is resulting in slow build out rates. With a number of strategic sites likely to begin construction in the next year or so, it will be necessary to monitor build out and market absorption rates and seek to address this issue through future Action Plans, should the need arise.



(Map 1: Strategic sites currently under construction or likely to begin construction in the near future in South-East Dorset.)

² Housing White Paper "Fixing our broken housing market" – February 2017.

3 Strategic Approach to Housing Delivery

- 3.1 This section of the Action Plan sets out BCP's strategic approach to housing delivery. This includes a review of the current status of Local Plans and the emerging BCP Local Plan. The review of Local Plans also sets out how the council is working with neighbouring authorities in the context of the duty to co-operate and a cross border approach to housing delivery. This section also sets out measures to address strategic infrastructure requirements to deliver housing such as transport strategies and major infrastructure bids to lever in external sources of funding.

BCP Adopted Local Plans

- 3.2 The current Development Plan for the BCP Council comprises the existing Local Plans adopted for the preceding Bournemouth, Christchurch and Poole Borough Councils. These Local Plans set out the strategic approach to housing delivery.

	Plan Period	In date Local Plan as at April 2019.	Local Plan Housing Target	Housing target p.a based on adopted Local Plan.	Standard Methodology p.a Figure.	Housing figure applied as of April 2019
Bournemouth	2006 - 2026	No	14,600	730	1422	1422 pa
Christchurch and East Dorset	2013 - 2028	No	8,490	566	Christchurch: 349 East Dorset: 442	Christchurch: 349 East Dorset: 442
Poole	2013 - 2033	Yes	14,200	710	801	710 pa
BCP	TBC	N/A	N/A	N/A	2,572	2,481

(Table 6, BCP Local Plan Status).

- 3.3 The Bournemouth Core Strategy was adopted in October 2012 and in conjunction with the Bournemouth Town Centre Area Action Plan (March 2013), sets out the housing delivery strategy for Bournemouth from 2006 to 2026. The Core Strategy is now more than 5 years old and from April 2019 the annual housing requirement is based on the government's standard methodology figure of 1,422 per annum.
- 3.4 The Christchurch and East Dorset Core Strategy was adopted in April 2014 and sets out the housing delivery strategy for Christchurch and East Dorset for the period 2013 to 2028. The Core Strategy is now more than 5 years old and from April 2019, the annual combined housing requirement for Christchurch and East Dorset is based on the government's standard methodology figure of 791 per annum.

- 3.5 The Poole Local Plan was adopted in November 2018 and sets the housing delivery strategy in Poole for the period 2013 – 2033. The Local Plan is less than 5 years old and as of April 2019 the adopted Local Plan housing figure is applied until superseded by a BCP Local Plan.

Relationship to Other Plans and Strategies

BCP Corporate Plan

- 3.6 BCP's emerging Corporate Plan is based around five key actions. A commitment to investing in the homes the communities of BCP need, supported by the development of sustainable infrastructure is key to the strategy's 'Dynamic Region' action theme.

Bournemouth, Christchurch and Poole Local Plan

- 3.7 BCP has made the decision to prepare a single Local Plan which, once adopted will replace the current adopted Local Plans for Bournemouth, Christchurch and Poole.
- 3.8 The BCP Local Plan is being prepared to an accelerated timetable with adoption scheduled for December 2022. This accelerated timescale will assist with housing delivery, ensuring that new housing allocations are in place and key infrastructure issues addressed for development to come forward.
- 3.9 The Dorset Council has also recently produced a local development scheme setting out a timeframe for the production of a single Dorset Local Plan. The consultation stages of the Dorset Local Plan are broadly aligned to the BCP Local Plan which ensures opportunity for effective cross border planning and housing delivery. The Dorset Council Local Plan is currently scheduled for adoption in spring 2023, shortly after the BCP Local Plan.

Housing Delivery and Cross Border Working

- 3.10 In accordance with the Duty to Co-operate BCP works closely with neighbouring authorities regarding housing delivery including the Dorset Council, New Forest District Council, and the New Forest National Park. BCP is working closely with these councils as part of the preparation of the BCP Local Plan.

Strategic Planning Forum

- 3.11 The Dorset Strategic Planning Forum was established in 2015 to consider strategic planning issues that affect cross border matters, and to guide strategic planning matters at the 'larger than local' scale. The purpose of the forum has

been to facilitate effective policy development across administrative borders and to help fulfil the requirements of the duty to co-operate.

- 3.12 Since the formation of the BCP and Dorset Councils in April 2019 there is a need for the terms of reference of the SPF to be revisited. There is a need for a refocus around strategic planning matters concerning the preparation and delivery of the BCP and Dorset Local Plans including housing delivery.

Statement of Common Ground (between local planning authorities in Dorset) (March 2019)

- 3.13 Prior to the formation of the BCP and Dorset Councils in April 2019, in accordance with the NPPF a Statement of Common Ground (SCOG) was prepared between the Bournemouth, Dorset and Poole councils. The preparation of the SOCG was overseen by the Dorset Strategic Planning Forum.
- 3.14 The SOCG provides a summary of key strategic planning matters where co-operation across administrative boundaries may be appropriate. The current SOCG is a written record of progress made against strategic matters across local authority boundaries. Key strategic matters addressed by the SOCG include the delivery of housing against the relevant local housing requirements. The SOCG recognises that new Local Plans based on the latest government standard methodology will require a step change in housing delivery and greater emphasis on meeting unmet housing need across administrative boundaries.
- 3.15 The current SOCG states that where it is the case that an authority in the area is unable to meet their identified needs, the local planning authorities within the area are committed to working together to assess the potential for some or all of this unmet need to be delivered within other authorities areas.
- 3.16 Following the formation of the BCP and Dorset Councils in April of this year the approach to cross border working and strategic planning is being revisited. This will require an update to the SOCG to take into account the latest adopted Local Plan housing requirements including where the government's standard methodology now applies. The SOCG will also examine the emerging housing requirements from the draft BCP and Dorset Local Plans and the actions required to address delivery.

BCP Housing Strategy

- 3.17 A priority for BCP council is to put in place a new housing strategy. The purpose of a housing strategy is to inform local residents and partners about BCPs housing needs and issues and set out key challenges where action will be required to help meet both current and future housing need. The strategy will contribute towards

the Council's wider strategic aims and priorities and will link into many key policies such as local plans.

- 3.18 The supply and enabling of new homes has been a priority in all of the legacy housing strategies for Bournemouth, Christchurch and Poole and will most likely feature highly in the new BCP Housing Strategy setting out a number of actions to aid the supply of new homes. The Housing strategy is currently being prepared ideally with planned adoption in autumn 2020.

Local Transport Plan

- 3.19 BCP is examining options to progress an update to Local Transport Plan 3 which applied to the previous Bournemouth, Dorset and Poole local authority areas. BCP is liaising with the Dorset Council to examine options for progressing LTP 4 which it is envisaged would be produced alongside preparation of the BCP and Dorset Council Local Plans. A new LTP would identify a transport strategy for the BCP area and strategic transport improvements that will help to facilitate housing delivery.

Strategic Infrastructure and Housing Delivery

- 3.20 BCP Council is actively engaged in a number of strategic projects to deliver key infrastructure to help facilitate the delivery of new housing development in the area. BCP is working closely with the Dorset Council and the Dorset LEP in pursuing cross border initiatives. Key strategic projects are set out below.

Western Gateway Transport Body

- 3.21 BCP is engaged with the Western Gateway Transport Body in the preparation of a regional transport strategy to be produced by 2021. The regional strategy will identify strategic improvements to improve regional connectivity which will also help to assist the delivery of new housing development. Progress to date includes:

1. Completed regional Economic Connectivity Study considering growth across the region and productivity gaps;
2. Submitted MRN schemes to Government, which relate to the Bournemouth International Growth Programme;
3. Work to commence on preparation of a regional rail strategy;
4. Delivery of a Western Gateway Regional Transport Strategy by 2021.

South East Dorset Urban Mobility Study

- 3.22 BCP, Dorset Council and the Dorset LEP are working jointly in the preparation of a South East Dorset Urban Mobility Study (SEDUMS). The 2019 SEDUMS is a refresh of the South East Dorset Multi Modal Transport Study (SEDMMTS)

published in 2012, which informed the joint Local Transport Plan 3 for Bournemouth, Dorset and Poole. The SEDUMS study will provide an updated transport evidence base to inform strategic planning and transport strategy for South East Dorset by the end of 2019 that will facilitate growth and development aspirations in line with local, regional and national policies. This study is a key element of the evidence base for the BCP and Dorset Council Local Plans in terms of identifying strategic transport improvements necessary to support new development proposals emerging through the new Local Plans.

Dorset LEP Growth Deal

- 3.23 The Dorset LEP Growth Deal has funded a number of key infrastructure projects across the BCP Council area in recent years to help enable strategic housing and employment development.
- 3.24 A total of £45,200,000 was awarded to Bournemouth Borough Council and Dorset County Council through the Government's Growth Deal. This funding has been match funded with £14,200,000 to provide a total of £59.4M. This funding will deliver a series of strategic transport improvements along the A338 and B3073 by 2021. These improvements will help facilitate the delivery of strategic housing and employment development in the BCP and Dorset Council areas.
- 3.25 Current Progress with the BIG programme is as follows:
- A338 Reconstruction (PROJECT COMPLETED)
 - A338 Package: Blackwater Junction, Wessex Fields, Widening
 - A348 Corridor
 - Chapel Gate Roundabout (PROJECT COMPLETED)
 - Hurn Roundabout (PROJECT COMPLETED)
 - Parley Cross, Parley West, Parley East
- 3.26 A total of £25,560,000 was awarded to Borough of Poole to improve access to the Port of Poole and help unlock key brownfield housing sites around Twin Sails Bridge. The last phase, Townside Access, will be completed in during 2019/2020.

Transforming Cities Bid

- 3.27 BCP Council in partnership with local transport providers have submitted a draft Transforming Cities Fund (TCF) bid to the Department of Transport (DfT).
- 3.28 The bid focuses on linking residential areas to employment and education sites which could most benefit from significant improvements to encourage walking, cycling and increased use of public transport. The aim is to reduce the number of local journeys made by car thereby reducing congestion and bringing about a wide range of benefits associated with sustainable travel, such as improved health and wellbeing.

3.29 The main areas the draft bid focuses on are:

- Improving and creating new walking and cycling routes
- developing sustainable work places
- enhancing the bike share scheme offer
- bus and rail improvements
- improved network management, and
- a dedicated Travel App incorporating all modes of transport

3.30 If successful the TCF will deliver key sustainable transport improvements along some BCP Priority Transport Corridors in close proximity to strategic housing and employment allocations. The delivery of sustainable transport measures through TCF alongside other planned infrastructure improvements will help to facilitate new housing development.

Local Industrial Strategy

3.31 The Dorset Local Enterprise Partnership are preparing a local industrial strategy for Dorset to help deliver the Government's national strategy. The Dorset LIS is being prepared in close collaboration with local businesses, organisations, BCP Council and Dorset Council. Once published Dorset's LIS will be a twenty-year plan to increase productivity, innovation, earnings and well-being across the county, delivering on an ambition to create a local economy that is sustainable, innovative, resilient and inclusive.

4 Addressing Barriers to Housing Delivery

- 4.1 In the preparation of this Action Plan and associated evidence gathering, a range of key issues have been identified for the BCP area that are affecting housing delivery. These issues have been identified through engagement with the development industry, analysis of Local Plan monitoring and consultation with BCP planning policy, development management, housing and property officers. A summary of the key issues and actions are set out in a SMART Action plan in Section 5. This section sets out more detailed background to the key issues and planned actions.
- 4.2 It is important to note that this Action Plan will evolve over time as the strategy for increasing Housing Supply is developed and with oversight from a Steering Group. This Action Plan effectively forms a much-needed consolidated programme of activity which will gain momentum and profile over the next few years as resources are focused on increased housing delivery.
- 4.3 The actions are focused around 5 strategic issues:
1. **BCP Housing land Supply**
 2. **Infrastructure**
 3. **Viability**
 4. **Economic Factors / Housing Market**
 5. **Commercial Market Communications**

Strategic Issue: BCP Housing Land Supply

- 4.4 The first strategic issue affecting housing delivery across the BCP area concerns housing land supply. Sub issues related to this issue include:
- 1) ***Strategic site delays***
 - 2) ***Government standard housing methodology & Increased Targets***
 - 3) ***Progress with Duty to Co-operate and cross border strategic planning***
 - 4) ***Unimplemented planning consents***
 - 5) ***Environmental and other constraints***

Sub Issue 1: Strategic Site Delays

- 4.5 Across the BCP area there are 81 strategic sites (40+ dwellings) which are planned to deliver 13,180 dwellings and form a very significant element of the BCP housing land supply. BCP local plan monitoring and evidence gathering for the HDT Action Plan has identified there are key issues affecting site delivery that need specific actions to address them. Some of these key issues are set out as follows in respect of housing allocations across Bournemouth, Christchurch and Poole:

Bournemouth Housing Allocations

- 4.6 The Bournemouth Town Centre Area Action Plan containing the majority of Bournemouth allocations was adopted in March 2013 by Bournemouth Council. Through monitoring of the AAP it has been identified that some housing sites allocated in the plan may not come forward. These sites include Commercial Road / Avenue Road, Asda (Holdenhurst Road), and Holdenhurst Road Retail Park.

Christchurch and East Dorset Strategic Housing Allocations

- 4.7 The Christchurch and East Dorset Core Strategy adopted in April 2014 identifies a housing requirement of 8,490 dwellings. Of this requirement, approximately 3,500 dwellings are located on strategic sites in Christchurch, Burton, Corfe Mullen, Wimborne / Colehill, Ferndown / West Parley and Verwood. Through preparation of the Core Strategy developers and land owners were closely engaged in establishing strategic site delivery trajectories for the Core Strategy allocations. A number of key strategic sites allocated in the Core Strategy have not come forward as expected due to the following reasons:

- Delays to delivery of strategic transport infrastructure
- Delays to the delivery of Strategic Alternative Natural Green Space (SANG)
- Delays to developer and land owner private land transactions
- Delays to allocations in multiple land ownerships due to site access and shared infrastructure delivery issue.
- Addressing abnormal site infrastructure requirements e.g. under grounding overhead pylons
- Securing alternative allotments site for replacement of statutory allotments
- Delays to issuing planning consents linked to viability and affordable housing negotiations and securing planning obligations such as education contributions
- Market Factors including absorption rates and developers not bringing sites forward due to economic / market conditions

- 4.8 Housing supply and strategic site delivery is still currently considered together as part of the Christchurch and East Dorset Core Strategy joint plan area. This will change following the adoption of the BCP and Dorset Council Local Plans which are anticipated for adoption in 2022 and 2023 respectively. Dorset Council are preparing an HDT Action Plan and will identify detailed actions to deal with strategic site delivery in East Dorset. However, the BCP Council, where appropriate will work closely with the Dorset Council to assist delivery. For

example, cross border working on strategic transport planning can assist in site delivery.

Poole

- 4.9 Poole adopted its Local Plan in 2018, which included a number of new allocations including urban extensions at North Poole. The key focus of the plan was, however, Poole town centre regeneration and delivery of a number of major brownfield sites that collectively can deliver around 5,000 homes. Progress has stalled on many of these brownfield sites due to long standing viability issues associated with remediation and delivery of critical infrastructure such as flood defences.

Actions

- 4.10 As part of the BCP Local Plan preparation all allocations in the adopted Local Plans will be reviewed and the deliverability of new allocations confirmed.
- 4.11 BCP will adequately resource the planning officer teams to facilitate the timely determination of major housing allocations applications. .
- 4.12 In terms of Roeshot Hill in Christchurch, BCP will also be working closely with the Christchurch Town Council to bring forward the Roeshot Hill Allotments site so that the entire Core Strategy allocation can be delivered.
- 4.13 BCP Council is also working closely with the landowner to progress a planning application for the Core Strategy allocation on Land South of Burton. This will also link to the consideration of a possible larger allocation to be considered through the preparation of the BCP Local Plan.
- 4.14 BCP Council will continue to focus efforts on helping to unlock Poole Town Centre regeneration through working with partners, reviewing funding options and considering other interventions required to hell kick start delivery.
- 4.15 BCP Council will also co-ordinate cross border working, where appropriate to help facilitate delivery of strategic allocations in the East Dorset area. Co-ordinated actions include the preparation of the SEDUMS study, Local Transport Plan, Bournemouth International Growth Programme, Western Gateway Transport Strategy and Transforming Cities.

Sites with Existing Uses

- 4.16 Across the BCP area there are sites in existing use where residential development is planned but cannot come forward until the existing use ceases, thereby delaying delivery. Examples of these sites include the Poole Civic Centre and St. Mary's Maternity Hospital.

Action

- 4.17 As part of the BCP accommodation plan timescales will be confirmed in the short term for the Poole Civic Centre redevelopment. Timescales will also be confirmed for bringing forward the hospital site through direct discussions with the NHS. in

BCP Car Parking Requirements

- 4.18 Across the BCP area there is a need to provide an updated strategic approach to car parking provision, to ensure that car parking needs are met alongside the delivery of key housing sites.
- 4.19 Sites in Bournemouth Town Centre, which are being developed by the Bournemouth Development Company, are subject to delay due to the issue of securing the re-provision of parking in accordance with policy requirements.

Action

- 4.20 A new BCP Car Parking Strategy will be prepared in step with the preparation of the BCP Local Plan.

BCP Officer Resources

- 4.21 BCP Council was recently formed in April 2019 and a staff restructuring process is currently underway. The restructuring process will need to ensure that appropriate resources are dedicated to planning policy, development management, transport planning and housing enabling. This is necessary to ensure that all departments associated with housing delivery are sufficiently resourced to increase the supply of homes.

Action

- 4.22 In the short term BCP will ensure the most efficient and effective use of the existing staff resource across BCP and improve this resource where possible. As part of the BCP restructuring process the Council will need to ensure that departments associated with housing delivery are sufficiently resourced to address the key priority of increasing housing supply across all tenures.

The Housing Service Unit will be increasing the staff resources focused on the housing supply agenda to help ensure a proactive and sustained approach to enable a 'step-change' in overall housing delivery.

Sub Issue 2: Government Housing Methodology & Housing Land Supply

- 4.23 Across the BCP area there are separate adopted Local Plans in place for the Bournemouth, Christchurch and Poole areas.
- 4.24 Sufficient housing land supply has been identified through the BCP Strategic Housing Land Availability Assessments (SHLAAs) to meet adopted Local Plan housing targets.
- 4.25 The issue facing BCP is that the Bournemouth and Christchurch and East Dorset Core Strategies are now more than 5 years old and the relevant housing targets for these plan areas is now based on the Government's standard methodology from 2019/20 onwards. In Bournemouth, this means there is a substantial uplift in the annual housing requirement from 730 to 1,422 dwellings per annum. In Christchurch and East Dorset the annual housing delivery requirement, also based on the Government's standard methodology, increases from 566 per annum to 791 dwellings per annum. Christchurch's proportion of this target, which the BCP Local Plan will be responsible for is 349 dwellings per annum.
- 4.26 BCP Council faces a challenge in identifying sufficient land for housing to meet the uplift in housing requirement from 2019/20 onwards.

Actions

BCP Local Plan

- 4.27 A BCP Local Plan is being prepared which will supersede current adopted Local Plans in the Bournemouth, Christchurch and Poole areas. The Local Plan is being prepared to an accelerated timeframe with adoption scheduled for 2022. The new Local Plan will seek to identify a range of new allocations to improve the supply of new housing. BCP will also be working closely with the Dorset Council, Hampshire County Council and New Forest District Council regarding the delivery of any unmet housing need which cannot be met in the BCP area.

Strategic Housing Land Availability Assessments & Employment Land Reviews

- 4.28 Strategic Housing Land Availability Assessments and Employment Land Reviews will be reviewed and updated to inform the BCP Local Plan and to identify further housing potential. SHLAA updates provide the opportunity for further sites to be identified and to review approaches to housing densities on existing SHLAA sites.

This also provides the opportunity to contact landowners regarding specific sites where there may be uncertainty concerning whether a site will come forward.

- 4.29 As part of the SHLAA process, the Council is also undertaking a detailed urban capacity study to consider what additional potential for housing there is across the most sustainable parts of the BCP area.
- 4.30 Updating employment land reviews and employment land projections will inform the potential release of employment land for housing where not required to meet future market requirements over the BCP plan period.

Strategic Green Belt Review

- 4.31 To inform the preparation of the BCP and Dorset Council Local Plans, a strategic review of the South East Dorset Green Belt will be considered . The preparation of this evidence will inform possible strategic council decisions regarding amendment to Green Belt boundaries that may need to be made to accommodate new housing. BCP will seek to engage the Dorset Council, New Forest District Council and National Park authorities in undertaking a comprehensive study for the South East Dorset Green Belt as a whole.

BCP Property Strategy

- 4.32 The BCP Property Strategy is currently being prepared and this will aim to maximise the use of Council owned land, where appropriate for residential development. This builds on lots of work over the last few years within the legacy Councils, working across teams to bring forward surplus Council owned land and building for residential development. We need to further maximise this identification of surplus land where possible and encourage the use as housing sites. Many housing developments have already come forward on surplus Council owned sites over the last few years.

Land Acquisitions / Land Assembly

- 4.33 In order to improve the supply of land for housing, the Council will consider the acquisition of land where appropriate. Land acquisition may also be achieved through joint ventures in terms of potential joint bids for acquiring land.
- 4.34 BCP will review opportunities to work with other public sector bodies to deliver sites for housing through land assembly. An example of where this has been achieved is the Magistrates Court Site, Barrack Road as well as Gravel Hill. Developing strong links with other public sector agencies will be key to identifying surplus sites and engaging in land assembly discussions. This will include discussions with Health colleagues.

Joint Ventures / Registered Providers

- 4.35 There is an opportunity to develop structured partnerships such as joint ventures developing shared approaches with Registered Providers (RPs) to improve the supply of housing. Registered Providers are key in the development of new homes including affordable housing provision locally. The Council will be working proactively with RPs to ensure their investment in new housing locally.

Compulsory Purchase Orders (CPOs)

- 4.36 It is important that BCP considers a wide range of measures that may be required to improve housing land supply. CPOs have not been widely used across the BCP area. The Council will explore the potential use of CPO where necessary and seek funding for expert advice to guide the use of CPO in the BCP area.

National Housing and Finance Institute (HFi) / Local Government Association

- 4.37 BCP will work closely with the HFi and the LGA to help to identify further opportunities to increase housing land supply. **This will help ensure that national good practice is identified in this emerging agenda.**

Sub Issue 3: Progress with Duty to Co-operate and cross border strategic planning

- 4.38 BCP Council faces a significant challenge in future housing delivery through a step change in housing requirements based on the Government's standard methodology.
- 4.39 BCP has commenced work on a BCP Local plan that will supersede the current adopted local plans currently in place for Bournemouth, Christchurch and Poole. The Council will need to work effectively with neighbouring authorities to ensure housing needs can be addressed. In accordance with the Duty to Co-operate BCP works closely with neighbouring authorities regarding housing delivery including the Dorset Council, Hampshire County Council, New Forest District Council, and the New Forest National Park.
- 4.40 This process of Local Plan preparation may need to examine how any unmet housing needs could be met in an adjoining authority area. Prior to the formation of the BCP and Dorset Council there has been positive cross border working between the former Bournemouth, Dorset and Poole councils and with the New Forest District Council and National Park Authority.

4.41 Section 3 of this Action Plan has reviewed cross border approaches including:

- The effectiveness of the Strategic Planning Forum
- Statement of Common Ground between former Bournemouth, Dorset and Poole local authorities
- Possible cross border approaches for housing distribution

Actions

4.42 BCP will review the terms of reference of the Strategic Planning Forum in the context of the new BCP and Dorset Council to improve its effectiveness. The existing Statement of Common Ground previously prepared by the Bournemouth, Dorset and Poole authorities will be reviewed in order to more effectively deal with cross border strategic planning issues including housing delivery.

4.43 BCP will work with the Dorset Council and Hampshire authorities to consider a range of options to address cross border strategic planning issues including housing delivery which will explore the following possible options:

- Statements of Common Ground
- Informal Strategies
- Explore potential for Strategic joint statutory Plans

Sub Issue 4: Unimplemented Planning Consents

4.44 BCP local plan monitoring has identified a number of unimplemented planning consents which affect housing land supply. There are also many cases of the unimplemented consents being superseded by new applications for revised schemes. This introduces a delay in housing delivery which was envisaged to come forward in line with original planning consents.

Action

4.45 This is not a straightforward issue for the Council to influence. One approach could be to limit the time from the issue of planning consent to implementation. In terms of revised schemes the council can apply sufficient development management resources to deal with applications expediently.

Sub Issue 5: Environmental and other Constraints

4.46 The BCP Council area is subject to a significant level of environmental constraints including areas liable to flood, Green Belt, Special Protected Areas, Sites of

Special Scientific Interest and Conservation Areas that affects the amount of land available for housing. It is also important to recognise that these constraints contribute to BCP's rich and diverse natural and built environment meaning therefore that they need to be balanced with the requirements to deliver housing.

Actions

- 4.47 The Council will need to undertake detailed assessment of the area's constraints when preparing the Local Plan alongside the urban capacity work. These workstreams will inform the amount of housing the area can reasonably plan for as well as establish the extent of any shortfall that would need to be addressed through the Duty to Cooperate and discussions with adjoining authorities.

Strategic Issue: Infrastructure

- 4.48 The second strategic issue affecting housing delivery in BCP concerns delivery of strategic infrastructure required to facilitate development. Sub issues relating to this issue include:

- 1. Overall Strategic infrastructure required to support development***
- 2. Suitable Alternative Green Space (SANG) delivery***
- 3. Transport Strategy and delivery of Strategic transport infrastructure***
- 4. Flood Risk Strategy & Infrastructure***

Sub Issue 1: Overall Strategic infrastructure required to support development

- 4.49 The BCP Local Plan will need to plan effectively for the full range of infrastructure requirements required to support new development across the plan period.

Actions

BCP Local Plan Infrastructure Delivery Plan

- 4.50 The BCP Local Plan will be underpinned by an Infrastructure Delivery Plan which will identify the range of infrastructure required to support delivery of the Local Plan. This will be required to be published alongside the Pre Submission stage of the Local Plan scheduled for autumn 2021.

External Funding

- 4.51 BCP will continue to develop and strengthen our working relationship with Homes England and take advantage of funding opportunities as they arise to support the

delivery of housing. A strategic relationship with Homes England will be further developed at a senior level to encourage thinking around enabling sites to come forward and help access funding for specific schemes

- 4.52 BCP will also actively continue to lever in external sources of funding such as Growth Deal and the Transforming Cities Fund to deliver key strategic infrastructure to support housing delivery.

Sub Issue 2: Suitable Alternative Green Space (SANG delivery)

- 4.53 The adopted Local Plans for Bournemouth, Christchurch and Poole require housing development within 5km of the heathland to mitigate its impact from increased recreational pressure on the Dorset Heaths. Housing development within BCP is required by national and local policy to contribute to heathland mitigation or SANG provision.
- 4.54 In Bournemouth and Christchurch in particular, the delivery of some strategic sites have been held up through timescales to secure and deliver necessary SANG provision. A more effective approach towards SANG provision and delivery is required across the BCP area to avoid delays to development.

Actions

BCP Local Plan

- 4.55 Preparation of the new BCP Local Plan will identify and allocate new SANGs, where required to support new housing development.

BCP SANG Strategy

- 4.56 The development of a strategic SANG strategy for the BCP area will examine a range of options including:
- Stour Valley Strategic SANG
 - Two Riversmeet / Stanpit Recreation Ground
 - Upton Country Park SANG
 - Hicks Farm
- 4.57 BCP will need to consider progressing this strategy in advance of the adoption of the BCP Local Plan to ensure that heathland mitigation requirements to support new development are met.

South East Dorset Heathland SPD

- 4.58 The review of the current Heathland SPD will be undertaken by BCP and the Dorset Council. This will identify a range of new SANG and heathland infrastructure projects to support new development. The forthcoming update of the SPD will cover the period of 2020 – 2025. The revised Heathland SPD will be in place by April 2020.

Sub Issue 3: Transport Strategy and delivery of Strategic transport infrastructure

- 4.59 The preparation of the BCP Local Plan will need to be underpinned by the appropriate evidence base and transport strategy to enable new residential development to come forward sustainably.
- 4.60 In order to avoid delay in preparation and adoption of the BCP Local Plan the South East Dorset Urban Mobility Study is required to test the deliverability of new housing options and to identify strategic transport mitigation measures.
- 4.61 In terms of strategy and effective cross border planning there is also a need to consider how Local Transport Plan 3 will be updated for the BCP and Dorset Council area.
- 4.62 BCP will also need to lever in sources of external funding to secure the delivery of strategic transport improvements.

Actions

South East Dorset Urban Mobility Study

- 4.63 Completion of the South East Dorset Urban Mobility Study will be required to inform the options stage of the BCP Local Plan which is scheduled for autumn 2020.

Local Transport Plan

- 4.64 Local Transport Plan 3 provided the transport strategy for the Bournemouth, Dorset and Poole Area. BCP is currently considering options for the preparation of LTP4 which include determining the administrative area of coverage. It is envisaged that LTP4 will be prepared in step in with the preparation of the BCP Local Plan.

Western Gateway Transport Body

- 4.65 BCP will continue to work closely with the Western Gateway Transport Body to deliver strategic transport infrastructure on a regional planning level that helps to facilitate new residential development in the BCP area. The preparation of the regional transport strategy by 2021 will be important alongside the preparation of local transport strategies to facilitate new development.

Sub Issue 4: Flood Risk Strategy & Infrastructure

- 4.66 Significant areas of central Christchurch and Poole are affected by tidal and fluvial flood risk where appropriate flood risk strategies and mitigation is required to enable residential development to come forward.
- 4.67 In Poole a strategic approach is being developed to deliver strategic flood defence infrastructure to support new residential development in the Twin Sails Regeneration area. This will look at funding arrangements including how developer contributions could be used.

Actions

Christchurch Town Centre Floodrisk SPD

- 4.68 A supplementary planning document is currently being prepared for the town centre study area. The SPD will provide a planning framework and identify a package of floodrisk mitigation measures to enable residential development to come forward within the study area.

Christchurch Strategic Flood Risk Assessment

- 4.69 The SFRA Level 2 for Christchurch has been updated with guidance for developers to provide an up to date position and clarity on future floodrisk and where residential development is appropriate.

Poole Flood Defence Grant

- 4.70 Funds have been secured to prepare an outline business case for funds from Flood Defence Grant Aid for flood defences along the West Quay Road and southern part of Holes Bay Road. Funding will also be required from developers to secure implementation.

Strategic Issue: Viability

- 4.71 The third overarching issue affecting housing delivery in BCP concerns development viability. Sub issues relating to this issue include:

- 1. Sites not coming forward due to viability issues.**
- 2. Delays linked to S106 negotiations including affordable housing**

Sub Issue 1: Sites not coming forward due to viability issues

- 4.72 Adopted local plans prepared across the BCP area have been prepared with plan wide viability appraisals that also informed current adopted CIL charging schedules. Therefore, for BCP generally viability has not been a significant area wide issue affecting housing delivery.
- 4.73 However, there are significant sites in Poole Town Centre and the Twin Sails Regeneration Area which have not come forward due to viability issues. Some schemes within these areas have not come forward as they have not achieved a sufficient uplift in land value following grant of planning permission. This is linked to the price paid for land pre-recession and in conjunction with policy requirements for the area (Including flood risk infrastructure).
- 4.74 Although not currently a barrier to residential development there are separate CIL charging schedules for the Bournemouth, Christchurch and Poole areas that were produced at separate times. Through the preparation of the BCP Local Plan CIL charging schedules will need to be reviewed to ensure CIL charging regimes remain viable with updated policy requirements.
- 4.75 As part of the preparation of the BCP Local Plan and revised CIL charging schedules a Local Plan viability study will be required to test the impact of all policy requirements in accordance with national policy.

Actions

- 4.76 BCP CIL Charging schedules will be reviewed in step with the preparation of the BCP Local Plan and associated plan wide viability study.

Sub Issue 2: Planning Permission Delays linked to S106 negotiations including affordable housing

- 4.77 Across the BCP area and East Dorset there have been delays to the determination of planning applications due to the time involved in the negotiation of planning obligations including affordable housing, education and transport contributions. Delays are linked to the processes for appraising planning application viability assessments and BCP access to appropriate viability expertise.

- 4.78 Significant delays have also been experienced in the Christchurch area in terms of the time taken to establish robust justification for education contributions whilst part of a two tier authority.

Actions

Viability Appraisal Review

- 4.79 BCP will review its processes for planning application viability appraisals which will examine the following options:
- a) Potential for developing a framework of viability experts or internal expertise for BCP
 - b) BCP to put in place more robust quality control measures regarding viability advice received.
 - c) Training for planning officers regarding scheme design / layout / density issues that affect viability.
 - d) Review validation checklist guidance of viability.

Strategic Issue: Economic Factors / Housing Market

- 4.80 The fourth strategic issue affecting housing delivery across the BCP area concerns Economic Factors / Housing Market. Sub issues related to this issue include:

- 1) Market Absorption Rates / Impact on Housing Delivery /***
- 2) Economic Conditions / Impact of Brexit.***

- 4.81 Housing supply across the BCP area includes 81 strategic sites (40+ dwellings) which are planned to deliver 13,180 dwellings. The adopted Core Strategy for Christchurch also includes the East Dorset area where there are 10 remaining allocated strategic sites to come forward. These sites form a key part of the housing land supply for the Christchurch and East Dorset plan area.
- 4.82 It is anticipated that as further strategic housing allocations begin to come forward across BCP and East Dorset there may be issues associated with market absorption rates. There are a number of sites that will offer a similar market product and developers may slow the rate of housing delivery to reflect local market absorption rates.
- 4.83 Further work is required to establish a clearer picture regarding market absorption rates, the BCP housing trajectory and the impact of multiple strategic sites which are anticipated to come forward concurrently.

- 4.84 The overall economic climate and impact of Brexit is also affecting the local housing market, however further evidence is required to better understand the impact this will have over time in BCP and Dorset.

Actions

- 4.85 The issue of market absorption rates and strategic site delivery will be explored further through a developers' forum and also through the Strategic Planning Forum and Dorset wide Strategic Housing Group.
- 4.86 BCP will consider engaging a consultant to review economic factors influencing the delivery of housing in the BCP area. BCP will seek to engage the Dorset Council in this area of work in order to understand the implications for the cross border delivery of housing.
- 4.87 The BCP SHLAAs will be reviewed in step with the preparation of the BCP Local Plan to further assess the range of housing sites to provide the best mix to suit market absorption rates and the needs of the local housing market.
- 4.88 The BCP Local Plan preparation will also consider new housing allocations and the appropriate mix of sites and housing products to provide a suitable range of housing to meet market requirements. This will also include reviewing the potential to promote use of modular construction as part of the Government's drive to use this to help with increasing supply.

Strategic Issue: Commercial Market Communications

- 4.89 The fifth strategic issue affecting housing delivery across the BCP area concerns Commercial Market Communications. The following sub issue relates to this strategic issue:

1. Effective Engagement with the Development Industry

- 4.90 BCP engages with the development industry and has done so in the preparation of this action plan. However, further engagement is required on a more regular basis to fully capture and address all the key issues affecting housing delivery in the BCP area.

Actions

- 4.91 BCP has written to planning agents regarding progress with existing planning permissions to review progress and to provide the opportunity for issues affecting housing delivery to be raised.
- 4.92 A BCP developers' forum will be established to meet regularly to assess the issues affecting housing delivery in BCP and how these will be addressed.
- 4.93 In addition to this, Housing will assist in the proactive face to face engagement with developers, land owners and funders to help bring forward housing sites through to completion. Links with Economic Development colleagues will be a key part of this to encourage the wider promotion of the BCP as an area for people to invest in. An engagement strategy will be developed to ensure engagement on both a local and national scale to bring forward opportunities wherever possible. This outward facing industry wide engagement will identify additional interventions and help shape the overall strategy going forward.
- 4.94 A communications strategy will be developed with multiple audiences to ensure that there are high profile communications around this work programme to help encourage a shared vision and ultimately a 'step change' in deliver

Summary

- 4.95 This section has reviewed in detail the five key strategic issues that affect housing delivery across the BCP area including setting out a series of actions to address them.
- 4.96 Section 5 brings these actions together into a set of SMART Action Plan with associated timescales for implementation.

5 BCP HDT SMART Action Plan

Root Cause	Evidence	Action	Who / When	Action Achieved?
Strategic Issue: Housing Land Supply				
1) Strategic Site Delays	Bournemouth Housing Allocations: Some sites allocated in Bournemouth Town Centre Area Action Plan (AAP) may not come forward as planned affecting housing supply e.g. Commercial Road/ Avenue Road, Asda (Holdenhurst Road), and Holdenhurst Retail Park.	<ul style="list-style-type: none"> Allocations to be reviewed through BCP Local Plan. 	Planning Policy / December 2022.	
	Policy CN1 - Christchurch Urban Extension: Delays in relation to Local Plan site trajectory. Delays linked to SANG application, time taken to sign S106, Developer and land owner land transaction, abnormal on site infrastructure i.e. pylons.	<ul style="list-style-type: none"> BCP Planning Co-ordination of Reserved Matters for Roeshot Hill with applicant. BCP work with Christchurch Town Council to bring forward Roeshot Hill Allotments (as part of allocation site) including identification of alternative allotments site. 	Planning Policy and Development Management / 2019 / 2020.	
	Policy CN2 - Land South of Burton: Landowner wishes to pursue larger allocation as part of BCP Local Plan preparation. .	<ul style="list-style-type: none"> Working with landowner towards submitting application for existing allocation that would not prejudice possible larger allocation considered as part of BCP Local Plan. 		
	East Dorset Housing Allocations: Delays in strategic sites coming forward in East Dorset (as part of Christchurch and East Dorset adopted Core Strategy 2014). Delays linked to road infrastructure, viability and affordable housing negotiation, site access, SANG delivery, market and absorption rates.	<ul style="list-style-type: none"> Co-ordination between BCP and DC HDT Action Plans 	BCP and DC Planning Policy / August 2019 / Ongoing	
	Sites with existing uses: Sites reliant on current use ceasing before allocated use comes forward i.e. Poole Civic Centre and Maternity Hospital.	<ul style="list-style-type: none"> As part of BCP accommodation plan to confirm timescales for Poole Civic Centre redevelopment. Confirm timescales for hospital site in conjunction with Wessex Fields development in Bournemouth. 	BCP Property Services / Development Management / Planning Policy / 2019 / 2020.	
	BCP Car Parking Requirements: Strategic sites in Bmth Town Centre include car parks being developed by Bournemouth Development Company. Delays associated with re-providing car parking in accordance with policy requirements and viability impacts. Car parking requirements and wider town centre provision have also been raised regarding the Magistrates Court site in Christchurch.	<ul style="list-style-type: none"> A new BCP wide car parking strategy will be prepared. 	Planning Policy / Development Management / Property Services / 2019/20.	
	Viability: Delays in Poole Town Centre Regeneration Area sites linked to viability (addressed in viability section of AP).	<ul style="list-style-type: none"> Addressed in viability section of Action Plan. 	Addressed in viability section of Action Plan.	
	BCP Officer Resources: <ul style="list-style-type: none"> BCP Development Management / Planning Policy / Housing and Transport Planning teams resource limitations affecting timing for delivery of strategic sites. Delays in time taken to sign S106 agreements and issue planning permissions. (Not possible to influence delays caused by private landowner / developer negotiations). 	<ul style="list-style-type: none"> Improvement in the resourcing of Development Management, Planning Policy, Housing and Transport Planning teams as part of BCP reorganisation process. Increase proactive housing enabling resources within the BCP Housing Team to encourage sites to come forward that are of mixed tenure. 	Growth and Infrastructure Director and Head of Planning / 2019/20. Growth and Infrastructure Director / Director of Housing (2019/20)	

Root Cause	Evidence	Action	Who / When	Action Achieved?
2) Government Housing Methodology & Housing Land Supply.	<ul style="list-style-type: none"> Adopted BCP Local Plans and Strategic Housing Land Availability Assessments (SHLAAs) do not identify sufficient land to meet future requirements based on government methodology. <p>Strategic Housing Land Availability Assessments:</p> <ul style="list-style-type: none"> Some SHLAA sites submitted to the Councils have not come forward for development. Uncertain whether some sites in BCP SHLAAs included in the 6 – 15 year land supply will come forward (identified from officer survey). These include following site types: <ul style="list-style-type: none"> ➤ Existing viable commercial uses (office, car dealers, builders merchants); ➤ Caravan Parks (Xch); and Residential for redevelopment i.e. outworn flats, existing residential plots. <ul style="list-style-type: none"> Sufficient land to meet adopted Local Plan housing targets but future Bournemouth and Christchurch requirements now based on Government standard methodology which creates a major uplift and step change in housing delivery requirements. 	<ul style="list-style-type: none"> BCP SHLAA and Employment Land Review updates including update of BCP / DC employment land projections. BCP SHLAA and ELR Update reviewing assumptions and contacting landowners regarding uncertain sites. Review Sovereign Housing stock and redevelopment opportunities. Further potential SHLAA sites to be identified in BCP area. 	Planning Policy / SHLAA annual updates / ELR 2019 - 2021.	SHLAA annual updates complete summer 2019.
		<ul style="list-style-type: none"> Maximise use of Council owned land for residential development linked to the BCP Property Strategy. 	Planning Policy / Property Services– October 2019 onwards.	
		<ul style="list-style-type: none"> BCP Strategic Green Belt Review / Potential Co-ordination with Dorset Council. 	Planning Policy / 2019 / 20	
		<ul style="list-style-type: none"> Prepare BCP Local Plan and identify new housing allocations. 	Planning Policy / December 2022.	
		<ul style="list-style-type: none"> BCP to explore use of Compulsory Purchase Orders (CPO) to increase land available for housing development. To seek appropriate funding for expertise to guide the use of CPO in BCP. 	Planning Policy / Development Management / Housing / 2019 / 20	
		<ul style="list-style-type: none"> Council to consider land acquisitions to increase land supply for housing e.g. Canford Heath Road, Gravel Hill, Police Station. Consider joint ventures to make joint bids for acquiring land. 	Planning Policy / Housing / Development Management / Property / 2019 - 2022	
		<ul style="list-style-type: none"> Work with public sector agencies to encourage land assembly options and use of surplus sites / building for residential e.g. Barrack Road, Magistrates Court Site, Xch. 	Property Services, Housing / Planning Policy / Development Management (2019 ongoing)	
		<ul style="list-style-type: none"> Develop structured partnerships such as joint ventures / development share approach with developing Registered Providers to increase supply. BCP working with RPs through joint ventures to bring sites forward. 	Director of Housing (October 2019 onwards)	
		<ul style="list-style-type: none"> Work with the national Housing and Finance Institute (HFI) and Local Government Agency to help identify further opportunities to increase housing land supply. 	Director of Housing and Director of Growth and Infrastructure 2019 - Ongoing	
3) Unimplemented Planning Consents	<ul style="list-style-type: none"> BCP wide monitoring has identified a number of unimplemented planning consents which are superseded by revised schemes resulting in delays to site / housing delivery. Also issue of landowners not willing to bring forward sites for consented use (e.g. town centre / regeneration area, Poole). 	<ul style="list-style-type: none"> Cross boundary strategic planning with Dorset Council and Hampshire local authorities (as set out below). 	As set out below.	
		<ul style="list-style-type: none"> Review time limit from the issue of consent to implementation. Sufficient development management resource applied to revised applications. 	BCP Planning / 2019 / 2020.	
4) Duty to Co-operate and Cross	<ul style="list-style-type: none"> BCP / Dorset Council (DC) Strategic Planning Forum (SPF) lacking effectiveness. 	<ul style="list-style-type: none"> BCP and DC to review terms of reference of SPF. 	BCP and DC Planning Policy / 2019.	

Root Cause	Evidence	Action	Who / When	Action Achieved?
Border Working	<ul style="list-style-type: none"> Current SOCG for BCP / DC only identifies cross boundary strategic issues. There is a need to revise to deal effectively with housing distribution and un met housing need. 	<ul style="list-style-type: none"> Review current BCP / DC SOCG 	BCP and DC Planning Policy / 2019.	
	<ul style="list-style-type: none"> Lack of cross boundary agreed strategy / approach between BCP, Dorset Council and Hampshire to address housing need across these administrative areas. 	<ul style="list-style-type: none"> BCP and DC to review options and agree approach to address future housing requirement. Options: <ol style="list-style-type: none"> 1. SOCG 2. Informal Strategy 3. Strategic BCP / DC Plan (potentially with Hampshire). 	BCP and DC Planning Policy / 2019/2020.	
Strategic Issue: Infrastructure				
1) Strategic infrastructure required to support housing development.	<ul style="list-style-type: none"> In particular Local Plan evidence identifies deficiencies in strategic infrastructure across the BCP / Dorset Council area which holds up housing development. This is particularly in relation to transport infrastructure and SANGs. 	<ul style="list-style-type: none"> Develop and strengthen our working partnership with Homes England to take advantage of funding opportunities. 	BCP Housing, Planning Policy 2019 onwards	
		<ul style="list-style-type: none"> BCP to work actively with the Homes England, Dorset LEP and the Western Gateway Transport body to lever in relevant funding sources to deliver key infrastructure to support housing investment and delivery. 	BCP, Growth and Infrastructure 2019 onwards.	
		<ul style="list-style-type: none"> Prepare BCP Local Plan Infrastructure Delivery Plan, confirm funding sources and delivery mechanism for key infrastructure. 	Planning Policy / Autumn 2021.	
2) SANG provision holding up sites in Christchurch and Bournemouth.	<ul style="list-style-type: none"> Strategic urban area sites in Christchurch and Bournemouth held up by the timing for securing and delivering SANG policy requirements. 	Strategic SANG delivery: <ol style="list-style-type: none"> 1. Stour Valley (including production of masterplan). 2. Two Riversmeet / Stanpit Rec SANG. 3. Meyrick Estate options 4. Hicks Farm 	BCP Planning Policy / Parks and Countryside / 2019/2020.	
		<ul style="list-style-type: none"> South East Dorset Heathland SPD update – (including new SANG and HIPs projects). 	BCP / DC Planning Policy / Countryside teams / (March 2020)	
		<ul style="list-style-type: none"> BCP Local Plan allocating strategic SANGs. 	BCP Planning Policy / Dec 2022.	
3) Transport Strategy and delivery of strategic transport infrastructure.	<ul style="list-style-type: none"> For BCP Local Plan to progress SEDUMs study is needed to test deliverability of new housing options and to identify mitigation options required. Following this the BCP LP Infrastructure Delivery Plan can be prepared. Sources of government funding will be required to deliver strategic transport infrastructure. There is a need to consider the preparation of an updated Local Transport Plan for BCP and Dorset to co-ordinate the delivery of a cross border transport strategy. 	<ul style="list-style-type: none"> Completion of South East Dorset Urban Mobility Study (SEDUMs). 	BCP and DC Transport Planning / Autumn 2019.	
		<ul style="list-style-type: none"> BCP Local Plan Infrastructure Delivery Plan. 	Planning Policy / Autumn 2020.	
		<ul style="list-style-type: none"> BCP Transforming Cities Bid / pursuing other government sources of funding. 	BCP / 2019/20 and ongoing	
		<ul style="list-style-type: none"> BCP Local Plan preparation. 	Planning Policy / December 2022.	
		<ul style="list-style-type: none"> Consider options for preparation of Local Transport Plan 4. Prepare Local Transport Plan 	BCP / DC 2019 / 20. BCP / DC 2022.	
4) Flood risk strategy & Infrastructure	<ul style="list-style-type: none"> Housing prevented from coming forward on brownfield land in Christchurch Town Centre due to floodrisk. 	<ul style="list-style-type: none"> Prepare Christchurch Town Centre Floodrisk SPD to provide framework for development to come forward. 	Planning Policy / Spring 2020.	

Root Cause	Evidence	Action	Who / When	Action Achieved?
		<ul style="list-style-type: none"> Update and publish revised Christchurch Level 2 SFRA and guidance for developers. 	Planning Policy / September 2019.	Complete
	<ul style="list-style-type: none"> Impact of strategic flood infrastructure costs in Poole i.e. flood defences on West Quay Road. Need to reduce cost for flood risk infrastructure delivery. 	<ul style="list-style-type: none"> Secured funding to prepare outline business case for funds from Flood Defence Grant in Aid for flood defence scheme along West Quay Road and southern part of Holes Bay Road (Funding earmarked for EA MTP funding 2021/22. Will also require developer contributions for implementation. 	BCP Planning / 2021/22	
Strategic Issue: Viability				
1) Sites not coming forward due to viability issues.	<ul style="list-style-type: none"> Sites in Poole, including specific sites with planning permission not coming forward due to viability issues. Schemes do not have a sufficient up lift in value to bring forward linked to price paid for land pre-recession and with policy requirements addressed e.g. 27-31 West Quay Road, and Salterns Marina. 	<ul style="list-style-type: none"> New Poole CIL charging schedule including zero rating for development in Poole town centre and Twin Sails Regeneration Area. 	Zero rating of specific sites for CIL (Complete, Feb 19).	Complete
		<ul style="list-style-type: none"> BCP forward funding of strategic flood risk infrastructure in Poole Regeneration Area. 	Forward funding of floodrisk infrastructure (Complete).	
		<ul style="list-style-type: none"> 10% affordable housing requirement in Poole Regeneration Area. 	Planning Policy / Completed as part of Poole LPR.	Complete
		<ul style="list-style-type: none"> More flexible approach in Poole TC / regeneration area to mix of uses. 	Planning Policy / Completed as part of Poole LPR.	Complete
		<ul style="list-style-type: none"> A less restrictive approach to building heights, particularly in Poole Town Centre North and Twin Sails Regeneration Area. 	Planning Policy / Completed as part of Poole LPR.	Complete
	<ul style="list-style-type: none"> Separate charging schedules in Bournemouth, Christchurch and Poole adopted at different times. Need to be reviewed to check viability and in step with BCP Local Plan Review. 	<ul style="list-style-type: none"> Review BCP CIL Charging Schedules. 	Planning Policy / 2020 / 21	
	<ul style="list-style-type: none"> Lack of BCP wide evidence to inform preparation of BCP Local Plan. Rise in build costs affecting viability in the BCP area e.g. Belvedere Hotel, Bournemouth. 	<ul style="list-style-type: none"> Prepare BCP Local Plan Viability Study to inform Local Plan review process. 	Planning Policy / September 2020.	
2) Delays linked to S106 negotiations including affordable housing.	<ul style="list-style-type: none"> Delays to determining applications including strategic sites due to negotiations on planning obligations including affordable housing, education and transport. 	Planning Applications Viability Appraisal Review: <ul style="list-style-type: none"> Develop framework of viability experts to draw on relevant to type of application e.g. small scale or strategic site. BCP to put in place more robust quality measures for viability advice received. Training for DM officers to pick up on scheme design / layout / density issues prior to viability appraisals. Review validation checklist guidance of viability. 	Growth and Infrastructure Director and Head of Planning / 2019/20.	
Strategic Issue: Economic Factors / Housing Market				
1) Market absorption rates & impact on housing delivery	<ul style="list-style-type: none"> Multiple allocations not coming forward across BCP / East Dorset at same time due to similar market product. Need further evidence to examine in detail. 	<ul style="list-style-type: none"> To be explored through developers forum and Dorset wide strategic housing group. 	Planning Policy, Economic Development Team / 2019 / 2020	
		<ul style="list-style-type: none"> BCP to engage consultant to review relevant economic factors for BCP area. 		
		<ul style="list-style-type: none"> Review of BCP SHLAAs to identify greater range of sites. 	Planning Policy / Annual reviews 2019 onwards	2019 SHLAA reviews complete.
		<ul style="list-style-type: none"> BCP Local Plan to review allocations and ensure appropriate balance of larger and smaller sites 	Planning Policy / December 2022.	

Root Cause	Evidence	Action	Who / When	Action Achieved?
2) Economic Conditions / Impact of Brexit.	• Economic conditions and the impact of Brexit are affecting the housing market but further evidence is required.	• To be explored through developers forum and Dorset wide strategic housing group.	Planning Policy, Economic Development Team / 2019 / 20.	
		• BCP to engage consultant to review relevant economic factors for BCP area.		
Strategic Issue: Commercial Market Communications				
1) Effective Engagement with Development Industry.	• Engagement with development industry is undertaken but needs to be improved to fully capture and address all issues affecting housing delivery in BCP area.	• Write to agents with existing planning permissions to confirm site progress and any issues affecting delivery.	Planning Policy / June 2019	Complete
		• Set up Developers forum to meet regularly to discuss issues affecting site / housing delivery.	Planning Policy to set up meetings from 2019 onwards.	

6 Project Management and Governance Arrangements

- 6.1 The Table in Section 5 of this document sets out a range of short and medium term actions which aim to increase the delivery of new homes in the BCP Council area. It also identifies timescales and responsibilities for delivery of the actions, where appropriate. Monitoring of the actions will be undertaken annually following receipt of the annual HDT measurement (anticipated to be November each year), and the annual review of the Action Plan will draw on information from a range of sources including the annual housing completions surveys (which provides figures for the number of new homes completed each year) and other relevant documents.
- 6.2 Where necessary actions will be updated, or new actions added in response to currently unforeseen issues or barriers to development, or as a result of changes in government policy, legislation or planning practice guidance.
- 6.3 Progress on the actions will be robustly jointly monitored by Planning Policy and Housing and will be subject to review by a Steering Group consisting of BCP officers from planning policy, development management, housing, transport planning and property. The work of the steering group will be overseen by the Portfolio Holders of Strategic Planning and Housing.
- 6.4 The need for robust governance is recognised as key to ensuring a step change in increasing housing supply locally.

CABINET

Report subject	BCP Council Strategic Car Parking Review
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>Before BCP Council was formed parking across Poole, Bournemouth and Christchurch was managed by four separate councils with individual corporate and service plans and objectives:</p> <ul style="list-style-type: none"> i. On-street and off-street in Poole by Borough of Poole ii. On-street and off-street in Bournemouth by Bournemouth Borough Council iii. On street in Christchurch by Dorset County Council iv. Off-street in Christchurch by Christchurch and East Dorset District Council <p>It is proposed that a BCP Council Strategic Parking Review is undertaken to form a new single strategy for the provision (availability), operation, pricing and enforcement for parking across the highway network and car parks.</p>
Recommendations	<p>It is RECOMMENDED that the undertaking of a Strategic Car Parking Review for BCP Council is approved;</p> <p>It is RECOMMENDED that a steering group chaired by the Service Director for Growth and Infrastructure in consultation with the Cabinet members for Transport & Infrastructure and Strategic Planning is approved to oversee the undertaking of the review.</p>
Reason for recommendations	<p>To help transform the BCP parking service into a modern and forward-looking service that is consistent in approach for its customers across the whole of the area; has a single policy framework while also providing for future growth in a way that then helps meet wider more sustainable ways of travel.</p> <p>To help determine the parking asset strategy for the future including on whether to include for park and ride.</p>
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder for Transport and Infrastructure)

	Councillor Margaret Phipps (Portfolio Holder for Strategic Planning)
Corporate Director	Bill Cotton (Director for Regeneration and Economy)
Service Director	Julian McLaughlin – Director of Growth & Infrastructure
Contributors	Richard Pincroft, Transportation Manager (Poole) Helen Taverner, Interim Parking Services Manager (Poole based)
Wards	Various
Classification	For Decision

Background

1. As of 1 April 2019, all on street parking and Council owned off street parking (car parks) within Poole, Bournemouth and Christchurch were brought together into BCP Council.
2. Before BCP Council was formed parking across Poole, Bournemouth and Christchurch was managed by four separate councils with different corporate and service plans and objectives:
 - i. On-street and off-street in Poole by Borough of Poole
 - ii. On-street and off-street in Bournemouth by Bournemouth Borough Council
 - iii. On street in Christchurch by Dorset County Council
 - iv. Off-street in Christchurch by Christchurch and East Dorset District Council
3. It is therefore proposed that a BCP Council Strategic Parking Review is undertaken to form a new single strategy for the provision (availability), operation, pricing and enforcement for parking across the highway network including car parks. It is envisaged this strategy, if approved, would be closely linked to the BCP Council Planning Parking Policy and feed into the Local Plan.
4. The strategy would need to consider the different characteristics of the wards and their centres across the BCP Council area (including seasonal variation in some locations); this strategy would have equalities at its heart.
5. A draft brief for a Strategic Parking Review for BCP Council has been prepared and can be viewed in Appendix A of this report.
6. As can be seen, it is proposed that the review would aim to cover/consider/achieve the following:
 - i. bring all aspects of parking across BCP Council into one strategic document
 - ii. benchmark the BCP Council parking service against other authorities to identify areas of focus for improvement
 - iii. establish level and standard of parking provision required both now and into the future, including cycle parking

- iv. fully understand how parking provision and charges could influence mode-shift and thereby contribute to address the declared climate emergency
 - v. compile a 3-year BCP Council wide pricing strategy across all car parks in the context of the whole of the service; whilst this strategy would be consistent, this would not seek to dictate the same charges across all areas.
 - vi. provide an understanding of stakeholders (including businesses) and the public's aspirations for parking provision around the area
 - vii. understand the level of investment required in existing car parks to keep them operational/safe to inform asset management
 - viii. consider possible future uses for car parking assets to reconfigure or redevelop in line with corporate priorities
 - ix. consider the disposal of surplus parking provision, where appropriate this could be based on future demand modelling
 - x. consider if future additional provision is required (including park and ride/stride/cycle)
 - xi. consider any new technology that could enhance the service or provide a more efficient service
 - xii. consider outputs of South East Dorset Urban Mobility Study (pending Autumn 2019)
 - xiii. consider changes to on-street parking provision around the towns
 - xiv. consider what parking standards could be set for new developments.
7. If approved the review could be carried out in three stages:
- a. Stage One (*Dec 2019 – Mar 2020*) – Information gathering (including stakeholder and public engagement)
 - b. Stage Two (*April 2020 – June 2020*) – Assessment of data and consultation feedback, preparation of recommendations
 - c. Stage Three (*July 2020 – October 2020*) – Formation of recommendations (following re-engagement of stakeholders and public)
8. It is proposed that the review would be undertaken by a combination of specialist external consultants and internal council officers from multiple disciplines. The external resource would provide experience of similar work nationally and be closely managed internally for the length of the project.
9. It is proposed that a steering group chaired by the Service Director for Growth and Infrastructure would provide governance for the project in consultation with Cabinet members for Transport & Infrastructure, Strategic Planning and Environment & Climate Change. The group would refine the Draft Brief presented in Appendix A before any work on a review commenced.

Summary of Financial Implications

10. It is proposed the cost would be met from within existing budget allocations within G&I and/or LTP allocations, where appropriate, subject to Member approval. Cost for budgetary purposes circa £175,000 based on an initial estimate.

Summary of legal implications

11. There are no legal implications arising from the recommendations, however, legal processes would need to be followed robustly with regards to consultation if

changes are proposed to both on-street and off-street parking charges or provision.

Summary of human resources implications

- 12. The review could recommend that some services are delivered in a different way.
- 13. The review would be managed by BCP Council with the bulk of the work sourced (resourced) by external consultants.

Summary of environmental impact

- 14. There are no environmental implications arising from the recommendations, however a desired outcome of the review, if approved, would be to provide environmental benefits.

Summary of public health implications

- 15. There are no public health implications arising from the recommendations, however a desired outcome of the review, if approved, would be to provide public health benefits.

Summary of equality implications

- 16. Consideration has been given to the Council's Public Sector Duty in respect of the Equalities Act 2010. There are no equalities impacts as a direct result of this report. Further consideration would need to be given to the potential Equalities Impacts should any outcomes from the proposed review result in proposals for parking controls, disposal of assets or changes to charges/charging methods.

Summary of risk assessment

- 17. There is a risk that BCP Council's parking service and associated assets would not be run as effectively as they could be had a Strategic Parking Review been undertaken.

Background papers

None

Appendices

Appendix A – BCP Council Strategic Car Parking Review – Draft Brief

Bournemouth, Christchurch and Poole Council
Strategic Parking Review – Draft Brief

Why a Strategic Car Parking Review?

- On 1 April 2019 Bournemouth, Christchurch and Poole Council was formed.
- Each preceding Council developed an approach to the availability, price and enforcement of parking. A consistent parking policy across BCP Council is now required whilst still acknowledging the differences in parking need across the authority including the seasonal variation in demand experienced in the area.
- Car Parking Service within the BCP Council has the following budgetary position:

	2019-20 £'s
Budget Expenditure	9,004,500.00
Budget Income	-23,604,200.00
Net Gain	-14,599,700.00

- As can be seen from the table above the current position of the parking service is that it runs at a budgetary net gain of approximately £14.6 million per annum.
- Consideration shall need to include how pricing strategies and charges can encourage the use of sustainable transport.
- Car Parks across BCP Council currently occupy 157 acres of land. This equates to approximately 18350 car parking spaces off street. Each car park currently has an asset value based on its income. However, in the event that a car park was identified for disposal it would have an asset value based on possible alternative use. This value would be based on size, location and possible alternative use and would be calculated on an individual basis.
- Some car parks may require considerable financial investment, both from the maintenance and service provision perspective, this needs to be considered in the context of the bigger picture of car parks as a whole.

What is proposed?

- **The study, to be undertaken from December 2019 for approximately 12 months, will be split into 3 stages:**

Stage 1

- This will allow car parking provision across the authority area to be considered within the context of the Local Transport Plan and other corporate priorities such as
 - climate emergency
 - sustainable environment
 - dynamic region
 - connected communities
 - brighter futures
 - fulfilled lives

- tourism / beaches
 - financial / MTFP
 - public realm strategy, Local Development Framework and DPDs
 - public / private ownership
 - internal / externalisation of service delivery
 - investment opportunities and potential for improvements
 - asset utilisation.
- Stage one will include engagement with key stakeholders and the public on their aspirations for parking provision around the area and seek to embed their views within the review where possible.
 - The review will consider any conflicts between these strategies and engagement, prioritising them against the service.

Stage 2

- To consider current and future on and off-street car parking provision (including Park and Ride) across BCP Council.
- To consider if new car parking provision is required through future planning requirements.
- To identify any on-street parking that can be re-purposed in line with emerging Council policies supporting sustainable travel.
- To compile a 3-year pricing strategy for car parking across BCP Council that will consider the corporate priorities identified in Stage 1 of the report and look to improve the parking offer in BCP Council, thereby influencing driver behaviour. This should include a review of all permits and their prices as well as pay and display tariffs.
- To consider how new developments and technology can improve the parking service and make the most efficient use of enforcement. For example, removal of some on-street pay and display machines in favour of cashless parking, the installation of ANPR at off-street locations.
- To examine the existing enforcement service, including CCTV (static and mobile), and consider whether any improvements could be made to enhance the level of return.
- To identify any car parking land suitable for disposal which is deemed in excess to requirement.

Stage 3

- To re-engage with key stakeholders and the public.
- Consider the consultation feedback and prepare a final report complete with recommendations.
- Report to Cabinet with recommendations seeking approval to implement.

How it is proposed to be undertaken

- The study is to proposed be undertaken by a combination of specialist external consultant and internal council officers from multiple disciplines. The external consultant is experienced in this area and an objective assessment can be made with knowledge of the wider parking picture across the country.

Benefits of Undertaking the Review

The benefits of undertaking a Strategic Car Parking Review are as follows:

- To consider all aspects of the parking service across BCP Council in one strategic document.
- To benchmark the parking service in BCP Council with other similar authorities.
- To establish the level of parking provision required both now and in the future.
- To fully understand how parking provision and charges could influence mode-shift.
- To compile a 3-year BCP Council wide pricing strategy across all car parks in the context of the whole of the service.
- To understand key stakeholders and the public's aspirations for parking provision around the area and seek to embed their views within the review where possible.
- To understand the level of investment required in the existing car parks.
- To consider possible future uses for car parking assets to reconfigure or redevelop in line with corporate priorities.
- To consider the disposal of surplus parking provision, where appropriate, based on future demand modelling.
- To consider if future additional provision is required.
- To consider any new technology that could enhance the service or provide a more efficient service.
- To compare our enforcement activities against comparable authorities and seek to make this service as efficient as possible.
- To consider any changes to on-street parking provision around the towns to provide a consistent and comprehensive approach on a BCP-wide basis.
- To consider what parking standards could be set for new developments (note: Scope required to inform any future parking SPD to be determined).

Indicative timescales:

Report to Cabinet recommending Strategic Parking Review – October 2019

Stage 1 – December 2019 to March 2020

Stage 2 – April to June 2020

Stage 3 – July to October 2020

Note – this is a working draft and final content/form would be agreed by the steering group if approval to undertake a strategic parking review and establishment of a steering group is given.

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CABINET



Report subject	Transforming Cities Fund (TCF) including Local Cycling & Walking Infrastructure Plan (LCWIP) Programme
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>To inform Cabinet of progress to date regarding the DfT based TCF process and the required development of the BCP LCWIP.</p> <p>To seek delegated authority to the Director of Growth & Infrastructure and Director of Finance (Section 151 Officer) in consultation with the relevant Portfolio Holder to submit the Strategic Outline Business Case (SOBC) to the DfT with the aim of securing TCF funding.</p> <p>To inform Cabinet of proposed next steps regarding both the TCF and LCWIP processes.</p>
Recommendations	<p>It is RECOMMENDED that the Cabinet:-</p> <ul style="list-style-type: none"> (a) notes the progress to date regarding the Transforming Cities Fund (TCF) process and Local Cycling & Walking Infrastructure Plan (LCWIP). (b) delegate authority to the Director of Growth and Infrastructure and Director of Finance (Section 151 Officer) in consultation with the Portfolio Holder for Transport and Infrastructure to submit a Strategic Outline Business Case (SOBC) to the Department for Transport (DfT). (c) approves the development of the programme contained within the SOBC submission to Full Business Case(s) detail utilising LTP funding; and (d) notes the proposed next steps regarding both the Transforming Cities Fund (TCF) and Local Cycling & Walking Infrastructure Plan (LCWIP) processes and the commitment of participating partners.

Reason for recommendations	<p>The delegations are designed to:</p> <ul style="list-style-type: none"> • allow maximum flexibility in meeting the strict DfT timeline for submission with appropriate BCP approvals in place. The submission deadline is 6pm on 28 November 2019. • ensure that if/when TCF funding is awarded to the SE Dorset City Region that the authority is best prepared to progress and then present Full Business Case(s) as required and to progress scheme delivery at pace.
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder for Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director of Regeneration & Economy)
Service Director	Julian McLaughlin – Director of Growth & Infrastructure (Senior Responsible Officer for the SE Dorset City Region TCF application)
Contributors	Richard Pincroft – Transportation Manager (Poole area) Peter Wickett – Senior Walking and Cycling Officer
Wards	Various
Classification	For Decision

Background

1. In spring 2018 the Department for Transport (DfT) announced the Transforming Cities Fund (TCF) with the following Government objective(s):

Encourage an increase in journeys made by low carbon, sustainable modes (proposals which include cycling and walking will be viewed more favourably where they have been derived and prioritised using the Local Cycling and Walking Infrastructure Plan (LCWIP)).

The fund also aims to support wider cross-cutting priorities including: Improving access to work and delivering growth, Encouraging the use of new mobility systems and technology as part of the Grand Challenge on the Future of Mobility, tackling air pollution and reducing carbon emissions, delivering more homes, delivering apprenticeships and improving skills. The above if funded would assist the Council with its declared climate change emergency position.

2. The TCF application guidance stated that there would be £1.1billion available nationally and that to be eligible for shortlisting cities or city regions had to have minimum workday populations in excess of 400,000 and submit an EOI setting out the case for investment.

3. To meet the threshold locally a 'South East Dorset City Region' which covers all BCP Council and urban extensions into the Dorset Council area was identified that had a workday population in excess of 400,000. Refer to Appendix A for plan showing the extent of the SE Dorset City Region. In the summer of 2018 BCP Council in partnership with Dorset Council submitted an EOI for TCF funding.
4. The EOI indicated that 8no. Sustainable Transport Corridors, 7no. Cycling Corridors, Transport Hubs and Technology & Network Management Improvements totalling £150m (cost) could be improved/created across the SE Dorset City Region to help ease congestion, influence travel behaviours and contribute to the goals set out by DfT (refer to section 1 above). Appendix B contains extracts from the original EOI for summary purposes and further context.
5. Initially the SE Dorset City Region was not one of 10 shortlisted by DfT but during the 2018 Autumn Statement additional funding was then added to the TCF pot increasing it to £1.22billion and the number of cities or city regions that could be shortlisted was increased from 10 to 12. In January 2019 following interview at DfT the SE Dorset City Region was shortlisted as 1 of 2 additional city regions successful with our subsequent inclusion into the DfT TCF programme.
6. In March 2019 a conference was hosted by DfT to launch the TCF programme which set out the processes that cities and city regions need to follow to secure funding. The process in summary is set out in the following activity schedule:

Month	Activity	Status
March 2019	DfT visit to SE Dorset City Region	Completed
April 2019	DfT Co-development call	Completed
May 2019	DfT Co-development call	Completed
June 2019	Submit Draft SOBC to DfT	Completed
July 2019	DfT appraise Draft SOBC and feedback	Received
August 2019	Face to face meeting with DfT at DfT	Completed
September 2019	DfT co-development call	Completed
October 2019	DfT visit to SE Dorset City Region	Pending
November 2019	Submit SOBC to DfT	Pending
December 2019	DfT appraise SOBC	Pending
January 2020	DfT SOBC 'Challenge Session' at DfT	Pending
February 2020	Preparation of Full Business Cases	Pending
March 2020	DfT TCF funding announcement*	Pending
April 2020 to March 2023	Delivery of SOBC content**	Pending

Notes:

*this date is indicative and has been interpreted from recent DfT communications.

****DfT** has indicated that schemes/programmes within TCF programmes will need to be locally assured by the preparation and independent assessment of Full Business Cases

7. Unlike many DfT funding streams and programmes in the instance of TCF the DfT are co-developing 3-year programmes (2020/21 to 2022/23) with shortlisted cities and city regions.
8. As can be seen in the activity schedule (refer to section 6) a Draft Strategic Outline Business Case (SOBC) was submitted to DfT on 20 June 2019 and subsequently a face to face feedback session was facilitated at DfT on 20 August 2019.
9. In line with DfT requirements then proposed route-based interventions as identified in the EOI were ranked by completing an Early Sifting Appraisal Tool (EAST) process. This is in accord with Government's 'Green Book' Business Case Development guidance.
10. In addition to the above in line with the TCF guidance the routes identified in the EOI have also been audited using the Local Cycling and Walking Infrastructure Plan (LCWIP) process. Note: the TCF guidance states: *'proposals which include cycling and walking will be viewed more favourably where they have been derived and prioritised using the Local Cycling and Walking Infrastructure Plan (LCWIP)'*.
11. LCWIPs are a strategic approach to identifying cycling and walking improvements required at local level. They form part of the government strategy to increase the number of trips made on foot or by cycle. The key outputs of LCWIPs are:
 - a network plan for walking and cycling which identifies preferred routes and core zones for further development
 - a prioritised programme of infrastructure improvements for future investment
 - a report which sets out the underlying analysis carried out and provides a narrative which supports the identified improvements and network.
12. More details of the LCWIP process, current status and proposed development of the LCWIP for the BCP Council area can be found as background in Appendix C.
13. Via the co-development calls DfT requested that city regions submit 3 no. levels of ask for TCF funding within the Draft SOBC. For the SE Dorset City Region Draft SOBC the 3 levels of ask were as follows:
 - Low = £73m
 - Medium = £99m
 - High = £117m
14. A summary of the Draft SOBC content and more detail on the process followed to derive the content can be found in appendix D of this report.
15. Following DfT assessment of all Draft SOBCs nationally the current DfT advice is that the sum of the 12 low-level asks currently exceeds the level of funding available by several hundreds of millions of pounds. In late August BCP was asked

along with all other city regions to review the low level of ask in the Draft SOBC submission in advance of submitting the final version.

16. Officers are currently working with partners to develop a revised TCF SOBC complete with programme that responds to the feedback received to date from DfT and prior to progressing with the final technical assessment before the November deadline. Note: the process still requires us to submit 3 levels of ask (Low, Med and High)
17. As part of the co-development of an updated TCF programme officers have also been working with partners to establish revised levels of local contribution to the TCF programme i.e. sums that partners propose to commit to invest in their infrastructure/fleet/ systems/marketing etc. as a match to the TCF funding.
18. An indicative plan and schedule of a revised 'Low Ask' TCF programme has been included in appendix E of this report. It should be noted that this plan and the costs therein are very high-level estimates that are likely to change given their dependence on further technical work (in progress), future feedback from DfT via upcoming co-development calls, strategic transport modelling, appraisal work, negotiation with partners and the upcoming DfT visit to the city region.
19. The deadline for the final version of the SOBC is 6pm on 28 November 2019, hence, it is for this reason that delegated authority is being sought in advance of this deadline to enable officers to work with partners and respond to DfT advice and progress technical work right up to the deadline thereby allowing the bid to be as high quality as is possible within the time constraints and thereby increase the likelihood of success.
20. It is recommended that to ensure the TCF programme can be delivered that following submission of the SOBC in November 2019 that the Council assumes that it will receive its full TCF funding ask and in the interim commits to developing the TCF programme from SOBC (high level) to Full Business Case (FBC) level. The rationale for this is that if/when TCF funding is awarded to the SE Dorset City Region it will need to prepare FBC(s) to provide local assurance to the DfT that funding has been invested in the most effective way and prior to receipt of the funds themselves.
21. A key part of the development of the programme to FBC stage would be engagement and consultation on the proposals locally ahead of any detailed design. Officers have worked well with DfT but have started a whole year behind other authorities in developing the case. DfT have thus far been positive about the commitment and quality of our bid which is being prepared under a significant time pressure.

Summary of financial implications

22. The submission of the final SOBC would indicate to government that if it provides the TCF funding for the proposals set out in the SE Dorset SOBC then BCP Council would match fund the programme utilising LTP funding to deliver schemes locally that continue to promote walking, cycling and bus and rail usage.

23. The estimated cost of developing the BCP Council LCWIP from stages 3 and 4 (Network Planning for Cycling and Walking) to stage 5 (Prioritising Improvements) is estimated at circa £60k. This would be funded from an existing LTP programme allocation that has already been approved as part of the LTP capital programme to develop future year LTP schemes.
24. To develop the SOBC, the SE Dorset City Region received £50k from DfT. Costs incurred up to the development of the Draft SOBC stage are circa £150k. Most of this cost has been on specialist consultancy resource that was utilised to develop the strategic and economic elements of the submission.
25. Estimated fees associated with developing the final SOBC from draft are in the region of £300k. Of the £450k total circa £380k is for specialist external support from the Council's engineering framework consultancy. It should however be noted that the SE Dorset City Region is split across BCP Council and Dorset Council, hence, these costs will be shared based on value of works applied for within respective Council boundaries.
26. These fees can again be funded from within the existing BCP LTP funds already allocated from within the LTP capital programme to help develop future LTP schemes. If there is a need then either the Service Director for Growth and Infrastructure or Corporate Director for Regeneration and Economy could record an officer decision under delegated authority to increase the amount of funding in this area of the programme by up to £100k or £500k respectively.

Summary of legal implications

27. The Council's Constitution allows the Leader and cabinet to delegate functions to appropriate officers.
28. A travel survey for the BCP Council area of the SE Dorset City Region was undertaken from October 2018 to January 2019. The outputs of this survey have been assessed and have informed the potential TCF programme.

Summary of human resource implications

29. A key part of the SOBC development process for the TCF is the management case. This is currently being prepared and will set out in detail the resource requirements for delivery of the TCF funded programme across all disciplines (i.e. legal, communications, engagement/consultation, procurement, design, programme management).
30. Based on existing levels of funding within the BCP Council area of the SE Dorset City Region it is likely that TCF funding would increase the capital investment by circa 3-4 times in coming years.
31. Trebling or quadrupling the amount of capital investment from TCF would inevitably lead to a significant demand for resource. The Council has existing consultancy and contractor frameworks in place to assist with filling this resource gap. All works would contribute to capital assets and therefore would be chargeable to the TCF award.

- 32. Final TCF SOBC would need to account for all costs associated with programme management of the TCF and for any additional resource that is required from corporate services to support it (including those listed in section 28 above).
- 33. Completion of the LCWIP will require Council Cycling and Walking Officers to dedicate significant amounts of time to assess the outputs of the LCWIP audits to complete stage 5 - Prioritise improvements to develop a phased programme for future investment and stage 6 - Integrate outputs into local planning and transport policies, strategies, and delivery plans.
- 34. Progression of FBC work in good time through adequate delegation is to also allow the Council to best prepare for its resourcing activity ahead of other applicants given the national shortage of technical resource that already exists.

Summary of environmental impact

- 35. The proposed programme is designed to promote sustainable travel.
- 36. All proposals would be developed to minimise the impact of the construction of any works. This would include early contractor involvement to ensure that construction methods minimise the impact of construction on the environment.
- 37. Where practicable the proposals would include planting of new trees to create shade along routes.

Summary of public health implications

- 38. The proposed programme is designed to promote sustainable travel which should reduce harmful emissions, provide healthy choices, provide better connected communities thereby improving health and wellbeing.
- 39. The proposed programme should also improve road safety, thereby creating a safer environment for all.

Summary of equality implications

- 40. Equalities implication screening has indicated that a full assessment is not required at this stage.
- 41. The proposals all promote sustainable travel and as such will likely enhance the lives of persons with protected characteristics.
- 42. Equalities screening will need to be revisited once the programme content is confirmed to assess any implications during design and construction of the proposals.

Summary of risk assessment

- 43. Without any delegated authority BCP would be less well placed to attract the maximum level of funding with an added pressure on resourcing once bid results were announced.
- 44. If DfT decided not to award any TCF funding to the SE Dorset City Region then the feasibility work undertaken to date and planned for during the stage leading up to

the submission of the final SOBC would not be abortive as the Council would then have plans/proposals already developed for LTP investment and other potential sources of funding – albeit at a slower pace of investment.

45. Proposed schemes along the TCF corridors have been developed in line with TCF objectives and the outputs of the Bournemouth, Christchurch and Poole Travel Survey (October 2018 to January 2019). These schemes have been developed to feasibility level to date and therefore have not been fully consulted upon at a local level.
46. To ensure that local views are considered when developing the programme, it is recommended that consultation locally is undertaken as part of the process of developing schemes from feasibility to their outline design and as part of the Full Business Case (FBC) development. This shall provide maximum flexibility for local views while keeping to the DfT guidance/ expectation.
47. Whilst a TCF award from DfT would represent a significant investment in the area it would not be transformational by itself. The TCF has previously been publicised in the local media and there is a risk that previous coverage may have over inflated public expectation regarding the potential outputs of a TCF programme. A robust communications strategy would be implemented to promote the programme but also consider the management of expectations.

Background papers

Draft South East Dorset Transforming Cities Fund Strategic Outline Business Case (submitted to DfT on 20 June 2019) – available via email on request.

Appendices

Appendix A – Plan of TCF SE Dorset City Region

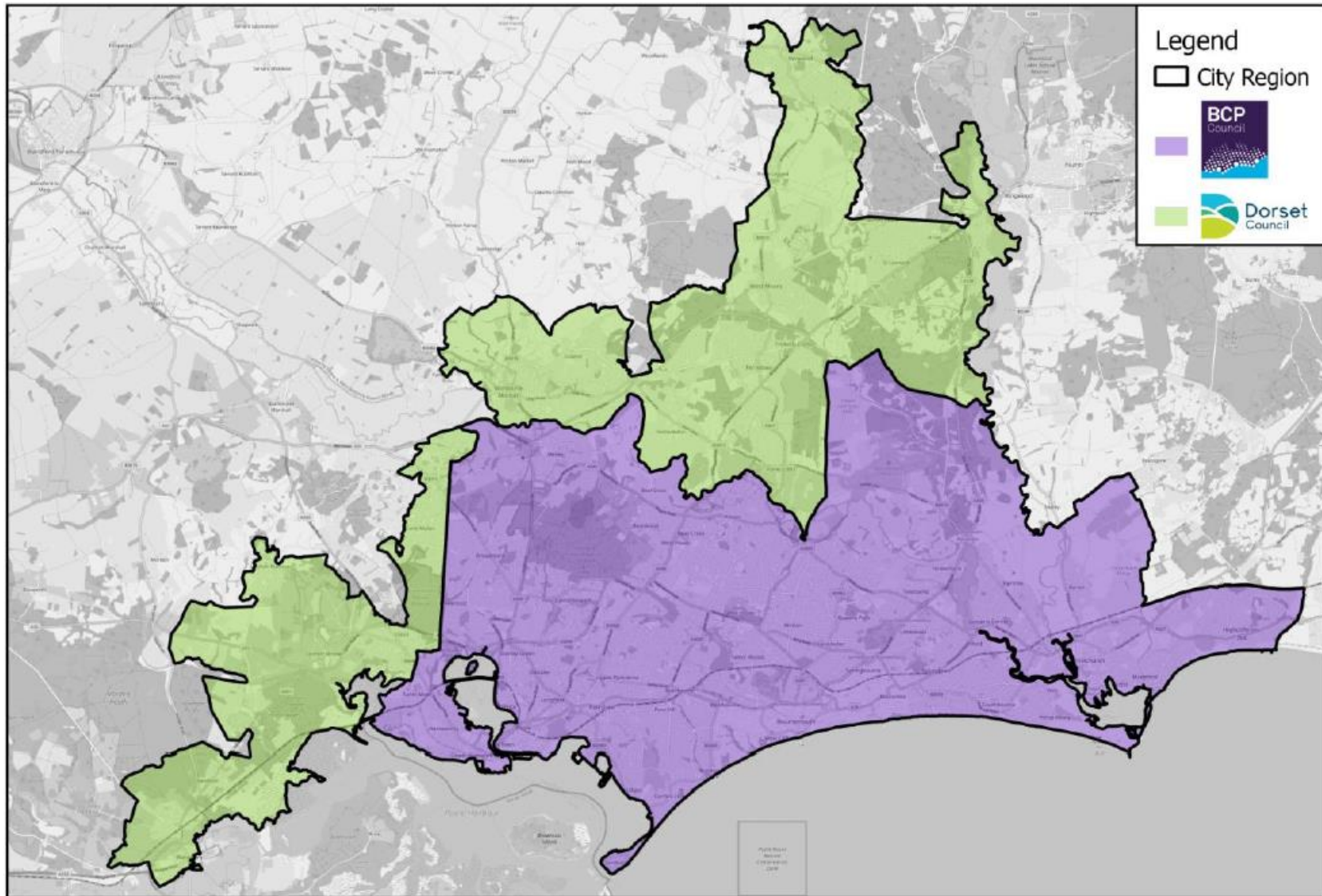
Appendix B – Summary of SE Dorset City Region TCF EOI

Appendix C – BCP Council Local Cycling and Walking Infrastructure Plan (LCWIP) note

Appendix D – Process followed to develop TCF programme from EOI to Draft SOBC

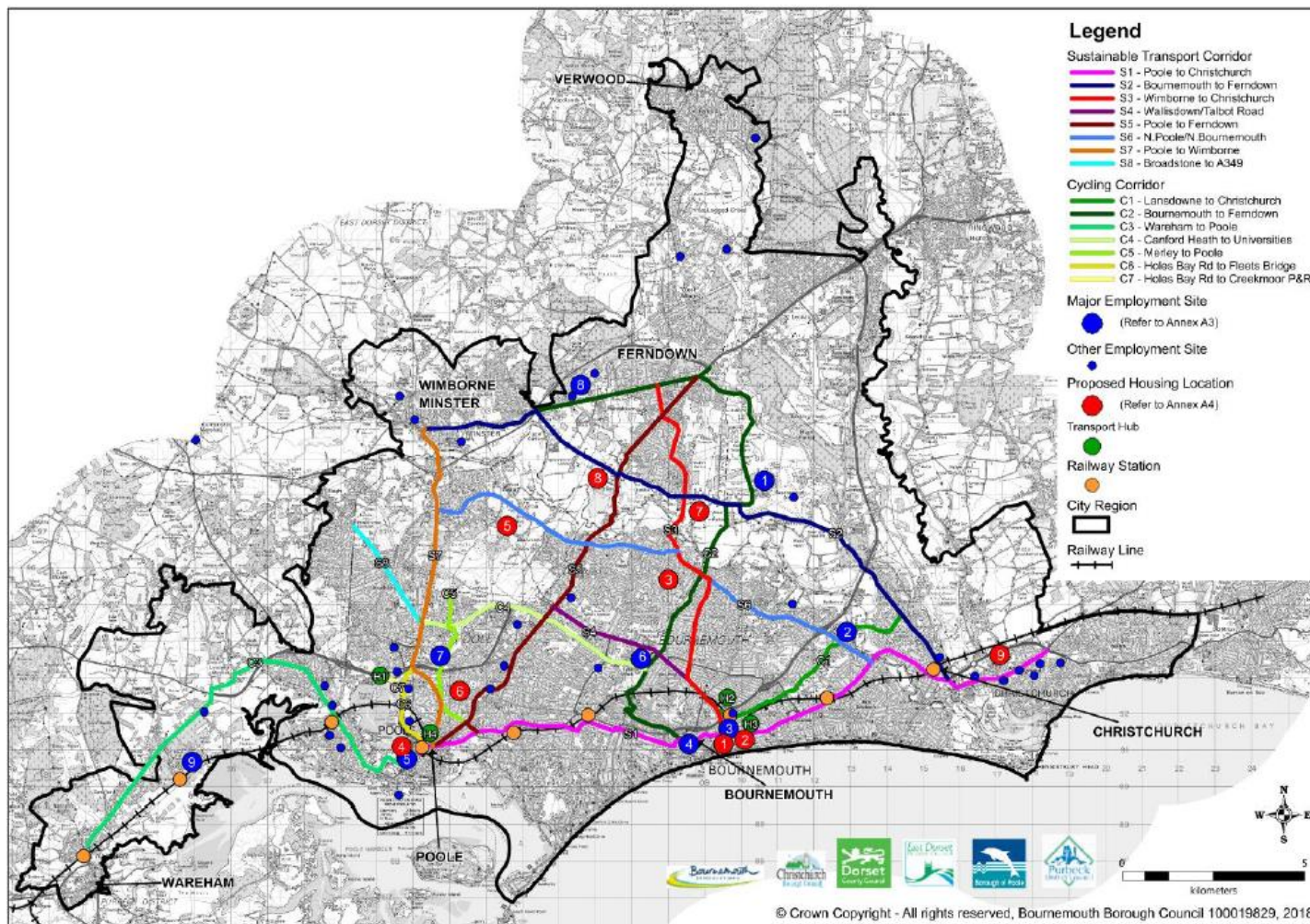
Appendix E – Indicative SE Dorset City Region TCF Programme content as at September 2019

Appendix A – Plan of TCF SE Dorset City Region



Appendix B – Summary of SE Dorset City Region TCF EOI

Plan from EOI showing corridor extents/types – please turn over for cost schedules.



Appendix B – cont'd: EOI schedule of interventions and costs (1 of 2):

Sustainable Transport and Digital Corridors (bus, cycle & technology enabling)					
High speed, direct bus routes – to include better bus facilities, safer cycle facilities, public realm improvements and rationalisation of on-street car parking. Highways communication fibre cabling to enable bus priority, traffic management and other intelligent transport systems (ITS), real time information, connected vehicle technology and potentially autonomous vehicle testing and other 'Smart City' technologies.					
Ref.	Road No.	Scheme/Initiative	Indicative Cost £m	Source	Description/Purpose
S1	A35	Poole to Christchurch Sustainable Transport Corridor	5.00	SEDMMTS (2012)	Provides better bus and cycle connectivity between Poole, Bournemouth & Christchurch. £17m previously funded from LSTF. Additional work to include additional cycle/walking/urban realm improvements and rationalisation of on-street car parking.
S2	A347/ C321/ A341	Bournemouth to Ferndown/(Wimborne) Sustainable Transport Corridor	20.00	SEDMMTS (2012)	Enables direct bus services and cycle routes between Bournemouth and Ferndown/(Wimborne). Will serve existing residential areas, proposed significant new housing, including at Parley, and industrial estates. Reduction in parking partially offset by provision of new additional off-street parking facilities.
S3	B3073	Wimborne to Christchurch/(Bournemouth) Sustainable Transport Corridor	8.00	SEDMMTS (2012)	Enables direct bus services and cycle routes between Wimborne and Christchurch/(Bournemouth). Will serve existing residential areas, proposed new housing at Parley & Longham industrial estates (incl Aviation Park) and Airport.
S4	A3049/ A347	Wallisdown Road/Talbot Avenue Sustainable Transport Corridor	15.00	SEDMMTS (2012) / 2015 Growth Deal/ 2017 NPIF.	Links Bournemouth University and Arts University to Lansdowne (halls of residence) and Bournemouth town centre. Will serve proposed development at Talbot Village. Addresses high cycling casualty rate. £3.33m already received through Growth Deal and NPIF.
S5	B3068/ A348	Poole to Ferndown Sustainable Transport Corridor	15.00	SEDMMTS (2012)	Enables direct bus services and cycle routes between Poole and Ferndown. Will serve existing residential areas, proposed new housing at Bearwood and Longham and major industrial estates. £6m funding available through Growth Deal.
S6	A341/ A3060	North Poole/North Bournemouth Sustainable Transport Corridor	24.00	SEDMMTS (2012)	Enables direct bus services and cycle routes across along Magna Road, Wimborne Road (pt) Castle lane West and Castle Lane East. This serves Merley, Bear Cross Northbourne and Charminster. It will also serve Bournemouth Hospital, JP Morgan, existing and proposed employment at Wessex Fields and potential significant new housing adjacent to the corridor. Addresses air quality issue at Cooper Dean Flyover.
S7	A341/ A349/A35	Poole to Wimborne Sustainable Transport Corridor	5.00	New scheme	Enables direct bus services and cycle routes between Poole and Wimborne.
S8	B3074	Broadstone to A349 Sustainable Transport Corridor	2.00	New scheme	Enables direct bus services and cycle routes between Broadstone and A349. Enhanced to include additional cycle/walking/urban realm improvements and rationalisation of on-street car parking.
Direct Strategic Cycle Routes					
High quality, direct on & off road dedicated cycle lanes; continuous footways/cycleways across minor junctions; cycle signage; cycling information, safety improvements.					
Ref.	Road No.	Scheme/Initiative	Indicative Cost £m	Source	Description/Purpose
C1	Off Road	Lansdowne (Bmth) to Christchurch Major Cycle Route	1.00	Enhances existing route	Links Bournemouth Town Centre to Christchurch. Serves Bournemouth rail and bus stations, AFC Bournemouth, JPM Morgan, Bournemouth Hospital, Wessex Fields employment site, including proposed new sites and Christchurch.
C2	A347/ Off Road	Bournemouth to Ferndown/(Wimborne) Major Cycle Route	7.00	New scheme	Links Bournemouth town centre, universities, major urban and outer urban residential areas in Bournemouth and Ferndown; new housing at Parley Cross and major employment at Bournemouth Aviation Park and Ferndown. Boundary Road/Bournemouth Aviation Park/Ferndown Major Cycle Route. Upgrades Bourne Valley Greenway.
C3	A351/ A350	Wareham to Poole Major Cycle Route	1.00	Enhances existing route	Completes final gaps in cycle network between Wareham and Poole
C4	A3049	Canford Heath (Poole) to Universities Major Cycle Route	1.00	Enhances existing route	Links significant existing housing at Canford Heath with Bournemouth University and the Arts University. Upgrades existing Bourne Valley Greenway. Connects in with cycle route on to Bournemouth town centre.
C5	Off Road	Merley to Poole Major Cycle Route	0.50	Enhances existing route	Links Merley to Poole town centre, rail and bus stations and Nuffield Industrial Estate.
C6	A350	Holes Bay Road to Fleets Bridge Cycle Route Improvements	0.25	Enhances existing route	Links Poole Town Centre to Fleets Bridge. Serves various industrial estates including the Nuffield Industrial Estate.
C7	A350	Holes Bay Road to Creekmoor P&R Cycle Link	0.25	Enhances existing route	Links Poole town centre Creekmoor Park & Ride for Park and Cycle.

Appendix B – cont'd: EOI schedule of interventions and costs (2 of 2):

Transport Hubs					
Travel interchanges, accessibility, cycling, walking and urban realm improvements					
Ref.	Road No.	Scheme/Initiative	Indicative Cost £m	Source	Description/Purpose
H1	A35 Park & Ride	Creekmoor Park & Ride	2.00	Enhances existing provision	Enhancement of existing Park & Ride site. Allows for interchange to high speed bus services and cycle links into Poole.
H2	B3064/A338	Lansdowne (Bmth) Travel Interchange	4.00	Growth Deal Scheme	New travel interchange between car/train/bus/ walking and cycling. Enables full Lansdowne Business District Scheme to be completed.
H3	Place	Bournemouth Rail and Bus Station Connectivity	8.00	Growth Deal Scheme	Improve walking links between the rail and bus stations and the major business centre at the Lansdowne. Supports completion of full Lansdowne Business District Scheme.
H4	Place	Poole Rail and Bus Station (new) Connectivity	8.00	Growth Deal Scheme	Links the rail and bus stations to Poole Town Centre. Contributes towards new Poole Bus and Rail Stations. Supports the Poole Town Centre (North) Growth Deal scheme
H5	General	Electric bus charging facilities	4.00	New scheme	Electric bus charging facilities to enable the roll-out of electric buses.
H6	Place	Accessibility improvements around transport hubs	2.00	Enhances existing provision	Improve walking and cycling facilities around and within rail stations
H7	Place	Provision of cycle storage at key transport hubs	0.50	Enhances existing provision	Provision of cycle lockers at key rail stations, the Creekmoor Park & Ride site and outer areas.
H8	Place	Provision of cycle hire at key transport hubs	0.50	Enhances new scheme	Provision of cycle hire (including electric bikes) at key rail stations, the Creekmoor Park & Ride site and outer areas.
H9	Place	Provision of cycle parking at key locations	0.50	Enhances existing provision	Provision of safe and secure cycle parking facilities at key locations
H10	General	Cycle grant scheme for businesses	1.50		Grants to businesses towards provision of cycle storage; pool bike schemes; shower and drying facilities and potential central bike hubs on major industrial estates. Will require match-funding.
Technology & Network Management Improvements					
Comprehensive Smartphone travel app including payment and joint ticketing systems; real time and predictive traffic management system; new central traffic control facility (part of a future Smart City data centre); and connected & autonomous vehicle technology.					
Ref.		Scheme/Initiative	Indicative Cost £m	Source	Description/Purpose
T1	Tech-nology	Transport Joint Ticketing System and Travel App	4.00	SEDMMTS (2012)	Smartphone/card transport ticketing system and comprehensive travel app covering buses, trains, bike hire; car share; car clubs, incentivisation of sustainable travel, real-time information and electronic ticket purchasing. Maximises outcomes from sustainable transport interventions.
T2	Tech-nology	Network Management System	2.00	SEDMMTS (2012) (3a pt)/ New scheme	Enables real-time, proactive, control room management of the highway network
T3	Tech-nology	New Traffic Control Room	3.00	SEDMMTS (2012) (3a pt)/ New scheme	Enables real-time, proactive, control room management of the highway network
T4	Tech-nology	Intelligent Transport Systems and Connected Vehicles	5.00	New scheme	Utilising ITS and latest connected vehicle technology on major corridors to optimise route choice and journey timings on the network - typically to provide priority for buses and emergency vehicles.

Appendix C – BCP Council Local Cycling and Walking Infrastructure Plan (LCWIP) note

Background

In 2017 the Government published its first Cycling and Walking Investment Strategy (**The Strategy**). **The Strategy** sets out the Government's ambition to make walking and cycling the natural choices for shorter journeys or as part of a longer journey.

It will take sustained investment in cycling and walking infrastructure to realise this ambition, and partnership working with local bodies, the third sector and the wider public and private sector to build a local commitment.

The Strategy supports the transformation of local areas: change which will tackle congestion, change which will extend opportunity to improve physical and mental health, and change which will support local economies.

The Strategy's objectives, by 2020, are to:

- increase cycling activity, where cycling activity is measured as the estimated total number of cycle stages made
- increase walking activity, where walking activity is measured as the total number of walking stages per person
- reduce the rate of cyclists killed or seriously injured on England's roads, measured as the number of fatalities and serious injuries per billion miles cycled
- increase the percentage of children aged 5 to 10 that usually walk to school

Further to this, the following aims and target have been set, respectively, to 2025:

- to aim to double cycling, where cycling activity is measured as the estimated total number of cycle stages made each year, from 0.8 billion stages in 2013 to 1.6 billion stages in 2025, and to work towards developing the evidence base over the next year
- to aim to increase walking activity, where walking activity is measured as the total number of walking stages per person per year, to 300 stages per person per year in 2025, and to work towards developing the evidence base over the next year
- to increase the percentage of children aged 5 to 10 that usually walk to school from 49% in 2014 to 55% in 2025

By 2040, the Government's ambition is to deliver:

BETTER SAFETY

'A safe and reliable way to travel for short

- streets where cyclists and walkers feel they belong, and are safe
- better connected communities
- safer traffic speeds, with lower speed limits where

journeys'	<p>appropriate to the local area</p> <ul style="list-style-type: none"> • cycle training opportunities for all children
<p>BETTER MOBILITY</p> <p>'More people cycling and walking - easy, normal and enjoyable'</p>	<ul style="list-style-type: none"> • more high-quality cycling facilities • more urban areas that are considered walkable • rural roads which provide improved safety for walking and cycling • more networks of routes around public transport hubs and town centres, with safe paths along busy roads • better links to schools and workplaces • technological innovations that can promote more and safer walking and cycling • behaviour change opportunities to support increased walking and cycling • better integrated routes for those with disabilities or health conditions
<p>BETTER STREETS</p> <p>'Places that have cycling and walking at their heart'</p>	<ul style="list-style-type: none"> • places designed for people of all abilities and ages so they can choose to walk or cycle with ease • improved public realm • better planning for walking and cycling • more community-based activities, such as led rides and play • streets where local places want them • a wider green network of paths, routes and open spaces

Overview of Local Cycling and Walking Infrastructure Plans

LCWIPs, as set out in **The Strategy**, are a strategic approach to identifying cycling and walking improvements required at the local level. They enable a long-term approach to developing local cycling and walking networks and form a vital part of **The Strategy** to increase the number of trips made on foot or by cycle.

The key outputs of **LCWIPs** are:

- a network plan for walking and cycling which identifies preferred routes and core zones for further development
- a prioritised programme of infrastructure improvements for future investment
- a report which sets out the underlying analysis carried out and provides a narrative which supports the identified improvements and network

By taking a strategic approach to improving conditions for cycling and walking, the **LCWIP** will assist us to:

- identify cycling and walking infrastructure improvements for future investment in the short, medium and long term
- ensure that consideration is given to cycling and walking within both local planning and transport policies and strategies
- make the case for future funding for walking and cycling infrastructure

While the preparation of a **LCWIP** is non-mandatory, the Government have made it clear that local authorities who have plans will be well placed to make the case for future investment.

LCWIP Process

The **LCWIP** process includes six stages:

1. Determining Scope – Establish the geographical extent of the **LCWIP**, and arrangements for governing and preparing the plan.
2. Gathering Information – Identify existing patterns of walking and cycling and potential new journeys, review existing conditions and identify barriers to cycling and walking, and review related transport and land use policies and programmes.
3. Network Planning for Cycling – Identify origin and destination points and cycle flows, convert flows into a network of routes, and determine the type of improvements required.
4. Network Planning for Walking – Identify key trip generators, core walking zones and routes, audit existing provision, and determine the type of improvements required.
5. Prioritising Improvements – Prioritise improvements to develop a phased programme for future investment.
6. Integration and Application – Integrate outputs into local planning and transport policies, strategies, and delivery plans.

In following the **LCWIP** process, the Council must consider its obligation to meet the needs of people with protected characteristics under the Equalities Act 2010; the **LCWIP** should reflect the needs of all.

In 2017, a successful bid was made to the Department for Transport (DfT) for a package of technical and strategic support. That support began in September 2018 for a period of 12 months. Support has been provided by two key partners; WSP for technical support and Sustrans for strategic support.

Stage 1: Determining Scope

The initial proposal was to define the geographical area as the two former local authority areas of Poole and Bournemouth. This was because there was already collaboration on cycling matters and sharing officer resources. Following confirmation that Christchurch was to merge with Poole and Bournemouth, to form a single unitary

authority, the DfT agreed to extend the geographical area to cover the whole conurbation.

Effective engagement is critical to ensuring that a high quality LCWIP is produced. An engagement strategy was developed early in 2019, in recognition of the importance of communicating with stakeholders throughout the process, and consulting with them at critical decision points, enabling their views to be expressed and considered.

Key interest groups, such as the Active Travel Forum and Bournemouth University, have already been involved in establishing the primary desire lines for cycling. These desire lines have also received a lot of positive feedback from the public at the recent Cycle Celebration at Poole Quay (July 2019). The next significant engagement opportunity is towards the end of stages 3 and 4, when the draft network maps and proposed infrastructure improvements are published as part of the **TCF** work.

Stage 2: Gathering Information

WSP assisted with the gathering of information by reviewing relevant local policies and strategies with which the **LCWIP** should align, collating information on the existing network and trips, and identifying existing and planned trip generators.

The information gathered during this stage is being used during the planning and prioritising stages (stages 3, 4 and 5) of the **LCWIP** process.

Stage 3: Network Planning for Cycling

The third stage of the **LCWIP** process maps the future cycle network and identifies cycling infrastructure improvements. The three key steps are:

- Identifying and clustering trip origin and destination points
- Establishing desire lines for cycle movement
- Planning the network and identifying improvements

The main trip origin points across the conurbation were mapped using population-weighted nodes from the 2011 census, with some additional nodes to represent future development sites. The destination points included town and district centres, out-of-centre employment and retail sites, key education sites, hospitals, selected leisure and attraction sites, and transport interchanges. All this information is detailed in Figure 1.

Direct desire lines were then plotted between the origins and destinations, as illustrated in Figure 2. They are all indicated with straight lines and not linked to existing roads or cycle routes. These desire lines were then clustered to refine the network into a principal cycling network, as shown in Figure 3.

Converting desire lines into routes for inclusion in the **LCWIP** is an iterative process but is one of the most important elements of the process. The routes currently under investigation are shown in Figure 4. When converting desire lines into preferred routes to create a cycle network, it is important to consider the attributes of the existing transport network and its suitability for cycling. Based on established practice both internationally and in the UK, good routes for cycling should achieve the five core design outcomes of being coherent, direct, safe, comfortable, and attractive.

To help assess and compare potential routes for inclusion in the network, a Route Selection Tool (**RST**) has been developed by the DfT. The primary function of the tool is to assess the suitability of a route in its existing condition against core design outcomes and then compare it with the potential future state, if improvements were made. It also enables the merits of alternative routes to be easily compared.

The **RST** uses a range of criteria to assess how well a route meets the core design outcomes for cycling. They are directness, gradient, safety, connectivity, and comfort. The number of critical junctions is also recorded to enable a high-level evaluation of both links and junctions within one tool. A critical junction is one with characteristics that are hazardous for cyclists. For example, high traffic volumes, lack of priority or segregation, or crossing slip roads or large roundabouts.

Gradient has been added as it is an important factor in the choices that cyclists make when considering route options. Attractiveness is not included in the **RST** as it is not deemed to be a key deciding factor between routes.

The key output of this stage is a **Cycling Network Map**, providing a high-level overview of the preferred routes for further investigation and development, while the **Programme of Cycle Infrastructure Improvements** summarises the interventions that are required for routes within the network to be brought up to a suitable standard.

The **Cycling Network Map** and the **Programme of Cycle Infrastructure Improvements** are the key outputs of the **LCWIP** process and are both strategic planning documents. The current version of the Cycling Network Map, as used for auditing and assessment work in the **TCF** project, is in Figure 5. As can be seen, all the sustainable travel TCF corridors are covered on the map.

Stage 4: Network Planning for Walking

The fourth stage of the **LCWIP** process maps the future walking network and identifies infrastructure improvements. The three key steps are:

- Identifying and clustering trip origin and destination points
- Establishing key walking routes and core walking zones
- Auditing the main routes and identifying barriers

A comprehensive walking network, that accommodates most pedestrian trips, already exists. However, although routes may exist, people are often deterred from using them due to severance issues, such as the need to cross roads, or because the facilities are poorly designed or maintained. Therefore, the focus of the **LCWIP** is to improve, and in some cases extend, the existing walking network, in order to encourage people to make more short trips on foot.

The walking trip origin and destination points are the same as those used for the cycling network planning. Core Walking Zones (**CWZs**) normally consist of several walking trip generators that are located close together, such as a town centre or business parks. They were defined for all our town and district centres using the relevant Local Plans. Given the dense urban network of walking routes in the conurbation, the **CWZs** needed to be divided into two different tiers, to keep the workload manageable. Tier 1 comprises the three main town centres of Poole, Bournemouth and Christchurch. Tier 2 comprises all other district centres. All the

CWZs are shown in Figure 6. Within **CWZs**, all pedestrian infrastructure is deemed to be important.

The important pedestrian routes that serve each of the Tier 1 **CWZs** have been located and mapped, to two kilometres from the edge of the **CWZ**. These are the Key Walking Routes (**KWRs**).

Severance can create **Funnel Routes** with high pedestrian flows, due to the lack of alternatives. Barriers include rivers, railway lines and heavily-trafficked roads with a limited number of crossing points. These **Funnel Routes** have been identified by officers from each of the former local authority areas, as a desktop exercise, and are shown in Figure 7. Engagement with the public will help to identify other barriers and **Funnel Routes**.

As part of the Welsh Active Travel Design Guidance, a Walking Route Audit Tool (**WRAT**) was developed to assist with the auditing of walking routes. The auditing methodology targets the five core design outcomes for pedestrian infrastructure, like those for cycling. They are attractiveness, comfort, directness, safety and coherence.

Unlike cycling, the assessment needs to consider the needs of vulnerable pedestrians who may be older, visually impaired, mobility impaired, hearing impaired, with learning difficulties, buggy users, or children.

The key output of this stage is a **Walking Network Map**, detailing **KWRs** and **CWZs** for further investigation and development, while the **Programme of Walking Infrastructure Improvements** summarises the interventions that are required for routes within the network to be brought up to a suitable standard.

The **Walking Network Map** and the **Programme of Walking Infrastructure Improvements** are the key outputs of the **LCWIP** process and are both strategic planning documents. The auditing and assessment work is still in progress.

Stage 5: Prioritising Improvements

The fifth stage of the **LCWIP** process sets out the approach to prioritising walking and cycling infrastructure improvements. The three key steps are:

- Developing timescales for delivery
- High-level appraisal and costing of schemes
- Prioritising improvements considering effectiveness, cost and deliverability

The infrastructure is prioritised into three categories:

- Short term – improvements that can be implemented quickly (typically less than three years)
- Medium term – improvements where there is a clear intention to act but delivery is dependent on further funding availability or other issues, such as land acquisition (typically up to five years).
- Long term – more aspirational improvements (typically more than five years).

Priority is given to improvements that are most likely to have the greatest impact on increasing the number of people who choose to walk and cycle and, therefore, provide the greatest return on investment. Post-implementation evidence of the benefits of these early schemes will help to strengthen the case for further investment.

Stage 6: Integration and Application

The final stage of the **LCWIP** process considers how it will be integrated into our policies, strategies, and other plans. The three key steps are:

- Integrating the **LCWIP** within local policies and plans
- Using the **LCWIP** to prepare bids, strategies and delivery plans
- Reviewing and updating the **LCWIP** in line with future plans and developments

Guidance indicates that the **LCWIP** will need to be reviewed and updated approximately every four to five years, to reflect progress made with implementation.

Figures:

Figure 1: LCWIP Origins, Destinations and Cluster Nodes

Figure 2: LCWIP Cycling Desire Lines

Figure 3: LCWIP Cycling Desire Lines and Trend Coverage Lines

Figure 4: LCWIP Proposed Primary Cycling Corridors

Figure 5: LCWIP Draft Cycling Network Map

Figure 6: LCWIP Proposed Core Walking Zones - Tiers 1 and 2

Figure 7: LCWIP Proposed Core Walking Zones and Key Walking Routes - Tier 1

Figure 1: LCWIP Origins, Destinations and Cluster Nodes

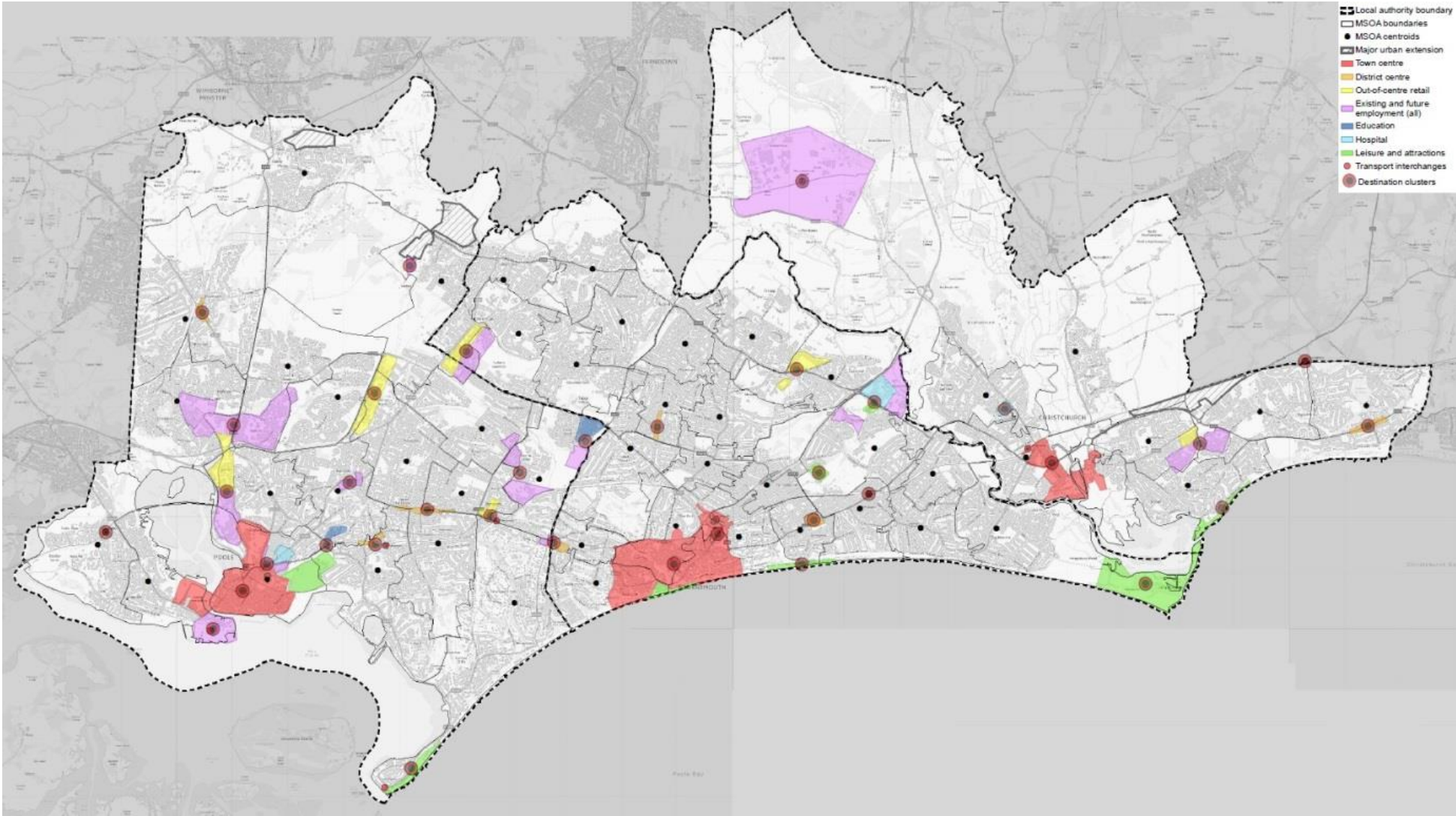


Figure 2: LCWIP Cycling Desire Lines

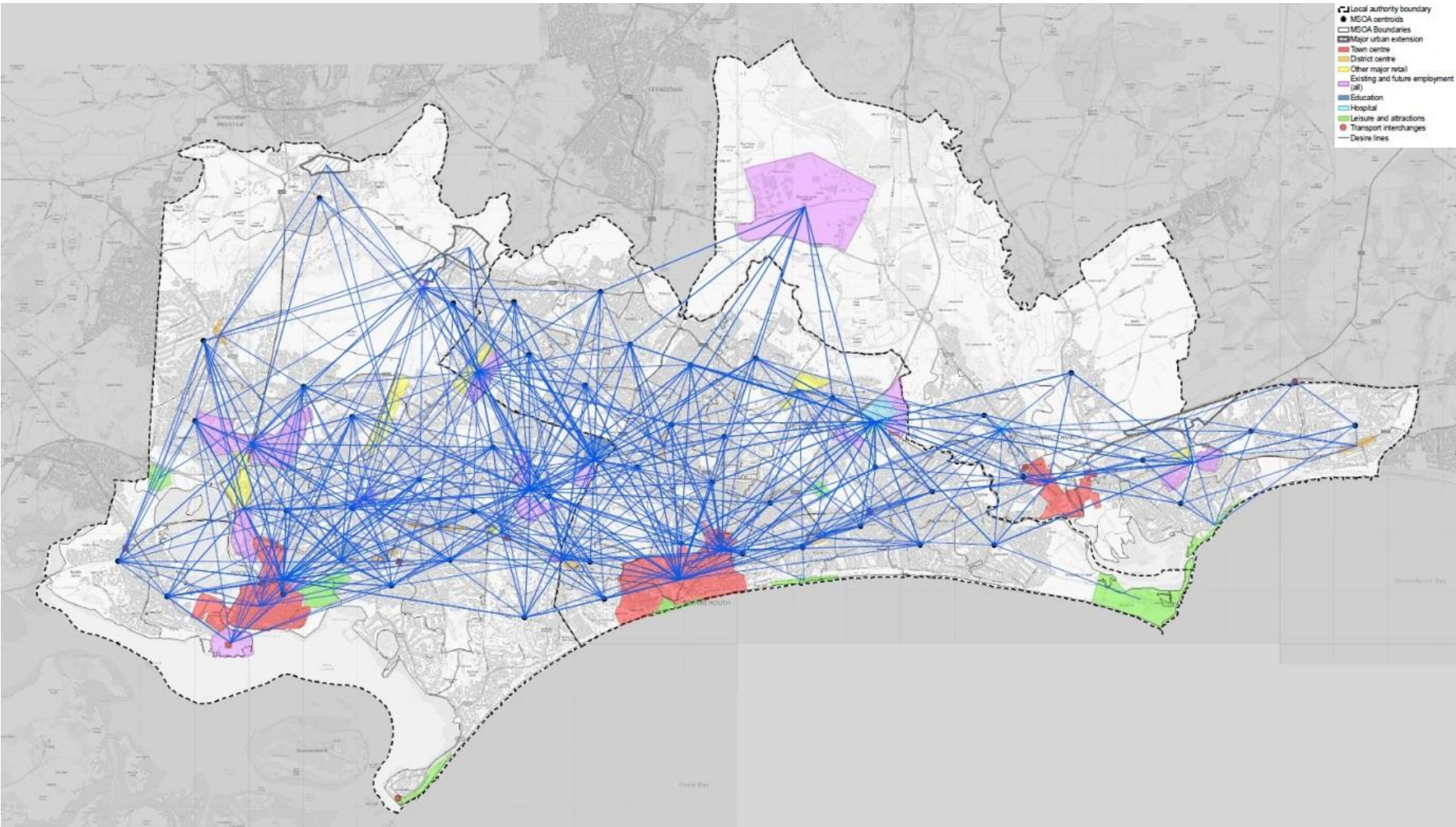


Figure 3: LCWIP Cycling Desire Lines and Trend Coverage Lines

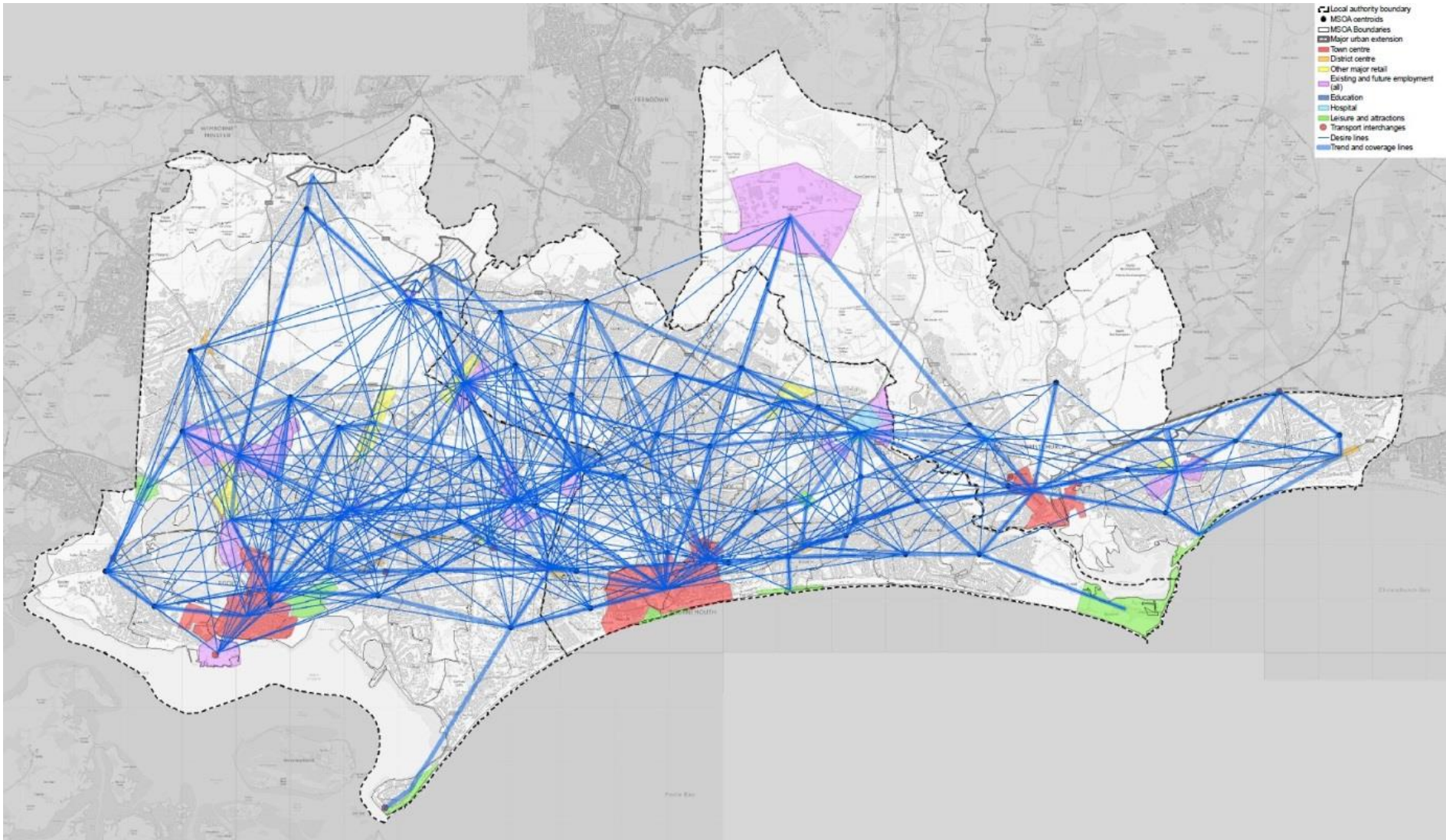


Figure 4: LCWIP Proposed Primary Cycling Corridors

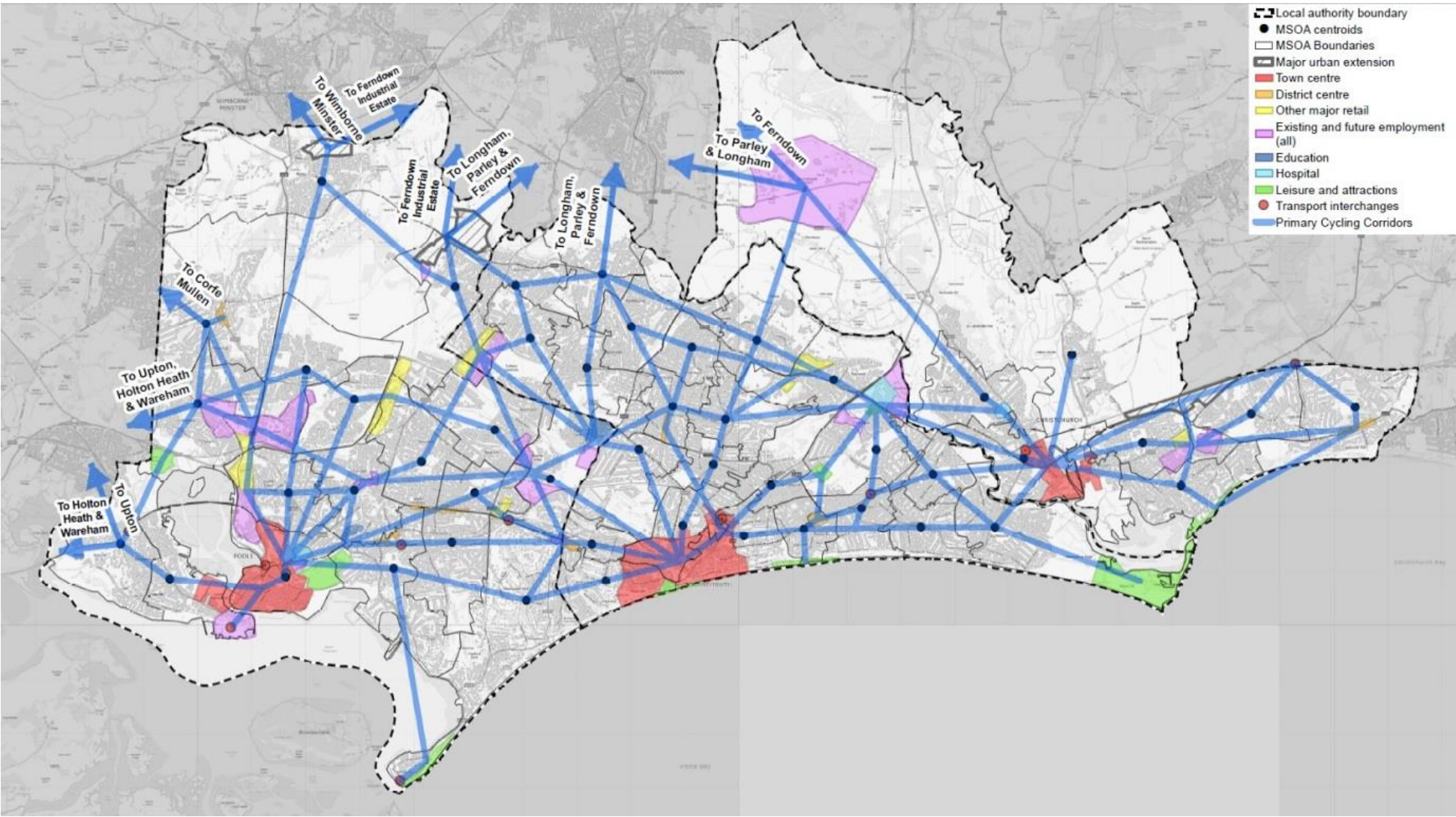


Figure 5: LCWIP Draft Cycling Network Map

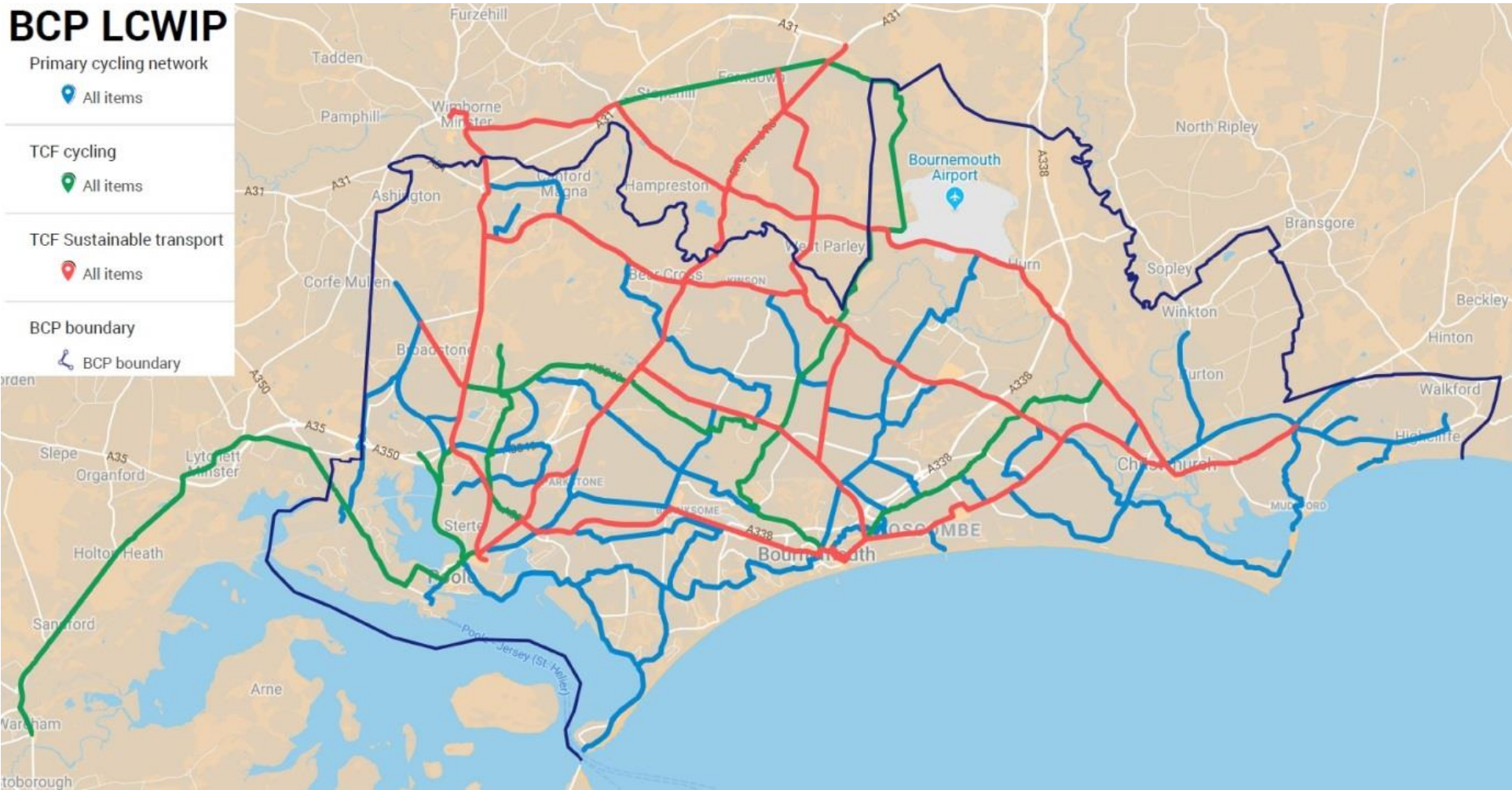


Figure 6: LCWIP Proposed Core Walking Zones - Tiers 1 and 2



Figure 7: LCWIP Proposed Core Walking Zones and Key Walking Routes - Tier 1



Appendix D – Process followed to develop programme from EOI to Draft SOBC

1. The original Expression of Interest had a technology bias and DfT feedback at March 2019 workshop was that TCF proposals should be more walking, cycling, bus and rail focussed.
2. In light of this feedback a refreshed DRAFT SE Dorset City Region TCF vision was created and used to inform various task groups and consultants (WSP) that had been appointed to prepare the Draft SOBC. The Draft vision is as follows:

Transform the sustainable transport offer within the SE Dorset City Region to provide better access for all to work and education, boost productivity, enabling housing delivery, reduce air pollution, carbon emissions and reduce the number of local journeys made by car.

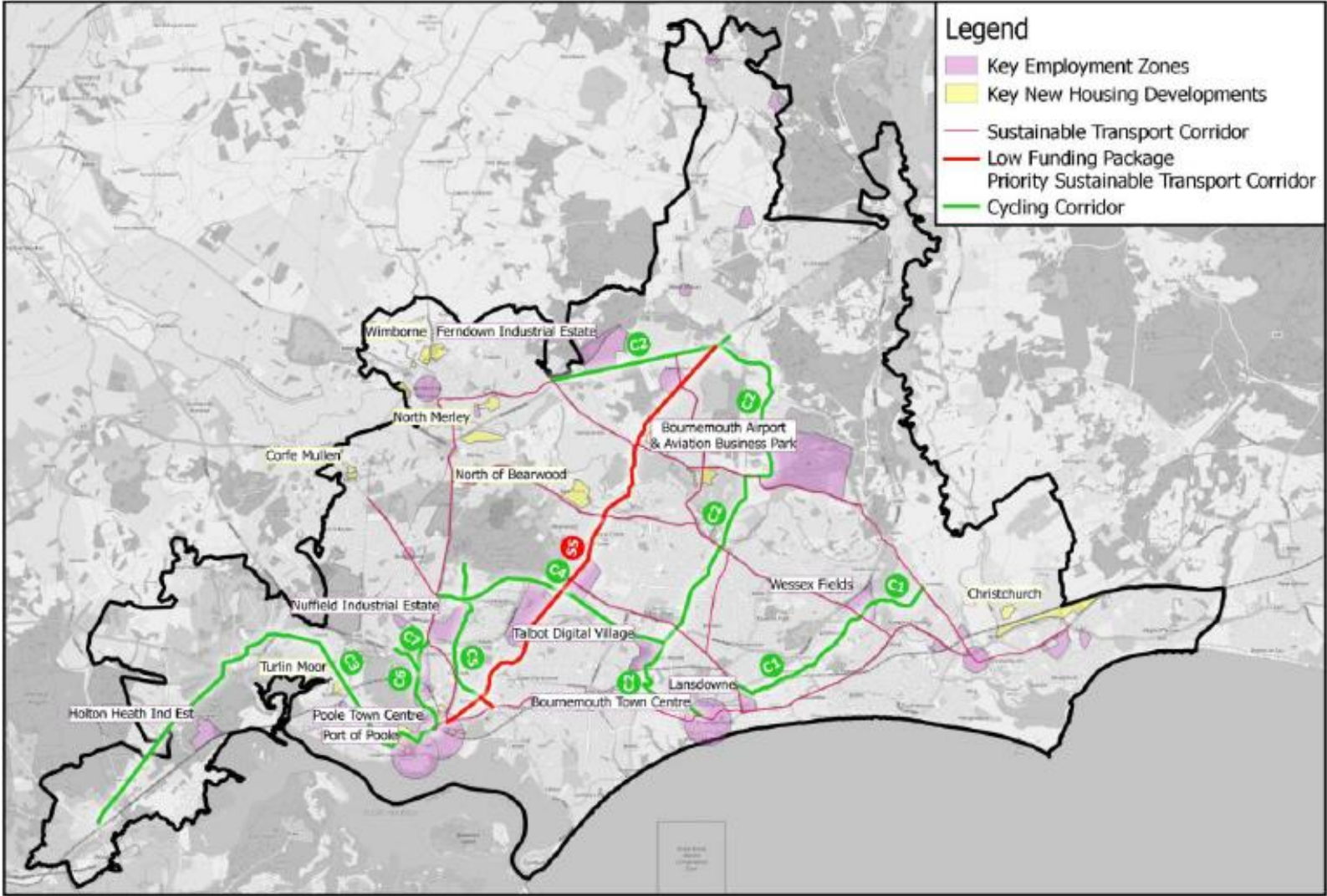
3. The objectives and goals behind the vision were used to create 9no. task groups covering the following areas/disciplines.
 - a) Sustainable Transport Corridors (15no. corridors from EOI 8no. described as sustainable corridors plus 7no. cycle corridors).
 - b) Wayfinding
 - c) Sustainable Work Places
 - d) Bike share
 - e) Bus and Rail (including E-buses)
 - f) Network management
 - g) Traffic and Parking
 - h) Policy
 - i) Travel app

Note: there was no specific air quality/climate change work group due to the outputs of these workstreams contributing positively to these areas.

4. The task groups were thoroughly briefed/empowered and reported back and the outputs from these groups was fed into the Draft SOBC process to create a programme level Benefit Cost Ratio (BCR) to satisfy DfT that investment in the SE Dorset City Region would result in positive benefit(s).
5. Alongside and included within the task groups was stakeholder engagement with key partners including; Morebus, Yellow Buses, South Western Railway, Network Rail and Beryl. Meetings/correspondence was undertaken to ascertain from these partners what their likely contributions would be to a SE Dorset City Region TCF programme to inform the Draft SOBC.
6. Through these task groups officers with partners reviewed the proposals scheduled in the original EOI and applied government's Early Sifting Appraisal Tool (EAST) process in line with Government's 'Green Book' Business Case Development which was a stipulation of the DfT TCF guidance.
7. The outcome of the process and with consideration of the request of DfT for 3 levels of ask was the 3 following Draft SOBC TCF programmes:

TCF Low Ask:

Low Level Funding Package

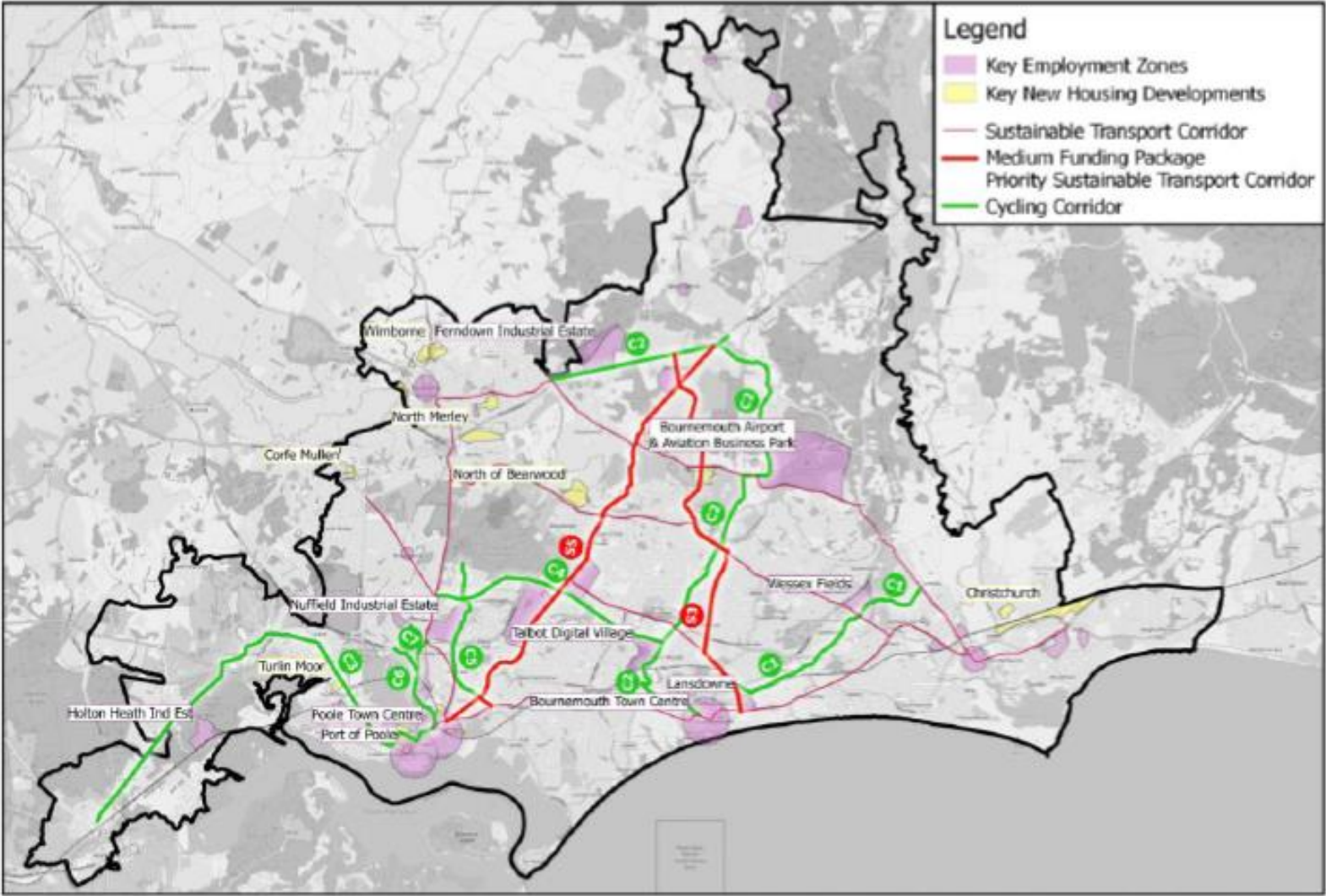


Summary of low ask:

Packages	Sub-packages	Sub-package costs [£]	Package costs [£] (TCF ask)
Sustainable Transport Corridors	S5 - Poole to Ferndown	£20,670,000	£20,670,000
Cycling Corridors	C1 - Lansdowne to Christchurch	£2,640,000	£21,543,252
	C6 - Holes Bay to Fleetsbridge	£3,204,045	
	C5 - Merley to Poole	£2,643,017	
	C4 - Canford Heath to University	£2,825,000	
	C7 - Holes Bay Road to Creekmoor P&R	£2,841,190	
	C3 - Wareham to Poole	£2,220,000	
	C2 - Bournemouth to Ferndown	£5,170,000	
Transport Hubs	New Bus Station and associated off-site bus depot element of the Heart of Poole development scheme	£23,700,000	£27,125,000
	Wayfinding	£440,000	
	E Bus	£1,260,000	
	Work Place Facilities	£1,500,000	
	Beryl Bikes	£1,225,000	
Network Management	Travel App	£750,000	£3,248,500
	Real time network management monitoring system	£1,690,000	
	Enhancement of UTMC systems and standardisation across boundaries to ensure compatibility of new systems	£143,500	
	Bus priority within signals	£75,000	
	Variable message signs	£140,000	
	HGV management system – Longham	£250,000	
	Linking of DC and BCP Council Network Management to Highways England Network	£200,000	
		Sub-total (low)	£72,586,752

TCF Medium Ask:

Medium Level Funding Package

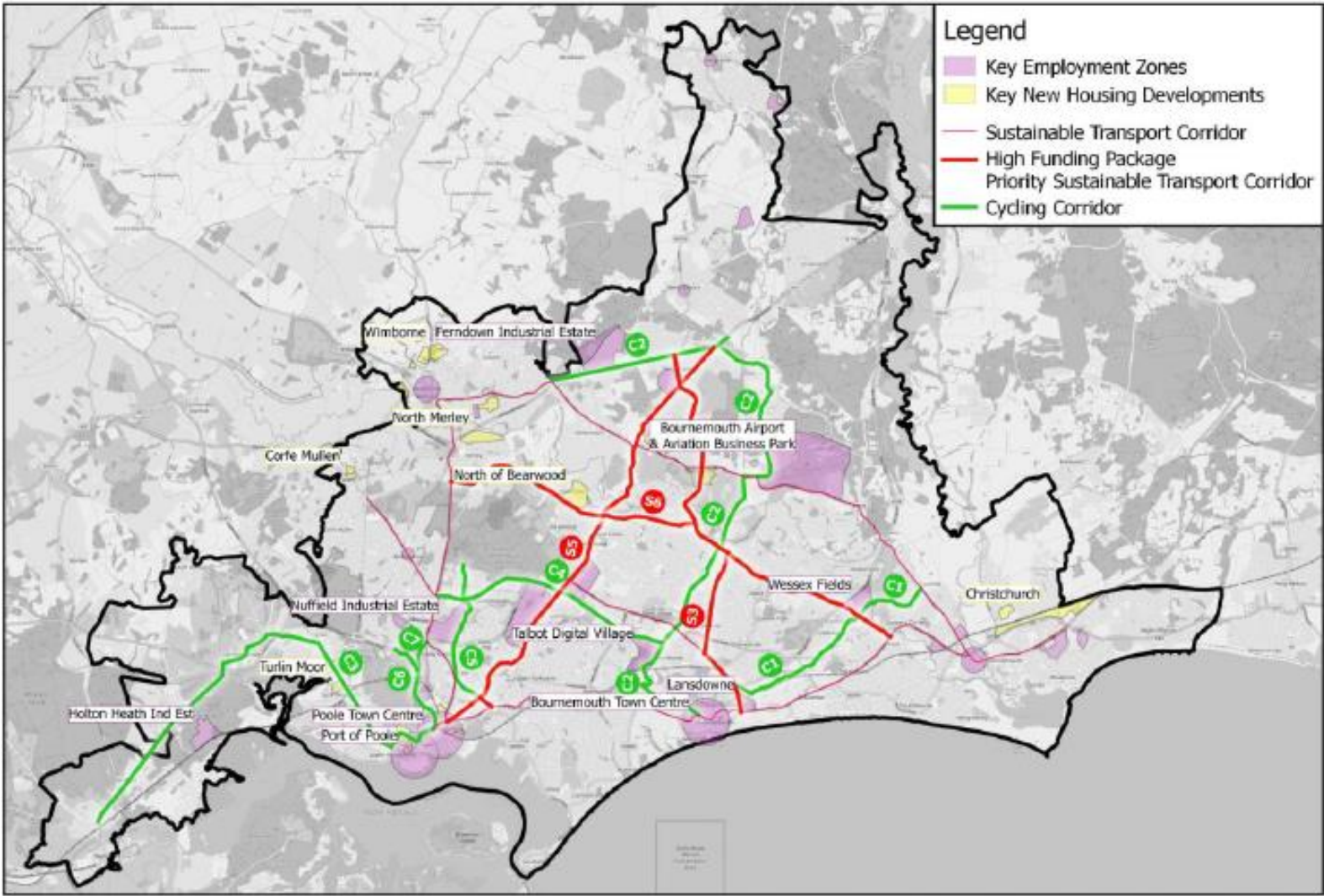


Summary of medium ask:

Packages	Sub-packages	Sub-package costs [£]	Package costs [£] (TCF ask)
Sustainable Transport Corridors	S5 - Poole to Ferndown	£20,670,000	£44,545,780
	S3 - Bournemouth to Ferndown	£23,875,780	
Cycling Corridors	C1 - Lansdowne to Christchurch	£2,640,000	£21,543,252
	C6 - Holes Bay to Fleetsbridge	£3,204,045	
	C5 - Merley to Poole	£2,643,017	
	C4 - Canford Heath to University	£2,825,000	
	C7 - Holes Bay Road to Creekmoor P&R	£2,841,190	
	C3 - Wareham to Poole	£2,220,000	
	C2 - Bournemouth to Ferndown	£5,170,000	
Transport Hubs	New Bus Station and associated off-site bus depot element of the Heart of Poole development scheme	£23,700,000	£28,485,000
	Wayfinding	£990,000.00	
	E Bus	£1,260,000.00	
	Work Place Facilities	£2,000,000.00	
	Beryl Bikes	£1,535,000.00	
Network Management	Travel App	£1,000,000	£4,343,500
	Real time network management monitoring system	£2,535,000	
	Enhancement of UTM systems and standardisation across boundaries to ensure compatibility of new systems	£143,500	
	Bus priority within signals	£75,000	
	Variable message signs	£140,000	
	HGV management system – Longham	£250,000	
	Linking of DC and BCP Council Network Management to Highways England Network	£200,000	
		Sub-total (medium)	£98,917,532

TCF High Ask:

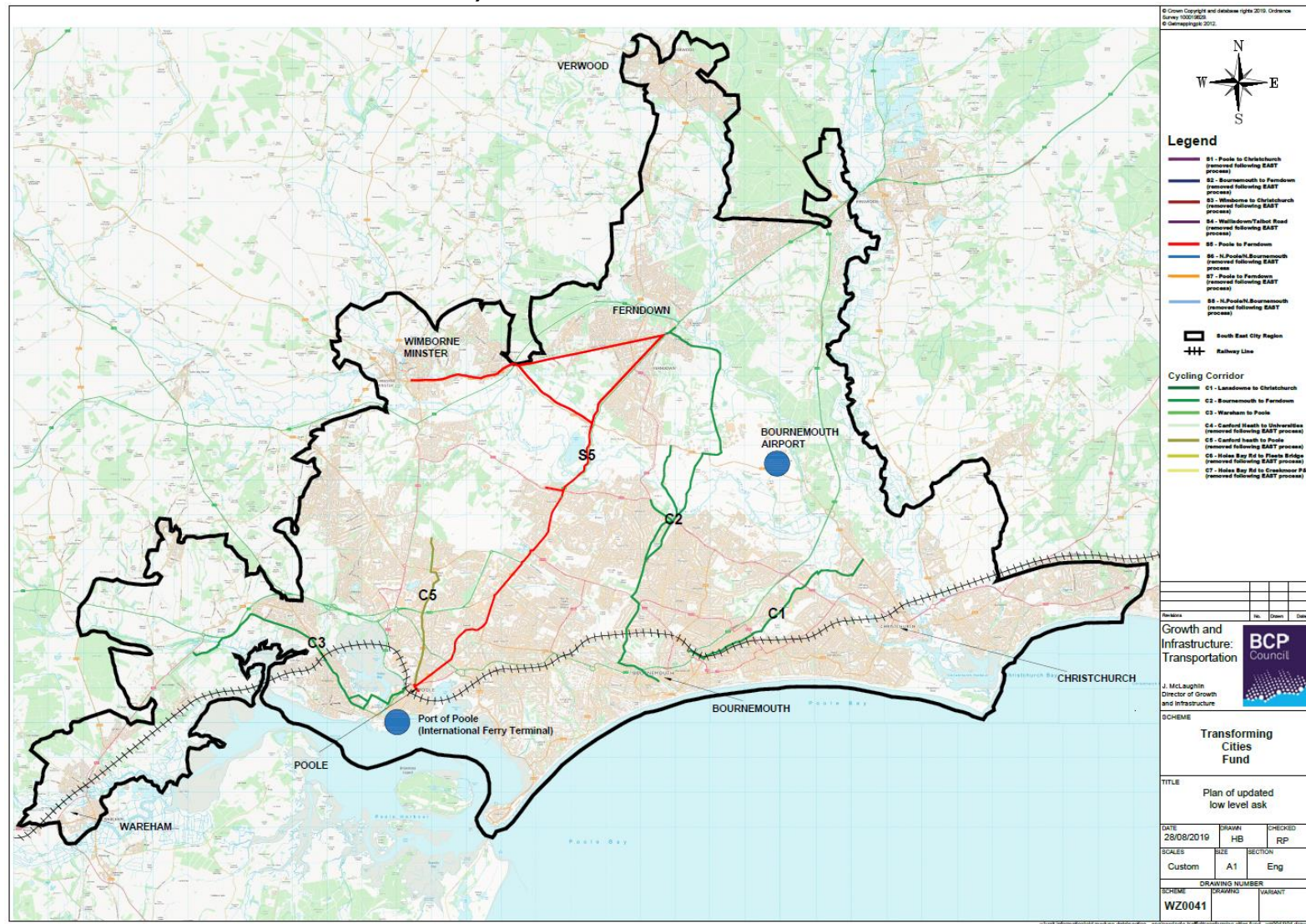
High Level Funding Package



Summary of high ask:

Packages	Sub-packages	Sub-package costs [£]	Package costs [£] (TCF ask)
Sustainable Transport Corridors	S5 - Poole to Ferndown	£20,670,000	£60,619,249
	S3 - Bournemouth to Ferndown	£23,875,780	
	S6 - North Poole to North Bournemouth	£16,073,469	
Cycling Corridors	C1 - Lansdowne to Christchurch	£2,640,000	£21,543,252
	C6 - Holes Bay to Fleetsbridge	£3,204,045	
	C5 - Merley to Poole	£2,643,017	
	C4 - Canford Heath to University	£2,825,000	
	C7 - Holes Bay Road to Creekmoor P&R	£2,841,190	
	C3 - Wareham to Poole	£2,220,000	
	C2 - Bournemouth to Ferndown	£5,170,000	
Transport Hubs	New Bus Station and associated off-site bus depot element of the Heart of Poole development scheme	£23,700,000	£30,255,000
	Wayfinding	£1,750,000.00	
	E Bus	£1,260,000.00	
	Work Place Facilities	£2,500,000.00	
	Beryl Bikes	£2,045,000.00	
Network Management	Travel App	£1,250,000.00	£4,593,500
	Real time network management monitoring system	£2,535,000.00	
	Enhancement of UTM systems and standardisation across boundaries to ensure compatibility of new systems	£143,500.00	
	Bus priority within signals	£75,000.00	
	Variable message signs	£140,000.00	
	HGV management system – Longham	£250,000.00	
	Linking of DC and BCP Council Network Management to Highways England Network	£200,000.00	
		Sub-total (high)	£117,011,001

242



Summary of DRAFT SE Dorset City Region TCF updated indicative Low Ask (option 1):

Packages	Sub-packages	Sub-package costs [£]	Package costs [£] (TCF ask)
Sustainable Transport Corridors	S5 - Poole to Ferndown	£25,420,000	£25,420,000
Cycling Corridors	C1 - Lansdowne to Christchurch	£2,640,000	£12,673,017
	C2 - Bournemouth to Ferndown	£5,170,000	
	C3 - Wareham to Poole	£2,220,000	
	C5 - Merley to Poole	£2,643,017	
Transport Hubs	New Bus Station and associated off-site bus depot element of the Heart of Poole development scheme	£23,700,000	£24,700,000
	Wayfinding	£1,000,000	
Network Management	Bus priority within signals	£75,000	£325,000
	HGV management system – Longham	£250,000	
Sub-total (low)			£63,118,017

Note – costs in this table are likely to change during development of the SOBC due to updated (more accurate) feasibility drawings and quantities being available since submission of the Draft SOBC.

The DRAFT programme above has been derived following a re-assessment of the Draft SOBC proposals in line with DfT feedback to date.

DfT has made it very clear that it wants the focus to be on infrastructure and that as such the following items should be provided by either the market or primed locally by local authorities (i.e. utilising LTP, developer contributions or Community Infrastructure Levy (CIL) etc.):

- Bike hire scheme expansion and inclusion of E-bikes
- E-bus technology
- Travel app
- Network management for wider network
- Anything else that isn't infrastructure based

Further to the above, DfT has indicated that it is supportive of the following:

- Construction of a new bus station in Poole
- Development of the Sustainable Transport Corridor 5 (combination of walking, cycling, bus, network improvements) as it directly links the new bus station to

the largest industrial estate (Ferndown) via other employment sites and passes through and close to existing and planned areas of housing.

- Implementation of the Cycle Corridors, albeit there were too many.

The schedule only lists schemes that could be funded from TCF funding. In addition to the items scheduled the Council could also match the programme with LTP and developer contributions. DfT generally expect to see at least 10% local contribution when awarding funding to areas, in some DfT competitions the level of match is used to compare/rank applications. It is therefore recommended that the Council(s) commit match funding from the LTP/developer contributions. For BCP Council this could be as follows:

Year	2020/21	2021/22	2022/23	Total
Indicative BCP Council LTP contribution to TCF programme	£500,000	£2,000,000	£2,000,000	£4,500,000

Note: Dorset Council has indicated that it could contribute £900,000 of LTP and several millions from developer contributions.

On basis that 80% of the proposed expenditure would be within BCP Council then the ratio of BCP Council to Dorset Council LTP contribution is considered appropriate, particularly given that Dorset Council's local contribution from developer contributions and other sources is likely to be approximately equal to BCP Council's.

The BCP Council LTP Integrated Transport Block award annually is £3,078,000.

The Dorset Council LTP Integrated Transport Block award annually is £1,971,000 per annum.

The LTP match could either contribute to the TCF schemes scheduled on the previous page or towards additional schemes that encourage walking, cycling, bus and rail usage including those elements of the Draft SOBC TCF programme that DfT has indicated that it will not fund (i.e. cycle corridors C4, C6 and C7, E-bus, workplace facilities, expansion of cycle hire, travel app (multi-operator and or capped cost ticketing), network management etc.).

This would be assessed once updated costs are available for the schemes included in the indicative revised TCF ask and during the programmed co-development conversations with DfT including upcoming visit of the DfT TCF team to the SE Dorset City Region (October 2019) and 'Challenge Session' (January 2020).

It is possible that due to a review of the Poole Town Centre Masterplan that delivery of a new bus station within Poole may not be feasible within TCF timescales. If this were the case then potential alternative options could be Options 2 and 3 on the following page which effectively replace the Poole Bus Station element of the programme with enhancements to an additional Sustainable Transport Corridor.

Summary of DRAFT SE Dorset City Region TCF updated indicative Low Ask (option 2):

Packages	Sub-packages	Sub-package costs [£]	Package costs [£] (TCF ask)
Sustainable Transport Corridors	S5 - Poole to Ferndown	£25,420,000	£49,295,780
	S3 – Bournemouth to Ferndown	£23,875,780	
Cycling Corridors	C1 - Lansdowne to Christchurch	£2,640,000	£12,673,017
	C2 - Bournemouth to Ferndown	£5,170,000	
	C3 - Wareham to Poole	£2,220,000	
	C5 - Merley to Poole	£2,643,017	
Transport Hubs	Wayfinding	£1,000,000	£1,000,000
Network Management	Bus priority within signals	£75,000	£325,000
	HGV management system – Longham	£250,000	
Sub-total (low)			£63,293,797

Summary of DRAFT SE Dorset City Region TCF updated indicative Low Ask (option 3):

Packages	Sub-packages	Sub-package costs [£]	Package costs [£] (TCF ask)
Sustainable Transport Corridors	S5 - Poole to Ferndown	£25,420,000	£41,493,469
	S6 – North Poole to North Bournemouth	£16,073,469	
Cycling Corridors	C1 - Lansdowne to Christchurch	£2,640,000	£12,673,017
	C2 - Bournemouth to Ferndown	£5,170,000	
	C3 - Wareham to Poole	£2,220,000	
	C5 - Merley to Poole	£2,643,017	
Transport Hubs	Wayfinding	£1,000,000	£1,000,000
Network Management	Bus priority within signals	£75,000	£325,000
	HGV management system – Longham	£250,000	
Sub-total (low)			£55,491,486

Indicative medium and high asks excluding Poole Bus Station are shown on the next page:

Summary of DRAFT SE Dorset City Region TCF updated indicative Med Ask:

Packages	Sub-packages	Sub-package costs [£]	Package costs [£] (TCF ask)
Sustainable Transport Corridors	S5 - Poole to Ferndown	£25,420,000	£65,369,249
	S3 – Bournemouth to Ferndown	£23,875,780	
	S6 – North Poole to North Bournemouth	£16,073,469	
Cycling Corridors	C1 - Lansdowne to Christchurch	£2,640,000	£12,673,017
	C2 - Bournemouth to Ferndown	£5,170,000	
	C3 - Wareham to Poole	£2,220,000	
	C5 - Merley to Poole	£2,643,017	
Transport Hubs	Wayfinding	£1,750,000	£1,750,000
Network Management	Bus priority within signals	£75,000	£325,000
	HGV management system – Longham	£250,000	
		Sub-total (med)	£80,117,266

Summary of DRAFT SE Dorset City Region TCF updated indicative High Ask:

Packages	Sub-packages	Sub-package costs [£]	Package costs [£] (TCF ask)
Sustainable Transport Corridors	S5 - Poole to Ferndown	£25,420,000	Tbc
	S3 – Bournemouth to Ferndown	£23,875,780	
	S6 – North Poole to North Bournemouth	£16,073,469	
	S1 – Poole to Christchurch	tbc	
Cycling Corridors	C1 - Lansdowne to Christchurch	£2,640,000	£12,673,017
	C2 - Bournemouth to Ferndown	£5,170,000	
	C3 - Wareham to Poole	£2,220,000	
	C5 - Merley to Poole	£2,643,017	
Transport Hubs	Wayfinding	£1,750,000	£1,750,000
Network Management	Bus priority within signals	£75,000	£325,000
	HGV management system – Longham	£250,000	
		Sub-total (high)	Tbc

Note these levels of ask are indicative and subject to change up to the SOBC deadline as deliverability and cost estimates are updated.

CABINET



Report subject	Traffic Regulation Orders (TRO) and Public Rights of Way (PRoW) cover report
Meeting date	9 October 2019
Status	Public Report
Executive summary	This covering report appends several individual requests for approval to advertise Traffic Regulation Orders and for consideration of Rights of Way issues.
Recommendations	<p>It is RECOMMENDED that Cabinet:</p> <ol style="list-style-type: none"> 1. Confirm the Traffic Regulation Order as advertised in Danecourt Road as set out in TRO sub-report A, 2. Confirm the order to revoke the disabled bay in Salterns Road as set out in TRO sub-report B, 3. Confirm the Traffic Regulation Order as advertised in Lake Avenue as set out in TRO sub-report C, 4. Confirm the Traffic Regulation Order as advertised in Lower Blandford Road as set out in TRO sub-report D, 5. Approve the creation of an order to record the section of Parkstone Heights that is currently unprotected path as a Bridleway as set out in PRoW sub-report E, 6. Approve the creation of an order to protect the path extending along Elgin Road as Public Bridleway as set out in PRoW sub-report F, 7. Approve the creation of an order to protect the path from Cornelia Gardens to Kingsmill Road as a Public Bridleway as set out in PRoW sub-report G.
Reason for recommendations	The reasons for the recommendations are set out in the following reports.
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder Transport & Infrastructure)
Corporate Director	Bill Cotton (Corporate Director of Regeneration & Economy)

Contributors	Julian McLaughlin, Director, Growth & Infrastructure Richard Pincroft, Transportation Manager Steve Dean, Traffic Management Engineer
Wards	Various
Classification	For Decision

Background

1. The Council is required by statute to undertaken public consultation in respect of Traffic Regulation Orders it wishes to make.
2. It has the power to advertise, consult upon and make Traffic Regulation Orders and related Highways Orders for a variety of different purposes.
3. There are a number of approvals sought by Cabinet for approvals to consult and make Orders and these are set out in appendices attached to this covering Report.
4. This covering Report is provided to enable the items to be considered as one agenda item and assist councillors and the public in the presentation of the matters for consideration.

Summary of financial implications

5. None specifically relating to this covering report.

Summary of legal implications

6. None specifically relating to this covering report.

Summary of human resources implications

7. None specifically relating to this covering report.

Summary of environmental impact

8. None specifically relating to this covering report.

Summary of public health implications

9. None specifically relating to this covering report.

Summary of equality implications

10. None specifically relating to this covering report.

Summary of risk assessment

11. None specifically relating to this covering report.

Background papers - None

CABINET



Report subject	Traffic Regulation Orders – Sub-report A - Danecourt Road
Meeting date	9 October 2019
Status	Public Report
Executive summary	To consider representations to the advertisement of Traffic Regulation Orders in Danecourt Road
Recommendations	It is RECOMMENDED that: The Order is confirmed as advertised
Reason for recommendations	The new parking bays have been proposed in response to concerns that the 20mph limit in Danecourt Road is being ignored. The Parking bays are one of a number of measures aimed at improving the effectiveness of the traffic calming measures.
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder for Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director of Regeneration and Economy)
Contributors	Steve Dean – Traffic Management Engineer
Wards	Parkstone
Classification	For Decision

Background

1. A 20mph limit and two road narrowings were introduced in Danecourt Road in 2018. Concerns have been expressed that traffic continues to drive too quickly along the road and that the narrowings are not safe. A package of improvements has been introduced (Improved street lighting and carriageway markings), and amendments to the parking arrangements have been advertised – The response to the advertisement is summarised in the appendix.

Summary of financial implications

2. Financial provision has already been made for the Danecourt Road traffic calming scheme. The Traffic Regulation Order has already been advertised and the cost of introducing the physical changes would be in the order of £600.

Summary of legal implications

3. Highways Authorities are required to give formal consideration to any representations received during the advertisement period.

Summary of human resources implications

4. None.

Summary of environmental impact

5. While there could be an environmental impact if drivers have to give way to oncoming vehicles, this should be offset against a reduction in the attractiveness of the road to through traffic.

Summary of public health implications

6. None

Summary of equality implications

7. The Traffic Regulation Orders do not have direct equality implications

Summary of risk assessment

8. None

Background papers

None

Appendices

Appendix 1 – Summary of representations, and responses to issues raised

Appendix 2 - Plan

Appendix 1

Summary of Representations, and Responses to Issues Raised

Representations

Ten letters of objection have been received from local residents. They raise a number of concerns:-

- New parking bays will make it difficult for residents to access their drives
- Parked vehicles will obstruct sightlines at accesses
- Drivers will have to give way to oncoming traffic
- Large vehicles will find it difficult to get along the road
- There will be difficulties at college pick-up and drop-off times
- There will be increased congestion at the North Road junction and additional pollution

Response

Danecourt Road is unusual in having parking restricted to only one side. Removing the restrictions from those stretches of road away from junctions would tend to restrain the speed of traffic and discourage traffic from using the road as a through route. It is not unusual for drivers to have to stop to give way to oncoming vehicles in residential roads, in fact the existing parking restrictions only apply between Monday to Friday 8am-6pm.

There are already parking bays (restricted to 2hrs Mon-Fri 8am-6pm except for permit holders) in Danecourt Road – it is difficult to justify allowing parking in some stretches of this road but not others.

Ward Councillor comment

A Ward Councillor has commented:-

I'm afraid I'm totally with the residents in opposing this proposal.

This is not a road which would be useful to 2-hour parking restrictions – there is not that much coming and going to justify such restrictions. Some of the on-road parking is used by college students who would generally need to be there more than two hours.

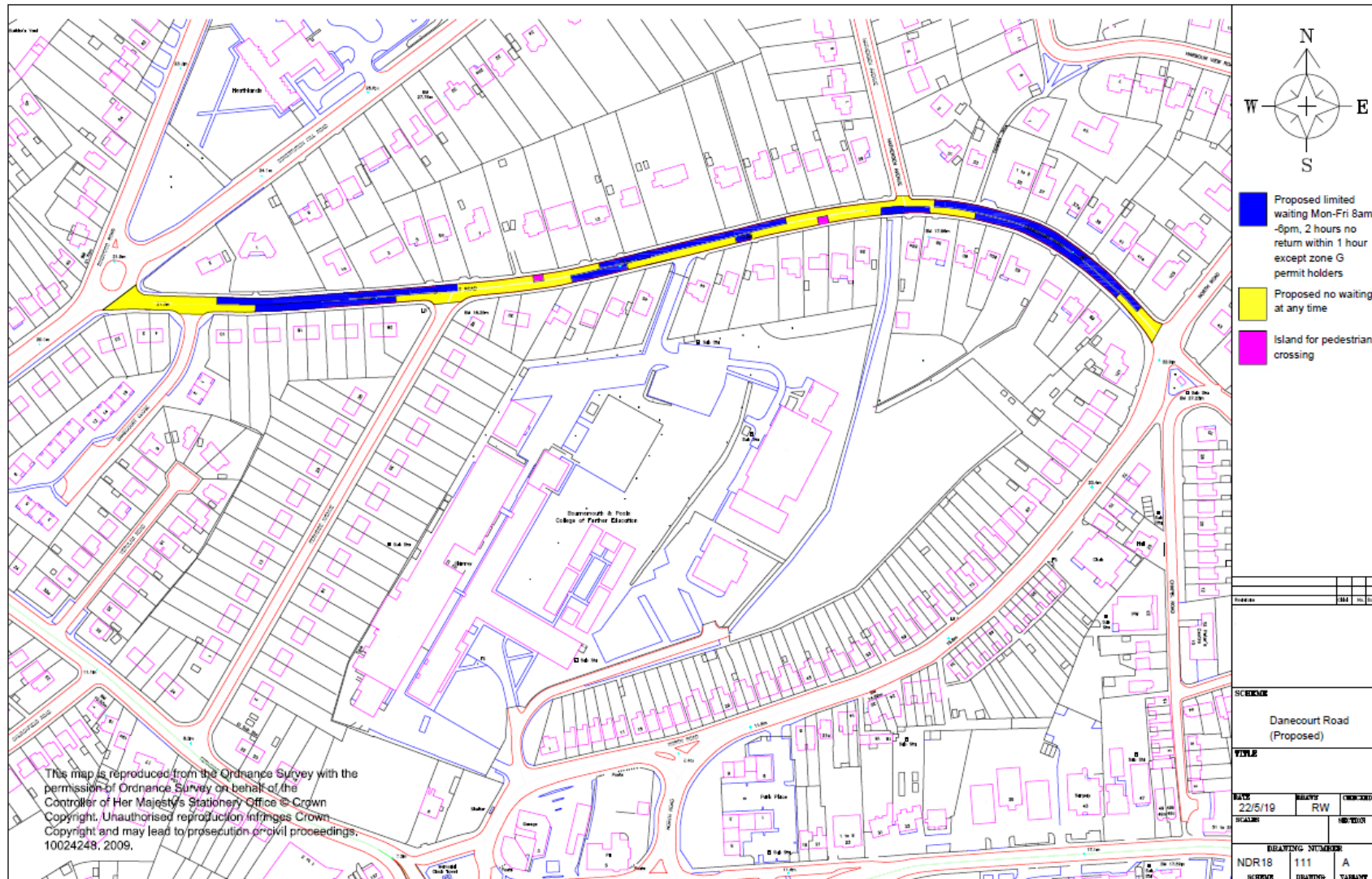
Cars parked for longer periods cause less danger as there is much less manoeuvring

It also seems no consideration has been given to Hatherden Avenue which would be seriously affected by such a move.

Better road markings and a slight relocation of the eastern/southern chicane would have prevented many of the recent problems which have been caused by this installation.

Officer response – The road is already subject to a 2hour restriction, the proposal is to allow more parking (limited to 2 hours Monday-Friday 8am-6pm) than currently exists. There will be no displacement into Hatherden Avenue. The package of measures includes additional markings on the approaches to the narrowings.

Appendix 2



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CABINET



Report subject	Traffic Regulation Orders – Sub-report B – Removal of Disabled Bay Salterns Road
Meeting date	9 October 2019
Status	Public Report
Executive summary	To consider representations to the advertisement of the revocation of a Disabled Parking Bay in Salterns Road
Recommendations	It is RECOMMENDED that: The Order, to revoke the disabled bay, is confirmed as advertised
Reason for recommendations	The eligibility requirements for the bay are no longer met. Retaining the bay will result in a very sparsely used space in an area of high parking demand.
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder for Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director of Regeneration and Economy)
Contributors	Steve Dean – Traffic Management Engineer
Wards	Hamworthy
Classification	For Decision

Background

1. The Council has a policy that disabled parking spaces would be approved outside residents' homes if certain criteria are met. There is also pressure on the Council to ensure that bays are removed when the criteria are no longer met.
2. The Council only allows disabled bays to be installed and maintained for residents who meet several criteria. One of the main criteria is that the bay is used by the resident themselves. In this instance the resident no longer drives a car, and so the bay would be unoccupied except when another blue badge holder visits, or a visitor used the resident's badge (which would not be an appropriate use of the badge).

3. This is an area of high parking demand. If the resident was being picked up or dropped off by another driver, they would be able to use their blue badge to park on the nearby yellow lines (one car length away from the house) whilst doing so. A blue badge is not needed to pick-up and drop-off passengers.

Summary of financial implications

4. The programme includes provision for the removal of bays that are no longer needed.

Summary of legal implications

5. Highway Authorities are required to give formal consideration to any representations received during the advertisement period

Summary of human resources implications

6. None

Summary of environmental impact

7. None.

Summary of public health implications

8. None

Summary of equality implications

9. While this bay is helpful to a particular user with a Blue Badge, the Council has a policy on the provision of bays of this type, and the circumstances in which they will be provided.

Summary of risk assessment

10. None

Background papers

None

Appendices

Appendix 1 – Summary of representations, and responses to issues raised

Appendix 2 - Plan

Appendix 1

Summary of Representations, and Responses to Issues Raised

Representations

One letter of objection has been received from the resident who originally applied for the bay. The objector no longer has a car but would like the bay to remain so that visitors can use their badge when visiting, or taking them out.

Response

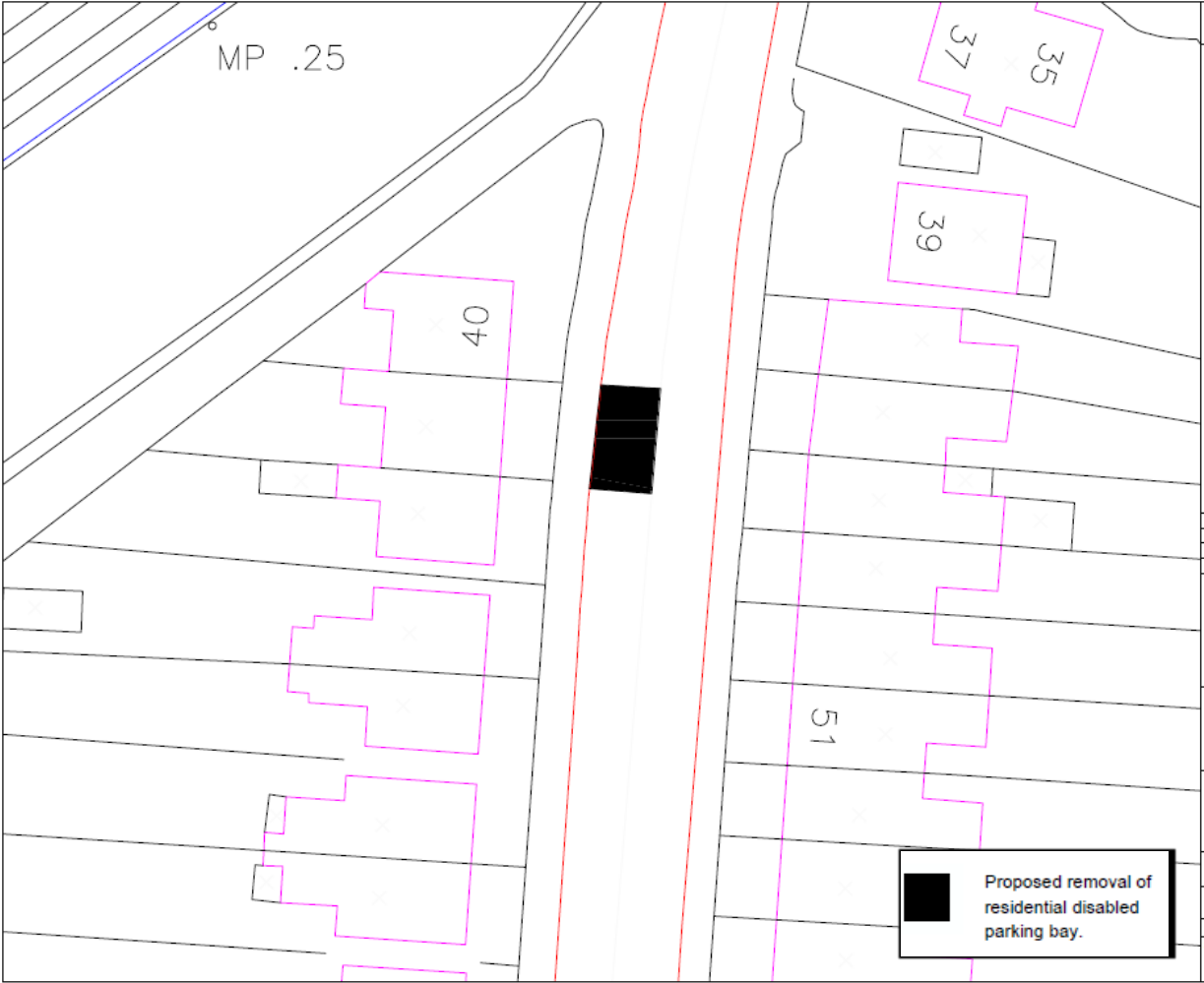
The Council only provides bays for residents who meet a number of criteria. One of the main criteria is that the bay is used by the resident themselves. The resident no longer drives a car, and so the bay will be unoccupied except when another blue badge holder visits, or an able bodied visitor uses the resident's badge (which would not be an appropriate use of the badge). This is an area of high parking demand and it would be hard to justify retaining a bay that does not meet the Council's criteria, and would be very sparsely used. If the resident is being picked up or dropped off by another driver, they would be able to use their blue badge to park on the nearby yellow lines (one car length away from the house) while doing this – in fact a blue badge is not needed to pick-up and drop-off passengers.

Ward Councillor comments

A Ward Councillor has said:-

We obviously have one resident who really values this space, and I'm sure other disabled people visit the road from time to time. My inclination is to retain this space for the time being.

Appendix 2



CABINET



Report subject	Traffic Regulation Orders – Sub-report C - Lake Avenue
Meeting date	9 October 2019
Status	Public Report
Executive summary	To consider representations to the advertisement of Waiting restrictions in Lake Avenue
Recommendations	It is RECOMMENDED that: The Order is confirmed as advertised
Reason for recommendations	There restrictions have been requested by the Royal Marines to facilitate access by large vehicles, to their base in Lake Drive.
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder for Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director of Regeneration and Economy)
Contributors	Steve Dean – Traffic Management Engineer
Wards	Hamworthy
Classification	For Decision

Background

1. The Royal Marines carried out a review of access to their Lake Drive base in 2018. This identified the difficulties that they face getting large vehicles through Lake Avenue when vehicles park in the road.
2. Due to the Port of Poole/Hamworthy branch railway line (height restrictions at bridge beneath this line) and road geometry the route to the Marine base for large vehicles is only practicable via Lake Avenue.

Summary of financial implications

3. The proposal would be funded by the Royal Marines.

Summary of legal implications

4. Highways Authorities are required to give formal consideration to any representations received during the advertisement period

Summary of human resources implications

5. None

Summary of environmental impact

6. None.

Summary of public health implications

7. None

Summary of equality implications

8. The Traffic Regulation Orders do not have direct equality implications

Summary of risk assessment

9. None

Background papers

None

Appendices

Appendix 1 – Summary of representations, and responses to issues raised

Appendix 2 - Plan

Appendix 1

Summary of Representations, and Responses to Issues Raised

Representations

One letter of objection has been received from Lake Yard, who feel that parking will have a disastrous effect on their business.

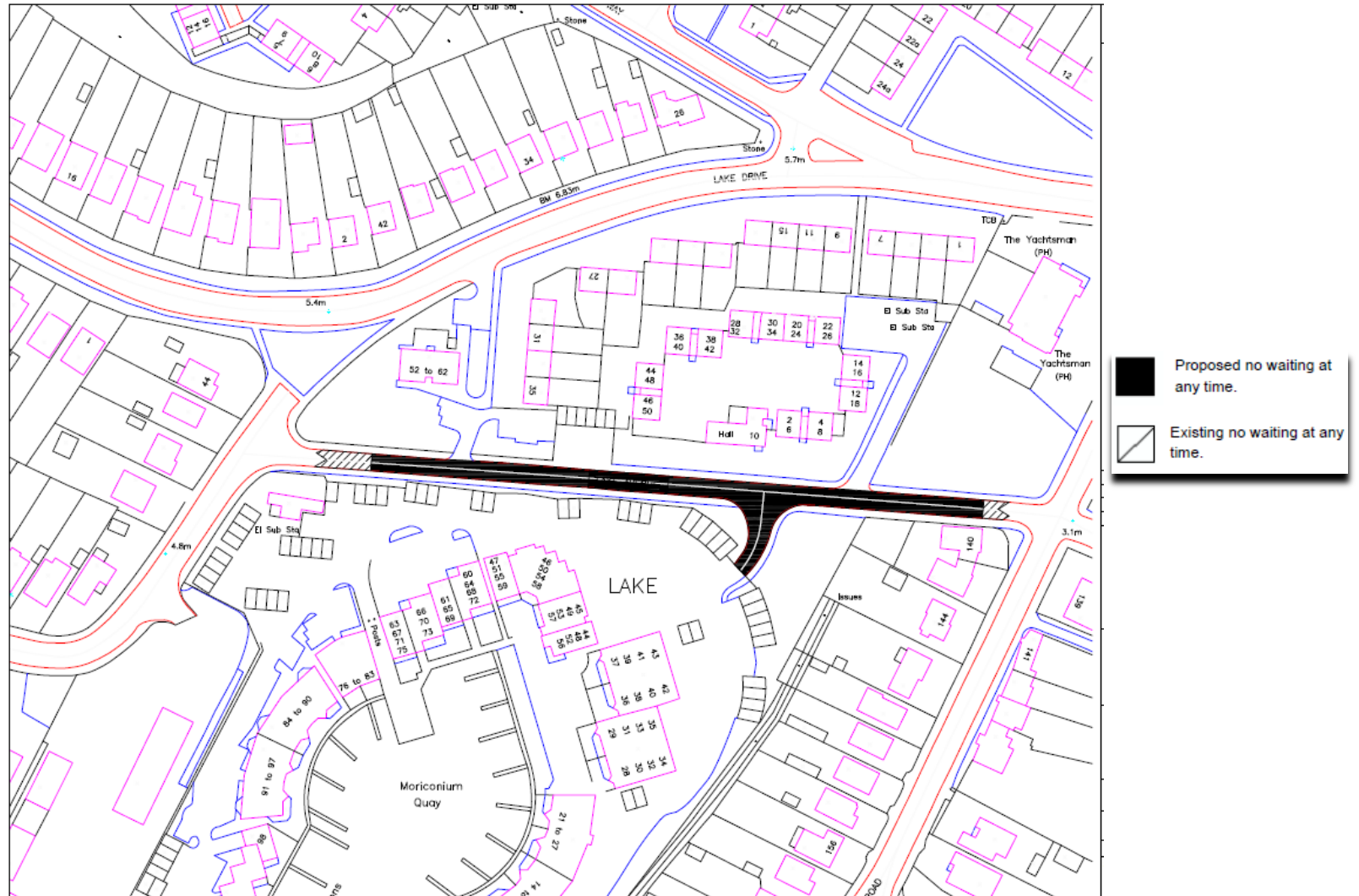
Response

Lake Avenue varies between 5m and 5.5m in width and the Marines have demonstrated that they do experience difficulties when large vehicles serve their base, even if vehicles are only parked on one side of the road. They are likely to be bringing larger vehicles into the base in the future, and they will need to have clear access for them. While there is an alternative route available, this would require large vehicles to make two sharp turns onto and off Lake Road.

Ward Councillor comments

Ward Councillors would like to know more about the reasons for the objections from Lake Yard.

Appendix 2 – Plan



CABINET



Report subject	Traffic Regulation Orders – Sub-report D - Lower Blandford Road
Meeting date	9 October 2019
Status	Public Report
Executive summary	To consider representations to the advertisement of a 30mph speed limit in Higher Blandford Road
Recommendations	It is RECOMMENDED that: The Order is confirmed as advertised
Reason for recommendations	There have been requests for a 30mph speed limit in this road for many years, and indeed there were two letters of support for the proposal.
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder for Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director of Regeneration and Economy)
Contributors	Steve Dean – Traffic Management Engineer
Wards	Broadstone
Classification	For Decision

Background

1. A 30mph limit was advertised between 25 July and 15 August 2019 – The response to the advertisement is summarised in the appendix.

Summary of financial implications

2. The Traffic Regulation Order has already been advertised and the cost of introducing the relevant signing changes is in the order of £5,000.

Summary of legal implications

3. Highways Authorities are required to give formal consideration to any representations received during the advertisement period

Summary of human resources implications

4. None

Summary of environmental impact

5. None.

Summary of public health implications

6. None

Summary of equality implications

7. The Traffic Regulation Orders do not have direct equality implications

Summary of risk assessment

8. None

Background papers

Minutes of Poole Council Transportation Advisory Group 12 March 2019

Appendices

Appendix 1 – Summary of representations, and responses to issues raised

Appendix 1

Summary of Representations, and Responses to Issues Raised

Representations

One letter of objection has been received and two letters of support.

The objector feels that the speed limit change is unnecessary and could actually lead to problems if drivers tailgate, or overtake vehicles that are adhering to a speed limit that others feel is unnecessarily low.

Response

The implications of introducing a 30mph limit in Lower Blandford Road were thoroughly discussed by Poole Council's Transportation Advisory Group (TAG) on 21 March 2019. The TAG resolved that a 30mph limit should be progressed.

Ward Councillor comments

Ward Councillors have been pressing for this speed limit for many years

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CABINET



Report subject	PRoW Sub-report E - Parkstone Heights - Record unprotected path as a Bridleway.
Meeting date	9 October 2019
Status	Public Report
Executive summary	To obtain permission to permit an Order to record the path leading through Parkstone Heights as a Public Bridleway.
Recommendations	It is RECOMMENDED that: Permission is granted to create the order
Reason for recommendations	It is a legal duty for all surveying authorities to make and maintain a Definitive Map and Statement for their area, to continually survey the area for possible Public Rights of Way, and to make Orders upon the discovery of evidence that a Public Right of Way has arisen from long use. Public Rights of Way can come into being for various legal reasons, however most commonly it is through statutory inference of dedication. In plain terms, if a path has been used by the public uninterrupted for a period of 20 years, and the use has been without force, without deception and without having been granted a specific express permission from the landowner, then they acquire a right to pass and repass.
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder For Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director for Regeneration and Economy)
Service Director	Julian McLaughlin, Growth and Infrastructure
Contributors	Zak Cusens - Rights of Way Officer - Regeneration and Economy
Wards	Parkstone
Classification	For Decision

Background

1. Through the continuous survey of the Definitive Map, BCP Rights of Way officers discovered that there exists a length of path that links two sections of highway at Parkstone Heights. The path currently lacks a highway designation.
2. The path appears on historic maps from the mid-20th Century onwards, illustrated as the central third of Parkstone Heights. There is no evidence that the path has been obstructed for any significant length of time that would indicate a lack of intention to dedicate.
3. A non-statutory pre-order consultation has been carried out. All four public responses were receptive to the idea of recording the path as a public right of way and provided evidence of use of the path by walkers and cyclists.

Summary of financial implications

4. If the Order is contested, BCP Council could be required to go through a Public Inquiry, which would incur the costs of external legal representation.
5. Failure to make progress in complying with the duty placed on the authority to survey and prepare a map for a Public Right of Way could attract a Judicial Review procedure if an external party felt sufficiently aggrieved by lack of progress. There are several interest groups with interest in this matter. The minimum financial costs attached to a contested Judicial Review would be circa £30,000.

Summary of legal implications

6. Failure to make progress in complying with the duty placed on the authority to survey and prepare a map for a Public Right of Way could attract a Judicial Review procedure if an external party felt sufficiently aggrieved by lack of progress.

Summary of human resources implications

7. If the order is being contested the matter could escalate to the Planning Inspectorate for a decision and confirmation of the order, which in turn may result in a public enquiry. Legal representation may be required as well as officer time. The Officers would also be required to notify all interested parties and host the inquiry.

Summary of environmental impact

8. No substantial environmental impact, but the proposal would encourage modal shift leading to a slight reduction in carbon emissions.

Summary of public health implications

9. No substantial public health implications, but the proposal would encourage modal shift with associated health and wellbeing benefits for users.

Summary of equality implications

10. An equalities impact assessment has been undertaken and there are no significant negative impacts identified, although the proposal could have some positive benefits for those who cannot drive.

Summary of risk assessment

11. The risk attached to failing to record Public Rights of Way would be the possible loss of paths, which would reduce urban permeability to pedestrians and cyclists and would prejudice BCP Council's Rights of Way objectives as set out in chapter 2 of the Rights of Way Improvement Plan.

Background papers

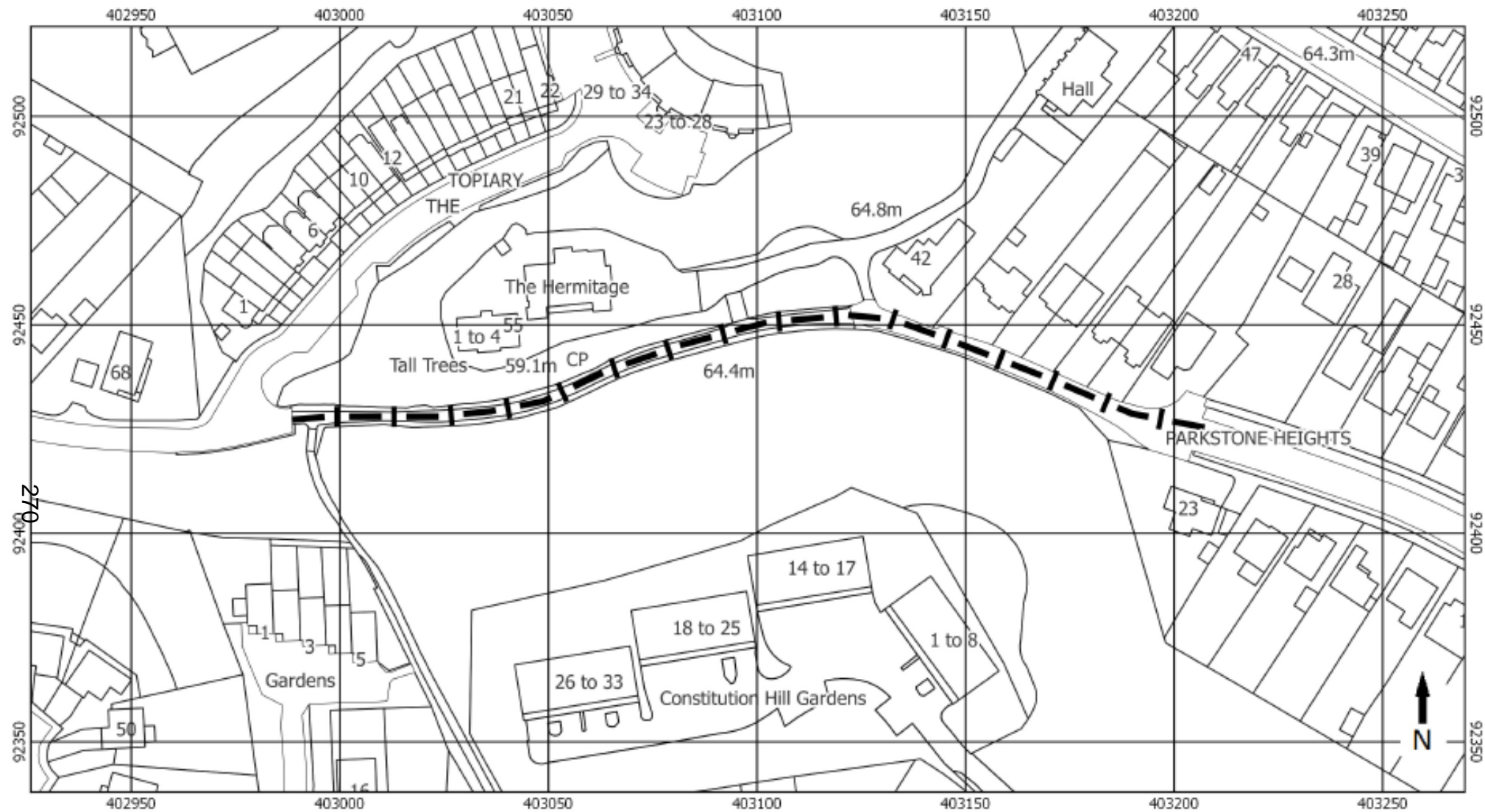
Bournemouth and Poole Rights of Way Improvement Plan 2017-2026

<https://www.poole.gov.uk/streets-and-travel/cycling-and-walking/public-rights-of-way/>

Appendices

Appendix A – Plan of claimed route

Appendix A: Plan of claimed route



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Scale: 1:1250

Key:
— | — Bridleway

Order Map
Public Bridleway BR132

BCP Council
Civic Centre
Poole
BH15 2RU
bcpCouncil.gov.uk



CABINET



Report subject	PRoW Sub-report F - Elgin Road - Record track as a Bridleway.
Meeting date	9 October 2019
Status	Public Report
Executive summary	To obtain permission to create an Order to protect the path extending along Elgin Road as a Public Bridleway.
Recommendations	It is RECOMMENDED that: Permission is granted to create the order.
Reason for recommendations	<p>It is a legal duty for all surveying authorities to make and maintain a Definitive Map and Statement for their area, to continually survey the area for possible Public Rights of Way, and to make Orders upon the discovery of evidence that a Public Right of Way has arisen from long use.</p> <p>Public Rights of Way can come into being for various legal reasons, however most commonly it is through statutory inference of dedication. In plain terms, if a path has been walked by the public uninterrupted for a period of 20 years, and the use has been without force, without deception and without having been granted a specific express permission from the landowner, then they acquire a right to pass and repass.</p>
Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder For Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director for Regeneration and Economy)
Service Director	Julian McLaughlin, Growth and Infrastructure
Contributors	Zak Cusens - Rights of Way Officer - Regeneration and Economy
Wards	Penn Hill
Classification	For Decision

Background

1. As a surveying authority it is BCP Council's responsibility to constantly survey for and record Public Rights of Way. BCP Rights of Way officers observed a well-used track that forms part of Elgin Road and is used by walkers and cyclists.
2. The road appears on historic maps from the mid-20th Century onwards, however only two thirds of the length of Elgin Road is adopted as Public Highway with the North Eastern third remaining unadopted.
3. A non-statutory pre-order consultation has been carried out and no responses were received.

Summary of financial implications

4. If the Order is contested, BCP Council could be required to go through a Public Inquiry, which would incur the costs of external legal representation.
5. Failure to make progress in complying with the duty placed on the authority to survey and prepare a map for a Public Right of Way could attract a Judicial Review procedure if an external party felt sufficiently aggrieved by lack of progress. There are several interest groups with interest in this matter. The minimum financial costs attached to a contested Judicial Review would be circa £30,000.

Summary of legal implications

6. Failure to make progress in complying with the duty placed on the authority to survey and prepare a map for a Public Right of Way could attract a Judicial Review procedure if an external party felt sufficiently aggrieved by lack of progress.

Summary of human resources implications

7. If the order is being contested the matter could escalate to the Planning Inspectorate for a decision and confirmation of the order, which in turn may result in a public enquiry. Legal representation would be required to represent as well as technical officer time. The Officers would also be required to notify all interested parties and host the inquiry.

Summary of environmental impact

8. No substantial environmental impact but would encourage modal shift leading to a slight reduction in carbon emission.

Summary of public health implications

9. This will have no substantial public health implications but would encourage modal shift with associated health and wellbeing benefits for users.

Summary of equality implications

10. An equalities impact assessment has been undertaken and there are no significant negative impacts identified, although the proposal could have some positive benefits for those who cannot drive.

Summary of risk assessment

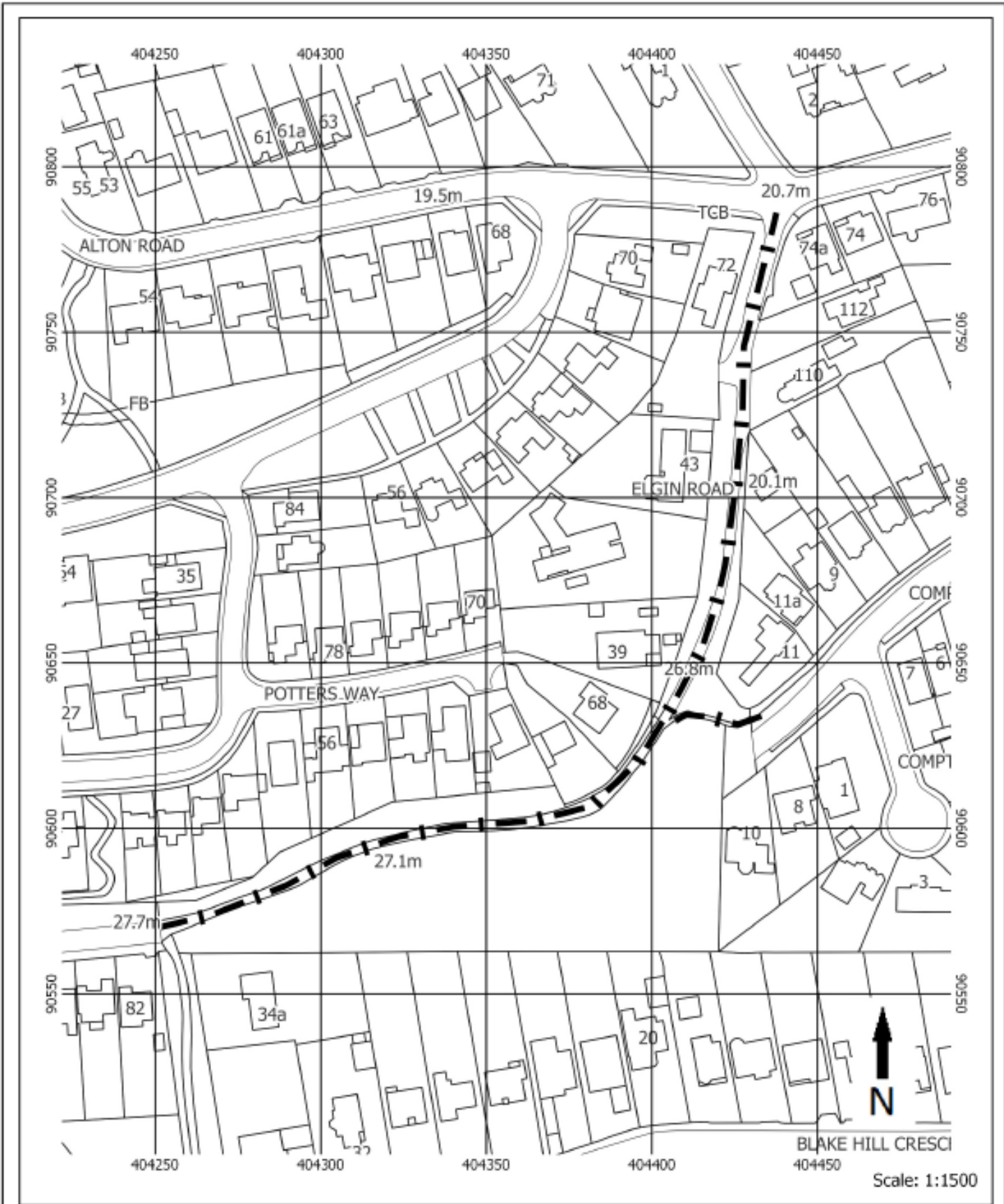
11. The risk attached to failing to record Public Rights of Way would be the possible loss of paths, which would reduce pedestrian and cyclist urban permeability and would prejudice BCP Council's key objectives as set out in chapter 2 of the Rights of Way Improvement Plan.

Background papers

Bournemouth and Poole Rights of Way Improvement Plan 2017-2026 (Legacy Policy) <https://www.poole.gov.uk/streets-and-travel/cycling-and-walking/public-rights-of-way/>


Appendices

Appendix A – Plan of Elgin Road Bridleway



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Key:

 Bridleway

Order Map

Public Bridleways
BR133 & BR134

BCP Council
Civic Centre
Poole
BH15 2RU
www.bcpCouncil.gov.uk



CABINET



Report subject	PRoW Sub-report G - Cornelia Gardens to Kingsmill Road - Record path as a Public Bridleway.
Meeting date	9 October 2019
Status	Public Report
Executive summary	To obtain permission to create an Order to protect the path from Cornelia Gardens to Kingsmill Road as a Public Bridleway.
Recommendations	It is RECOMMENDED that: Permission is granted to create the order
Reason for recommendations	<p>It is a legal duty for all surveying authorities to make and maintain a Definitive Map and Statement for their area, to continually survey the area for possible Public Rights of Way and to make Orders upon the discovery of evidence that a Public Right of Way has arisen from long use.</p> <p>Public Rights of Way come into being through various legal reasons, however most commonly it is through statutory inference of dedication. In plain terms, if a path has been used by the public uninterrupted for a period of 20 years and the use has been without force, without deception and without having been granted a specific express permission from the landowner, then they acquire a right to pass and repass.</p>

Portfolio Holder(s):	Councillor Andy Hadley (Portfolio Holder For Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director for Regeneration and Economy)
Contributors	Zak Cusens - Rights of Way Officer - Regeneration and Economy
Wards	Canford Heath
Classification	For Decision

Background

1. As a surveying authority it is BCP Council's responsibility to constantly survey for and record Public Rights of Way. BCP Rights of Way officers have observed a well-used path that runs parallel to Dorset Way (A3049) that appears to have been in existence for at least 20 years and is used by walkers and cyclists.
2. A consultation was carried out and the responses were entirely supportive of the proposal.
3. This route is a vital off road link for residents of Canford Heath for both leisure purposes and commuting, as the path can significantly reduce travel times into Poole. Following an informal survey of users, the most common use of the path is as a safe route to Canford Heath Infant and Junior Schools.

Summary of financial implications

4. In the event that the Order is contested, BCP Council would be required to submit the Order to the Planning Inspectorate, possibly leading to Public Inquiry, which might incur the costs of external legal representation if needed.
5. Failure to make progress in complying with the duty placed on the authority to survey and prepare a map for a Public Right of Way could attract a Judicial Review procedure if an external party felt sufficiently aggrieved by lack of progress. There are several interest groups who would have the financial resources to start a procedure, and the minimum financial costs attached to a contested Judicial Review would be £30,000.

Summary of legal implications

6. Failure to make progress in complying with the duty placed on the authority to survey and prepare a map for a Public Right of Way could attract a Judicial Review procedure if an external party felt sufficiently aggrieved by lack of progress. There are several interest groups who would have the financial resources to start a procedure.

Summary of human resources implications

7. There are no likely human resource implications arising from the proposal, however there is a small risk of a contested order requiring officer time to prepare for a Planning Inspectorate procedure.

Summary of environmental impact

8. No substantial environmental impact but would encourage modal shift leading to a slight reduction in carbon emissions.

Summary of public health implications

9. The proposal will have no substantial public health implications but may help encourage modal shift with associated health and wellbeing benefits for users.

Summary of equality implications

10. An equalities impact assessment has been undertaken and there are no significant negative impacts identified, although the proposal could have some positive benefits for those who cannot drive.

Summary of risk assessment

11. The risk attached to failing to record Public Rights of Way would be the possible loss of paths, which would reduce urban permeability to pedestrians and cyclists and would prejudice BCP Council's Rights of Way objectives as set out in chapter 2 of the Rights of Way Improvement Plan.

Background papers

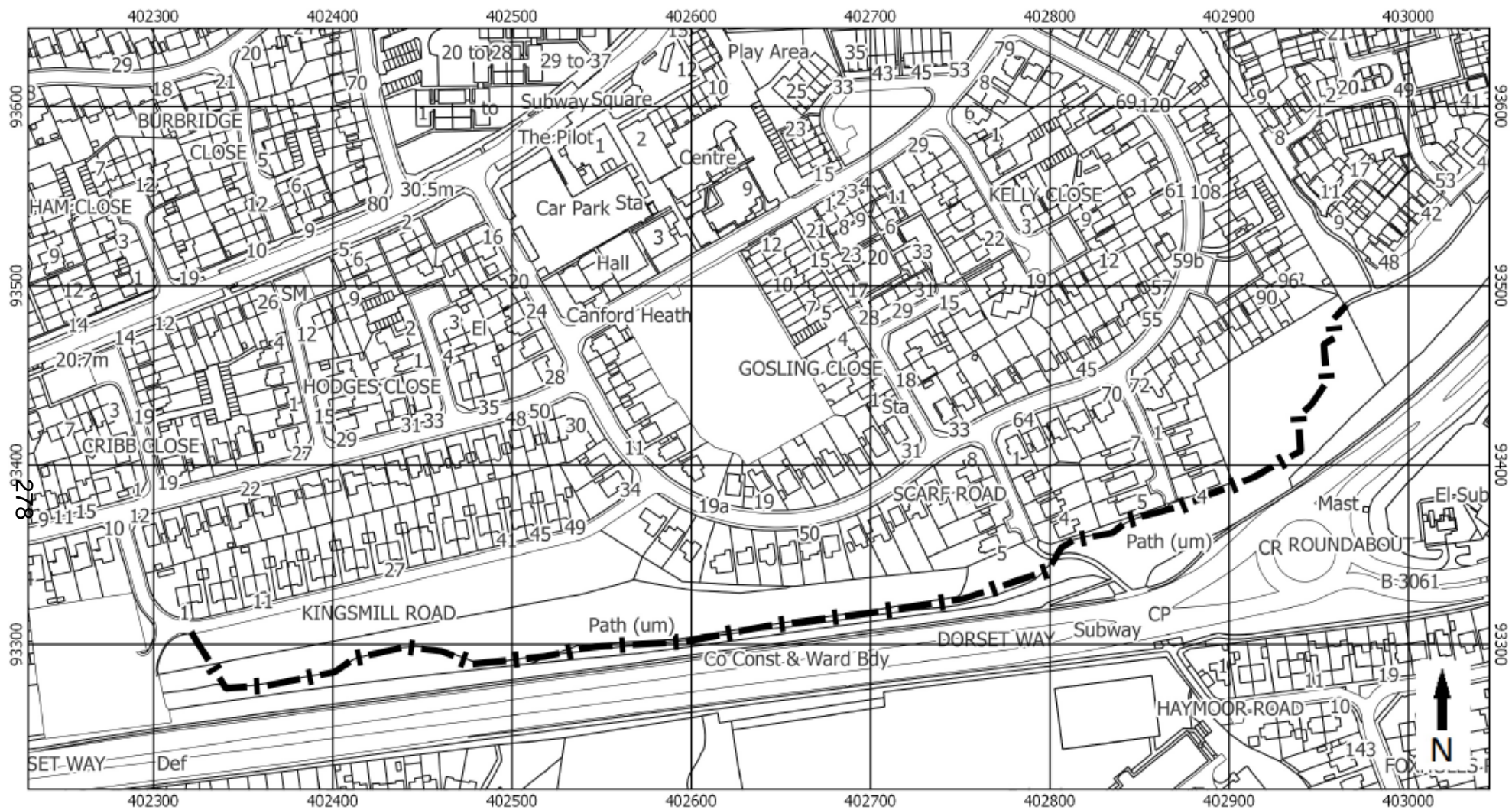
Bournemouth and Poole Rights of Way Improvement Plan 2017-2026

<https://www.poole.gov.uk/streets-and-travel/cycling-and-walking/public-rights-of-way/>

Appendices


Appendix A: Map of Bridleway

Appendix A: Map of Bridleway



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Scale 1:3000

Key:
 Bridleway

Order Map
Public Bridleway BR131

BCP Council
Civic Centre
Poole
BH15 2RU
bcpCouncil.gov.uk





CABINET

Report subject	Poole Bay Beach Management Scheme
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>Poole Bay Beach Management Scheme (BMS) is a project to provide coast protection to the coastal frontages of Poole and Bournemouth. Without the continuation of coast protection works, over the next 100 years, significant numbers of residential and commercial properties would be lost to erosion along with highways and supporting infrastructure. The potential adverse impact to the tourism economy and amenity benefit would be of a scale of local, regional and national importance.</p> <p>The overall programme of works is being delivered in distinct phases between 2015 and 2040 with the total project cost estimated to be in the region of £50m. Funding of the project will include Flood Defence Grant in Aid (FDGiA) and a proportion through Partnership Funding from the Council.</p> <p>The scheme commenced in 2015 with Phase 1 of the BMS being successfully led and delivered by Bournemouth Borough Council. This was funded through a Project Appraisal Report (PAR) as an Outline Business Case subsequently approved by the Environment Agency for Phase 1 of the project (2015/16 to 2019/20).</p> <p>Cabinet is asked to approve the submission of the Outline Business Case to the Environment Agency for funding the coast protection works identified under Phase 2&3 combined between 2020/21 and 2030/31 as a continuation of the project. As BCP Council are a Local Authority Risk Management Authority there is no requirement for a subsequent Full Business Case for Phase 2&3 combined to be submitted due to the value of the Outline Business Case.</p>

Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) The Council, as the Coast Protection Authority, submits to the Environment Agency the Outline Business Case for funding approval for the coast protection works identified under Phase 2&3 combined between 2020/21 and 2030/31.</p> <p>That Cabinet recommends to Full Council:</p> <p>(b) Provided the application for Flood Defence Grant in Aid (FDGiA) is successful, to fund £3.3m between 2020/21 and 2026/27 in conjunction with the EA's forward capital programme from Council Resources.</p>
Reason for recommendations	A requirement for BCP Council as the Coast Protection Authority to implement appropriate works under the local Flood & Coastal Erosion Risk Management Strategies, namely the Shoreline Management Plan (SMP2) 2011 and the Poole & Wareham FCRM Strategy 2014.
Portfolio Holder:	Councillor Dr Felicity Rice (Portfolio Holder for Environment and Climate Change)
Corporate Director	Bill Cotton (Executive Director Regeneration & Economy)
Contributors	<p>Anthony Kirby, Engineering & Major Contracts Manager, Growth & Infrastructure</p> <p>Daniel Povey, Partnership Financial Services Manager</p>
Wards	Poole Bay coastline frontage from Hengistbury Head in the east to the Sandbanks peninsula in the west.
Classification	For Decision and Recommendation

Background

1. The coastal towns of Bournemouth and Poole within the area of Poole Bay, from Hengistbury Head in the east to the Sandbanks peninsula in the west, are built on a coastline which is currently eroding at approximately 1m per year. Coastal defence works over the past 100 years to protect the cliffs and cliff top properties has included the building of seawalls, the strategic placement of groyne structures and the maintenance of an imported beach consisting of a mixture of natural marine sands and gravels.
2. The Shoreline Management Plan (SMP2) from 2011 set the policies for the preceding 100-year period to manage the coastal erosion risk through a "Hold the Line" approach. The subsequent Poole & Wareham FCRM Study from 2013, commissioned by the Environment Agency, determined the broad outline which was to "sustain" the level of protection as the sea level rises with groynes and beach replenishment.

3. The Bournemouth Beach Management Scheme (2015/16 to 2019/20) as Phase 1 of the project and the planned Poole Bay Beach Management Scheme (2020/21 to 2030/31) as a combined Phase 2/3 of the project include cyclic beach replenishment to maintain a beach level that provides the primary coastal erosion measure. This is complimented by a groyne renewal programme as the secondary level of coastal erosion protection, providing the replacement of life expired structures over the period of the project to improve the retention of the beach fill material off shore and protection of the seawall. The overall programme of works is being delivered in distinct phases between 2015 and 2040 with the total project cost estimated to be in the region of £50m.
4. Without the continuation of coast protection works over this 100-year period, significant numbers of residential and commercial properties would be lost to erosion along with highways and supporting infrastructure. The potential adverse impact to the tourism economy and amenity benefit would be of a scale of local, regional and national importance.

Bournemouth Beach Management Phase 1 (2015/16- 2019/20)

5. Prior to Local Government Re-organisation in April 2019, Bournemouth Borough Council approved the submission of the Outline Business Case for to the Environment Agency for Phase 1 of the project that covered beach replenishment and a groyne replacement programme across part of the Bournemouth frontage.
6. The Cabinet paper for Bournemouth Beach Management, 28th January 2015, is included as a background document to this paper.
7. Phase 1 of the project was subsequently approved by the Environment Agency in October 2015 and confirmation of the overall funding approval for Phase 1, including the value of the Council's Partnership Funding as the 18% contribution to the project, was confirmed in December 2015 with a total scheme cost of £16.8m. A condition of the FDGiA funding for Phase 1 was that the project would be delivered with at least 10% efficiency realised on the overall profile of projected spend. The overall total funding of the project was 82% through Flood Defence Grant in Aid (FDGiA) and 18% through Partnership Funding from the Council. In order to mitigate the capital commitment from the Council, officers secured a £1m allocation from the Wessex Regional Flood & Coastal Committee (WRFCC) from the Local Levy (LL) fund as a contribution to this partnership funding, leaving £1.6m direct capital contribution from Bournemouth Borough Council.
8. Phase 1 has delivered 1597 residential households in the BCP Council area that have a reduced risk from coastal erosion.
9. Future Council capital contributions to Phase 2 (2020+) onwards were not committed at the time of submitting the Phase 1 business case, given the time horizons of the programme. However, it was acknowledged in the Phase 1 business case that similar funding arrangements and contribution splits were likely to be required to satisfy national government future FDGiA requirements.
10. During the first delivery year, 2015/16, the Environment Agency took an opportunity to invest a greater proportion of FDGiA in lieu of the Partnership Funding from either the WRFCC Local Levy or the Council's Resources. This covered 100% of the available funding and included a reprofile to cover early project expenditure.

11. In a response to the additional 'Strengthening Fund' made available by the Department for Environment, Food and Rural Affairs (Defra) for the Environment Agency's national Capital Investment Programme, the Council were successful with an application to increase the programme for Phase 1 for the construction of an additional five life expired timber groynes.
12. Works under Phase 1 of the project were substantially complete in May 2019 and included the replacement of 30 life-expired timber groynes and a targeted beach replenishment campaign to the west of the Boscombe Pier frontage that involved the dredging and placement of 240,000m³ of marine grade natural sands and gravels.

Poole Bay Beach Management Phase 2 & 3 (2020/21 – 2030/31)

13. Phase's 2 and 3 of Poole Bay BMS covers the period from 2020/21-2030/31 and seeks to continue from the work successfully delivered under Phase 1. The Environment Agency (EA) (as the Government's administrator of FDGiA) has proposed that Phase's 2 and 3 are brought together as one programme of works, a recommendation supported by Council officers, in order to maximise cost efficiencies and provide confidence in delivery.
14. The scheme elements will consist of at least two beach replenishments, the replacement of further life expired timber groynes and major capital works to repair/replace Hengistbury Head Long Groyne. The lateral extents of the project area spans from the Sandbanks peninsular in the West to the Hengistbury Head Long Groyne in the East.
15. The delivery of Poole Bay BMS Phases 2 and 3 provides substantial benefit across all three previous Borough Council Areas. The 'Sustain' approach of regular beach replenishments and a groyne field system is designed to reduce and delay the onset of erosional losses which would otherwise occur.
16. For Christchurch specifically, the works elements to repair and upgrade Hengistbury Head Long Groyne (HHLG) are essential to ensure that the position and influence of this structure is maintained. Without HHLG, morphodynamic change would likely occur to the Christchurch frontage and the narrow channel entrance known as 'the run'. Without repairs to HHLG the Christchurch frontage would be subject to increased wave exposure, with the associated increase in flood and coastal erosion risk.
17. The managed 'Sustain' approach to Poole Bay also reduces the risk of coastal erosion at Double Dykes, in turn limiting the risk of a sea breach in to Christchurch Harbour. The consequence of a sea breach, creating a secondary tidal inlet would be profound on the current functioning of the harbour.
18. An Outline Business Case (OBC) in accordance with HM Treasury's 5-case model is being prepared for submission to the EA for the next phase, building on previous business case submissions and incorporating lessons learnt and advances in understanding of coastal science and engineering. As BCP Council are a Local Authority Risk Management Authority there is no requirement for a subsequent Full Business Case for Phase 2&3 combined to be submitted due to the value of the Outline Business Case.
19. The implementation of this project over 100 years will realise over £1Billion of present value economic benefits across BCP. Over two thirds of this value is from

erosion losses avoided whilst around a third of this value is derived from beach amenity recreation benefits.

20. Phase 2 & 3 of the project will deliver a combined 3358 residential households in the BCP Council area that will subsequently have a reduced risk from coastal erosion.
21. It is condition upon Defra that the Government's FDGiA funding settlement will realise a minimum of 15% partnership funding contributions to its overall capital programme, with the rationale that those that are set to benefit from FDGiA scheme investment should likewise contribute. Accordingly, the Grant Memorandum for Local Authorities sets out the requirement to secure reliable commitments from funding partners.
22. The Phase 1 business case calculated the contribution value required from local (Bournemouth Borough Council /Local Levy) funding sources by using the EA's partnership funding (PF) calculator. The algorithm within the PF calculator considers all scheme present value costs and benefits and assigns a FDGiA grant payment rate based on this overall benefit cost ratio but, with additional weighting given to the number of residential properties better protected from coastal erosion. The calculator showed that an 18% contribution was appropriate based on the premise that local contributions should be equivalent to the beach amenity benefit proportion of the PF score.
23. Discussion has been had with WRFCC and once again, the committee are prepared to support the project, recognising the local regional importance. The current Local Levy Indicative Programme has assigned £2.025m to the Phase 2 & 3 project.
24. The Phase 2 & 3 project costs are still being finalised as outline design options are refined, however, anticipated project cash costs are currently estimated at £36m. Applying the 18% local funding contribution to the PV costs would require c.£5.3m of partnership funding to be found, of which the £2.025m Local Levy has already been indicatively allocated. This would leave a contribution value of £3.3m to be met by BCP Council.
25. Capital Programme Board held on the 9th July considered the financial implications of the Outline Business Case for Phase 2 & 3, subsequently approving the inclusion of the indicative spend profile detailed (covered under Summary of Financial Implication) into the Medium Term Financial Plan and for decision at Cabinet and Full Council.
26. The BCP Council project team have attended a briefing session with the Environment Agency's Large Project Review Group (LPRG) to discuss the Outline Business Case for Phase 2 & 3 pre-submission. The feedback from the review group has been very positive in terms of both the overall cost benefit of the scheme, considering capital expenditure against outcome flood risk erosion measures achieved, and the deliverability of the project from both a technical and construction works planning basis. Subject to Cabinet and Council decisions the BCP Council project team have requested the Outline Business Case submission be considered by the LPRG group during the November cycle of meetings.

Summary of financial implications

27. The gearing effect made possible by BCP Council's capital contribution of £3.3m. will unlock £33m of combined government FDGiA and Local Levy, which in turn realises in excess of £265m of economic benefit over the next 30yrs. This would provide an effective 80.3 Benefit Cost Ratio to BCP's capital investment.
28. The economic benefit of this project will be realised across the full extent of the new BCP Council area.
29. The profile of spend indicated in the following table overleaf provides a forecast of spend that considers both the need for construction works to ensure a level of ongoing coastal protection is provided and the indicative profile of FDGiA that has been programmed by the Environment Agency. The profiling may be subject to change dependent upon the in-year availability of both FDGiA and Local Levy and the BCP Council Partnership Contribution will be continuously considered in-line with these fund commitments.
30. The Council's £3.3m capital contribution to the scheme will be funded from Capital Resources. £360k will be earmarked to the project from the Council's approved annual Corporate Revenue Contribution to Capital for each of the 7 years of the project (total £2,520k). In addition, an upfront contribution of £780k will be made from unallocated Capital Reserves in 2020/21.

Funding Body	20/21	21/22	22/23	23/24	24/25	25/26	26/27	Total
	£k	£k	£k	£k	£k	£k	£k	£k
EA FDGiA	6,380	4,903	5,001	2,931	1,514	8,360	1,575	£30,664
WRFCC Local Levy	421	324	330	194	100	552	104	£2,025
BCP	687	528	538	315	163	900	169	£3,300
TOTAL	£7,488	£5,755	£5,869	£3,440	£1,777	£9,812	£1,848	£35,989

Summary of legal implications

31. There is a requirement for BCP Council as the Coast Protection Authority to implement appropriate works under the local Flood & Coastal Erosion Risk Management Strategies, namely the Shoreline Management Plan (SMP2) 2011 and the Poole & Wareham FCRM Strategy 2014.

Summary of human resources implications

32. BCP Council are able to deliver Phase 2 & 3 of the project from a combination of in-house staff and the technical support of the Council's professional services contract.

Summary of environmental impact

33. The BCP Council project team have undertaken an Environmental Screening report and have been advised by the Planning Authority that a full Environmental Statement for the coastal protection works under Phase 2 & 3 combined in the Outline Business Case will not be required.
34. The project will require all relevant approvals, licence and consents as required for coastal defence works of this nature through the Marine Management Organisation (MMO), Natural England and BCP Council as the Planning Authority.

Summary of public health implications

35. There are no public health implications arising from this report.

Summary of equality implications

36. There are no equality implications arising from this report.

Summary of risk assessment

37. Without the continuation of coast protection works, over the next 100 years, significant numbers of residential and commercial properties would be lost to erosion along with highways and supporting infrastructure. The potential adverse impact to the tourism economy and amenity benefit would be of a scale of local, regional and national importance.

Background documents and information

Shoreline Management Plan (SMP2)

www.twobays.net

Strategy Study

<https://www.gov.uk/government/publications/poole-flood-and-coastal-erosion-risk-management-draft-strategy>

Beach Management Scheme

<https://www.bournemouth.gov.uk/AttractionsLeisure/BeachesandWaterfront/BeachManagementScheme/BeachManagementScheme.aspx>

Bournemouth Borough Council Cabinet paper for Bournemouth Beach Management 28th January 2015.

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CABINET



Report subject	BCP Council Street Works Permit Scheme
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>BCP Council by 1 April 2020 must operate a Street Works Permit system in lieu of its existing noticing system.</p> <p>This report explains the difference between the systems and seeks approval to consult all statutory consultees on proposed Permit Conditions for a new BCP Council Street Works Permit Scheme.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Cabinet approve consultation with all statutory consultees on a proposed BCP Street Works Permit Scheme</p>
Reason for recommendations	DfT require all Local Authorities to introduce a Street Works Permit scheme before April 2020; the approved permit conditions for such a scheme require consultation with statutory consultees.
Portfolio Holder(s)	Councillor Andy Hadley (Portfolio Holder for Transport and Infrastructure)
Corporate Director	Bill Cotton (Corporate Director of Regeneration & Economy)
Service Director	Julian McLaughlin, Growth & Infrastructure
Contributors	<p>Helen Taverner, Interim Senior Traffic and Parking Officer (Poole based)</p> <p>Paul James, Street Works manager (Bournemouth based)</p> <p>Richard Pincroft, Transportation Manager (Poole based)</p>
Wards	All BCP Wards
Classification	For Decision

Background

1. Department for Transport (DfT) estimate that the English local road network is subject to around 2.5 million road works each year. These can cause significant disruption to people's journeys and congestion which they estimate costs the economy around £4 billion.
2. The Secretary of State wrote to all highway authorities in July 2018 and demanded that all 'street works' by the end of March 2019 be managed by local authorities utilising 'permit schemes'. This deadline was subsequently extended to the end of March 2020.
3. As defined in section 48(3) of the New Roads and Street Works Act, 'street works' means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence: (a) placing apparatus; or (b) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street"
4. The objective of introducing local permit schemes is to positively control street works related activities on all streets that could otherwise cause increased disruption. They achieve this by allowing better co-ordination and planning of activities, which reduces the disruption and inconvenience that these activities cause, leading to reduced congestion and the realisation of associated social, economic and environmental benefits.
5. BCP Council is currently a 'noticing' highway authority in terms of Street Works activity on the highway.
6. The key differences between a permit scheme and the preceding method for managing activities on the street (noticing) under the New Roads and Street Works Act (NRSWA) are:
 - better position to be more proactive in the management and control of activities taking place on the highway; permit schemes may be envisaged as schemes to book occupation of the street for specified periods for a specified purpose rather than the noticing system whereby the promoters are entitled to occupation of the street and must simply notify the highway authority of their intentions;
 - highway authorities' own works are included within the scope of a permit scheme (e.g. Street Scene);
 - conditions can be attached to permits which impose constraints on the way that work is carried out and information is provided, and can allow the authority to direct the timing of activities;
 - the control that permit authorities have over variations to the permit conditions, particularly in the circumstances of extensions of time, give greater opportunity to deliver completion dates; and,
 - a permit fee is payable by the statutory undertakers. This fee relates to the proportion of total costs incurred by a Permit authority.

7. Permit Schemes can only be formed using the process set out in the following statutory guidance; 'Department for Transport Statutory Guidance for Highway Authority Permit Schemes, October 2015'.
8. Each approved permit must have a set of conditions applied to it; these conditions need to be approved and consulted on before introduction. Consultees are restricted to Statutory Undertakers, for example Wessex Water, Southern Gas Networks or Fulcrum Pipelines Ltd and neighbouring Local Authorities i.e. Dorset Council and Hampshire County Council.
9. The conditions are based on traffic sensitivity and indicate when a given street may or may not be worked upon. Traffic sensitivity is determined by a matrix based upon the below values:
 - a. the street is one on which at any time the street authority estimate traffic flow to be greater than 500 vehicles per hour per lane of carriageway, excluding bus or cycle lanes
 - b. the street is a single carriageway two-way road, the carriageway of which is less than 6.5 metres wide, having a total traffic flow of not less than 600 vehicles per hour
 - c. the street falls within a congestion charges area
 - d. traffic flow contains more than 25% heavy commercial vehicles;
 - e. the street carries in both directions more than eight buses per hour
 - f. the street is designated for pre-salting by the street authority as part of its programme of winter maintenance
 - g. the street is within 100 metres of a critical signalised junction, gyratory or roundabout system
 - h. the street, or that part of a street, that has a pedestrian flow rate at any time of at least 1300 persons per hour per metre width of footway
 - i. the street is on a tourist route or within an area where international, national, or significant major local events take place
10. Using the guidance, work to date indicates that proposed fees for the BCP Street Works permit scheme would be as per the following table from the statutory guidance document:

Maximum fee structure for each category of works and for a hierarchy of main and minor roads - Road category refers to the reinstatement category of the street under the New Roads and Street Works Act 1991		
Road Category 0, 1 & 2 or Traffic-sensitive		Road Category 3 & 4 and non-Traffic-sensitive
Provisional Advance (It is suggested this fee applies only where value has been added in processing the works)	£105	£75
Major works – over 10 days and all major works requiring a traffic regulation order.	£240	£150
Major works – 4 to 10 days	£130	£75
Major works – up to 3 days	£65	£45
Activity Standard	£130	£75
Activity Minor	£65	£45
Immediate Activity	£60	£40
Permit Variation	£45	£35

Summary of Financial Implications

11. Permit Authorities may charge fees in relation to the issuing of permits and must justify those fee levels. The fee levels should be available to those consulted under regulation 3 of the statutory guidance and may not exceed those set out in regulation 29 of the statutory guidance.
12. Any income generated by permit schemes should be used to cover the costs of operating the scheme. The income from fees must not exceed the total allowable costs prescribed in the permit regulations. This balance can be achieved over several years.
13. Allowable costs are limited to: the proportion of direct costs and overheads attributable to operating the scheme for undertakers, which are over and above the cost of the authority's co-ordination duty under NRSWA. This may include the costs related to permits which may not always lead to a permit being granted. Overheads can include: non-salary staff-related costs such as pensions and benefits, proportionate allocation of accommodation, central services and IT costs, as well as general administration and management for monitoring the permit system, key performance indicators (KPIs) and invoicing.
14. The costs associated with establishing the permit scheme are not chargeable/recoverable from promoters/statutory undertakers. The officer time and consultation costs for a BCP Council permit scheme were estimated, identified and budgeted for as part of stage 2 of the local government reorganisation process and have therefore already been accounted for as part of 2019/20 the Growth and Infrastructure revenue budget.

Summary of legal implications

15. There is a statutory requirement for Highway Authorities when establishing a permit scheme to carry out a full consultation of stakeholders (this does not include the public). Authorities must consult those specified within the guidance and any other persons the authority consider appropriate.
16. Furthermore, the regulations stipulate that consultation should be sufficiently detailed to enable an adequate response to be considered and provided. This means that if a variation is proposed the consultation should be proportionate to the nature of that variation, and that consultees should have the detail they need to make a fully-informed response. The Secretary of State is listed as a consultee and would consider on a case by case basis whether to make representations.
17. It is recommended that consultation of a BCP Council permit scheme based on the content of this report is undertaken before the end of December 2019 to allow enough time for responses to the consultation to be considered ahead of a proposed permit scheme being established.

Summary of human resources implications

18. The operation of a Street Works permit scheme would likely require the council to employ additional officers. Any additional posts would be paid for from the income generated by the permit fee charges. This does not include the cost of Inspectors who would continue to be funded via Sample Inspection fees and other income not relating to permit conditions (e.g. Section 72 (defect) charges).

19. The DfT permit scheme matrix infers that an additional 6 posts at varying grades could be required to facilitate the operation of the permit scheme effectively within the BCP Council footprint.
20. Following consultation, the nature and number of posts required to operate the scheme would be confirmed. Recommendations would be made to the respective director ahead of any job evaluation and grading process to effectively create the posts. The level of staffing would be subject to regular review.

Summary of environmental impact

21. A Street Works permit scheme would reduce congestion due to the occupation times of the highway reducing.

Summary of public health implications

22. Reduction in emissions from idling vehicles.

Summary of equality implications

23. There are no equality implications arising from the recommendations. All works carried out on the highway must conform to the Code of Practice for Safety at Street Works and Road Works 2013 as amended which ensures compliance with the Equalities Act; stating in the foreword that "You must pay particular attention to the needs of disabled people and should also consider other vulnerable groups such as elderly people, children and those with push chairs."

Summary of risk assessment

24. There are no significant risks.

Background papers

25. None

Appendices

There are no appendices relating to this report.

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CABINET

Report subject	Community Governance Review for Throop and Holdenhurst - Draft Recommendations for Consultation
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local community governance arrangements.</p> <p>The Council commenced a review following the receipt of a valid community governance petition and the approval of the terms of reference and timetable.</p> <p>Cabinet is asked to consider the draft recommendations of the Task and Finish Group and to make a recommendation to Council.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>the Task and Finish Group Community Governance Review draft recommendations, as set out in the schedule within the attached report be approved for publication and consultation with local residents and other interested parties.</p>
Reason for recommendations	<p>The Task and Finish Group considered the representations received during the first stage of the review process which invited representations from local stakeholders and other interested parties. The views of these representations have helped shape the draft recommendations.</p>

Portfolio Holder(s)	Councillor Lewis Allison (Portfolio Holder for Tourism, Leisure and Communities)
Corporate Director	Julia Osgathorpe (Corporate Director of Resources)
Report Authors	Councillor N Brooks (Chairman of the Task and Finish Group) Richard Jones (Head of Democratic Services)
Wards	Muscliffe & Strouden Park
Classification	For Recommendation

Background

1. The Cabinet, at its meeting on 12 July 2019, resolved to undertake a Community Governance Review following the receipt of a valid petition for the Throop and Holdenhurst area of BCP Council. In approving the terms of reference and timetable, a Task and Finish Group of five councillors was appointed to oversee the review, consider the representations and to make draft recommendations for further consultation.
2. The attached report details of the outcome of those deliberations, including the review of parish boundaries and the consequential changes to electoral arrangements.

Community Governance Review Criteria

3. Members are reminded that a Community Governance Review provides an opportunity to put in place strong, clearly defined boundaries and to remove any anomalous parish boundaries. It can consider one or more of the following:-
 - (a) Creating, merging, altering or abolishing parishes;
 - (b) The naming of parishes and the style of new parishes;
 - (c) The electoral arrangements for parishes (the ordinary year of election; council size, the number of councillors to be elected to the council, and parish warding); and
 - (d) Grouping parishes under a common parish council or de-grouping parishes.
4. The Council is required to ensure that community governance within the area under review will be reflective of the identities and interests of the community in that area; and is effective and convenient. These criteria were considered by the Task and Finish Group in reaching their recommendations.

Constraints

5. The Council may not alter the boundary of BCP Council, and may not alter the boundaries of other principal councils; however, the review may make consequential electoral arrangement recommendations in relation to the electoral

wards of BCP Council where there is sufficient evidence that this would be desirable and result in more convenient electoral arrangements. This may be desirable, where a recommendation is made to establish a parish boundary which is not coterminous with an existing electoral ward. Any consequential electoral arrangements will require the consent of the Local Government Boundary Commission for England.

6. The Local Government Boundary Commission for England look favourably on such recommendations that seek to resolve anomalies or where changes can be well argued but there is a risk that the Commission may refuse to accept final recommendations and the final Reorganisation Order could fall as a result.

Options

7. The Council has three primary options available at this stage of the process, although each option would need to be the draft recommendations and subject to further consultation. The options available as draft recommendations are:-
 - (a) To make no changes to the existing arrangements currently in place and retain the parish of Holdenhurst Village;
 - (b) Abolish the existing parish of Holdenhurst Village;
 - (c) To establish a new parish of Throop and Holdenhurst Parish by extending the existing parish of Holdenhurst Village and establish a new Parish Council with the boundary being either:-
 - That put forward in the petition and as a consequence altering the parish boundary of Hurn; or
 - A modified boundary excluding that part of the parish of Hurn which falls south of the Rover Stour.
 - (d) To establish a new parish which is coterminous with the boundary of the BCP Council ward of Muscliff and Strouden Park.

Analysis

8. Although the results of the consultation at this initial stage are finely balanced, and a status quo decision (Option A) could be argued, there is a majority supporting the aims of the petition. Publishing draft recommendations for no change to the existing arrangements will simply test the principle and not help inform or shape the detail.
9. Option B has no weight of support from those responding and as a consequence should be disregarded at this stage.
10. The greatest weight of support is the establishment of a new parish in accordance with the petition, and Option C is therefore proposed to form the basis of the draft recommendations. Consideration should be given to the precise alignment of the boundary where it adjoins the neighbouring parish of Hurn,

however, draft recommendations based on a variant of this option will enable the next stage of the consultation process to test the support for the detail.

11. Finally, although Option D has been suggested by a number of respondents, the fundamental principle of a community governance review is to consider the establishment of local governance arrangements which reflects both local community identity and interests. There is little evidence at this stage which demonstrates that the communities of Holdenhurst and Throop share common interests with the wider area.

Elections

12. If the Council was minded to establish a new parish council, the timetable does not permit implementation before 1 April 2021. The decision could be made to postpone implementation until 2023 so as to align the elections with the next BCP Council elections, however, the recommended alternative is to extend the first term of office for an two extra years and then every fourth year thereafter.

Stage 3 – Publication of Draft Recommendations – Consultation and Engagement

13. The Council is required to publish its draft recommendations and to consult and seeks the views of interested parties on those draft recommendations. As with the invitation of initial submissions, the Council will seek the views of local stakeholders identified previously (e.g., existing neighbouring parish councils, Members of Parliament, business associations and groups, residents' and community associations, housing associations, CAB's and libraries, etc.).
14. The draft recommendations report will be published on the Council's web site, public notices will be displayed, press releases issued to the press for the wider population and social media channels to raise public awareness. However, where recommendations affect specific properties more targeted engagement will be made.
15. The approved terms of reference and timetable provides for a period of 12 weeks for the next stage of consultation between 15 November 2019 and 7 February 2020.

Summary of financial implications

16. It is anticipated that the cost of running the Community Governance Review will be contained within existing budgets.

Summary of legal implications

17. The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local community governance arrangements. The Community Governance Review will be undertaken in accordance with this Act and supplementary guidance.

18. To implement the outcome of the Review, the Council will be required to draw up a Re-organisation Order with accompanying maps, and widely publish these changes.

Summary of human resources implications

19. There are no anticipated requirements for additional manpower resources.

Summary of environmental impact

20. There are no environmental implications arising from this report.

Summary of public health implications

21. There are no public health implications arising from this report.

Summary of equality implications

22. There are no equality implications arising from this report

Summary of risk assessment

23. It is vital that the Governance Review is undertaken in accordance with the Local Government and Public Involvement in Health Act 2007 and the Guidance produced by the Ministry for Housing, Communities and Local Government and the Local Government Boundary Commission for England.
24. Failure to adhere to these could result in the Review being open to challenge and judicial review.

Background papers

Local Government and Public Involvement in Health Act 2007
Guidance on community governance reviews – Published by the Department for Communities and Local Government (now MHCLG)
Schedule of Representations Received in Response to Invitation of Initial Submissions (Partly Except) – Category 1 (Information relating to any individual). A copy of the representations have been published separately on the web site.

Appendices

Appendix 1 – BCP Council Community Governance Review – Draft Recommendations
Appendix 2 – Draft Recommendation – Proposed Parish Boundary

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COMMUNITY GOVERNANCE REVIEW (THROOP AND HOLDENHURST)

Law and Governance Resources

Draft Recommendations for Consultation

Author: Richard Jones
Date: 30 September 2019

Contents

Draft Recommendations 1

1 Introduction..... 1

2 The Review..... 1

3 Parish and Ward Boundary Changes2

4 Next steps - Representations2

5 Publication of responses – confidentiality and data protection 3

THROOP AND HOLDENHURST PARISH (PETITION FOR NEW PARISH OF
THROOP AND HOLDENHURST) 4

1 Background 4

2 Draft Recommendations..... 7

1 Introduction

- 1.1 BCP Council, at its meeting of Cabinet on 12 July 2019 resolved that, following the receipt of a valid Community Governance Review petition, that a Community Governance Review be conducted for that part of the district of Bournemouth, Christchurch and Poole, as defined in the published terms of reference, in accordance with Part 4 Chapter 3 of the Local Government and Public Involvement in Health Act 2007. The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government.

2 The Review

- 2.1 This Review commenced on 12 July 2019, when the Council published a Terms of Reference document and invited initial submissions from individuals and organisations who had an interest in the Review. In the Terms of Reference, the Council published a timetable for the Review.
- 2.2 The formal consultation period, inviting interested parties to make initial submissions, commenced on 15 July and closed on 1 September 2019. The consultation was published on the Council's web site and public notice boards, but more targeted engagement was sent to:-
- Relevant parish council clerks;
 - Dorset Association of Parish and Town Councils Chief Executive;
 - The local Member of Parliament;
 - Business Groups;
 - Relevant Residents' and Community Associations;
 - Housing Associations;
 - Citizens Advice Bureaux;
 - Local Libraries;
 - The lead petitioner;
 - Ward councillors.
- 2.3 To oversee the community governance review and to consider representations received during the initial submission phase, the Council appointed a Community Governance Review Task and Finish Group.
- 2.4 In preparing these Draft Proposals, the Council has been mindful of the initial submissions that have been received. The Council also has the role of balancing these submissions against the wider requirements and duties that are placed upon it in the 2007 Act. In particular, the Council has a duty to ensure that community governance within its area under review reflects the identities and interests of the community in that area; and is effective and convenient.
- 2.5 In assessing this criteria, the community governance review is required to take into account:-
- (a) The impact of community governance arrangements on community cohesion; and

(b) The size, population and boundaries of a local community or parish.

- 2.6 The aim of the review is to bring about improved and stronger community engagement, more cohesive communities, better local democracy and more effective and convenient delivery of local services; ensuring electors across the area in question are treated equitably and fairly.

3 Parish and Ward Boundary Changes

- 3.1 Reference is made in this paper to parish boundaries being coterminous with other district and parliamentary electoral boundaries. Extending parish boundaries to break the coterminous arrangements would potentially require the creation of additional parish wards as a parish should not straddle a principal boundary.
- 3.2 The alternative to breaking the coterminous relationship is to seek consent from the Local Government Boundary Commission for England for a related alteration to redraw the principal council ward boundaries. Regard must be had to the effect and impact of such related alterations on the electoral equality of the principal council wards. Where such alterations are recommended in this paper, an assessment as to the likely success of alterations has been considered.

4 Next steps - Representations

- 4.1 All residents and any other persons or organisations wishing to make representations on the draft recommendations may do so by email to democratic.services@bcpcouncil.gov.uk

Representations may also be returned to:
Democratic Services (CGR)
BCP Council
Town Hall
Bourne Avenue
Bournemouth
BH2 6DY

Please entitle your response '*BCP Council Community Governance Review 2019 – Response to Draft Recommendations*'.

- 4.2 Representations that are received will be taken into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007.
- 4.3 The deadline for receipt of comments is midnight on 7 February 2020.
- 4.4 It would be helpful if you could make clear in your response whether you represent an organisation or group, and in what capacity you are responding.
- 4.5 An electronic version of this consultation paper is available to download from our web site. Visit [URL to be inserted after Council approval].

5 Publication of responses – confidentiality and data protection

- 5.1 Information provided in response to this consultation, including personal information, may be published, or disclosed in accordance with the access to information regimes.
- 5.2 If you want any information you provide to be treated as confidential, you should be aware that under the Freedom of Information Act 2000, there is a statutory Code of Practice with which public authorities must comply, and which deals, amongst other things, with obligations of confidence. In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential.
- 5.3 If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give any assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by IT systems will not, of itself, be regarded as binding on the Council.
- 5.4 BCP Council will process your personal data in accordance with the Data Protection legislation and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

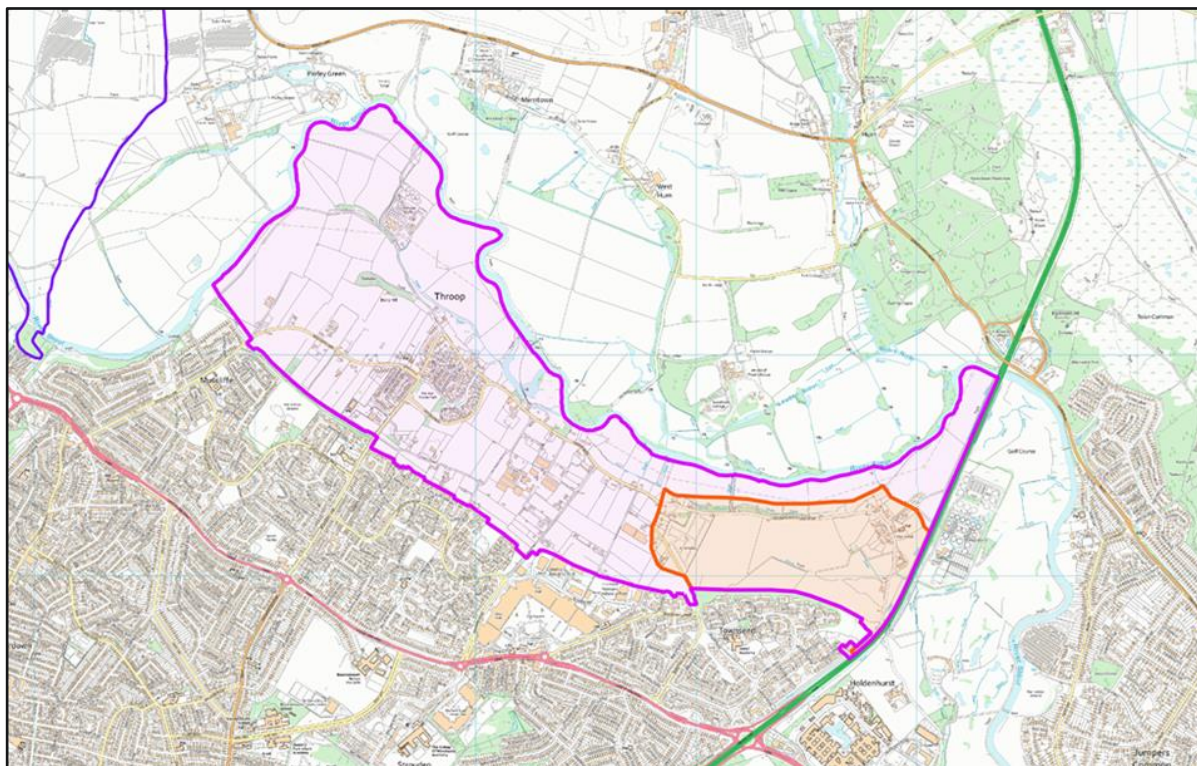
1 Background

- ## Throop and Holdenhurst

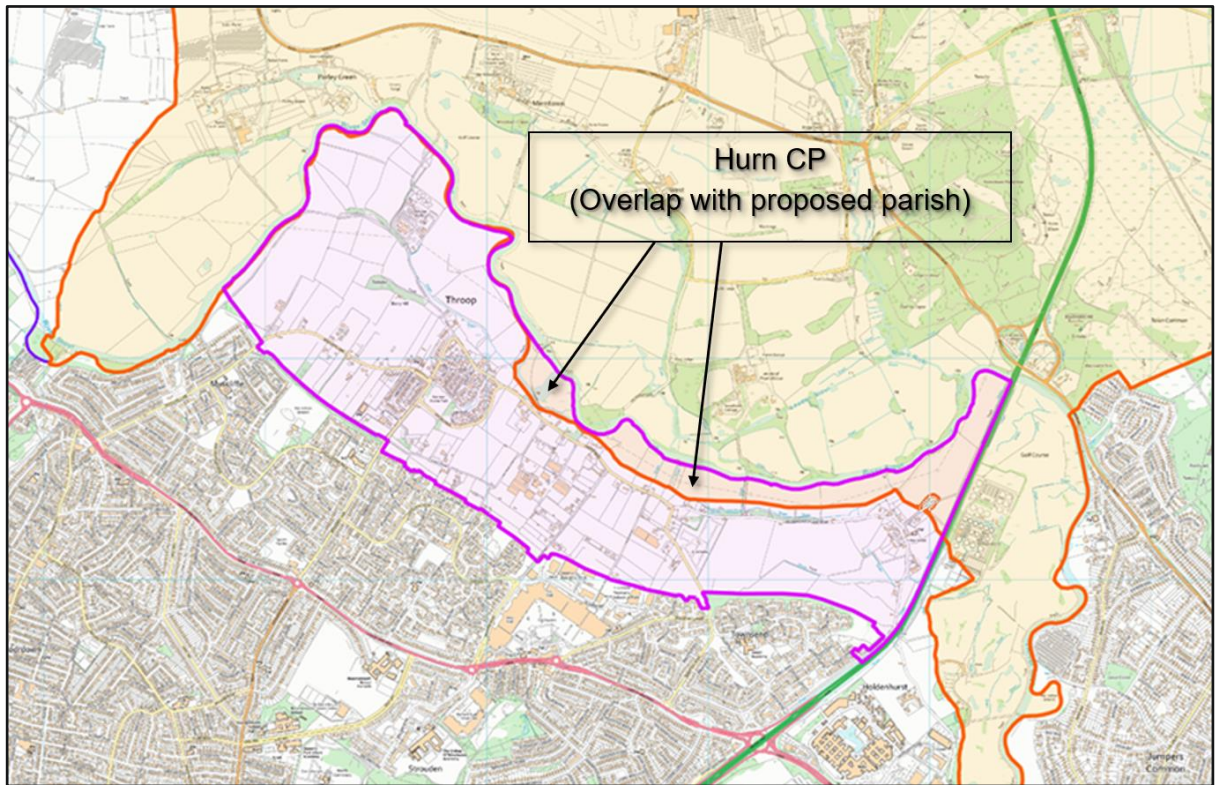
1.3 Holdenhurst village is an existing parish, does not have a parish council and meets only as a parish meeting. The boundary of the existing parish of Holdenhurst is illustrated below.



- 1.4 The entire length of the northern boundary of the parish adjoins the neighbouring parish of Hurn and is coterminous with the BCP Council electoral ward and parliamentary constituency boundaries, with the exception of one property, Wood Farm, which is currently unparished. The whole parish falls within the boundary of the existing ward of Muscliff and Strouden Park. The map below shows the boundary of the parish requested by the petition (outlined in purple) encompassing the existing parish of Holdenhurst (outlined in orange), and the property referred to above, Wood Farm.



- 1.5 The area of the proposed parish is largely rural in nature, in stark contrast to the more densely populated developments to the south which make up the remainder of the Muscliff and Strouden Park ward. The villages of Throop and Holdenhurst are close to the River Stour and features countryside views over the Stour Valley to the north and west.
- 1.6 The petition (as submitted) requests that the western and northern boundary of the new parish runs along the southern edge of the River Stour. Whilst the river is a strong geographical feature, the northern boundary requested would require an alteration to the boundary of the neighbouring parish of Hurn which currently extends beyond the line of the river to the south. The map overleaf shows the extent to which the Hurn parish boundary extends beyond the river and into the proposed parish.
- 1.7 There are no residential properties within this area.



- 1.8 It is also important to note that the existing boundary of the parish of Hurn is the boundary between the two parliamentary constituencies of Bournemouth East and Christchurch.

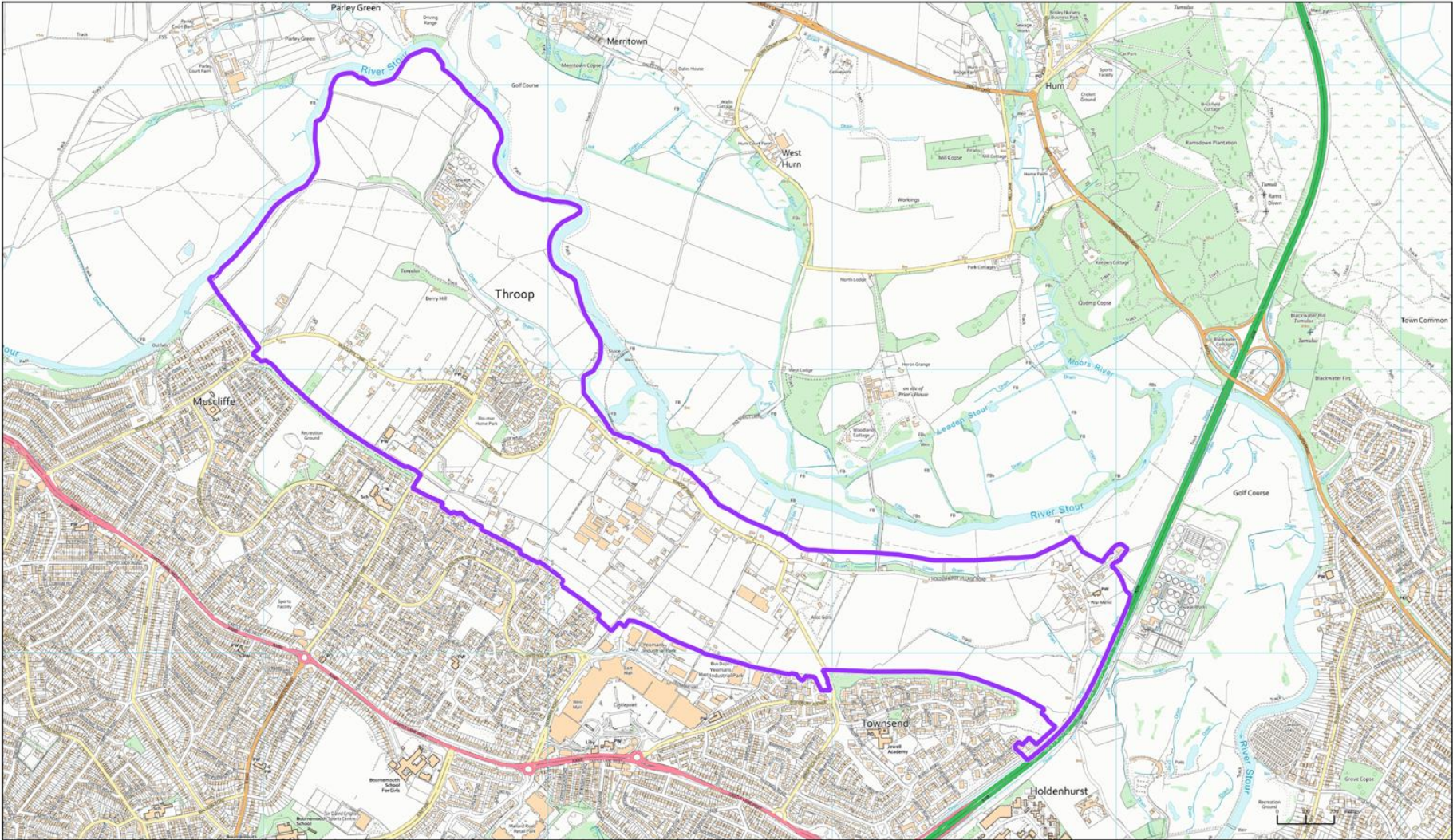
Summary of Representations Received

- 1.9 In response to the invitation of submissions during stage one of the consultation process, the council received 75 online responses and further seven responses either via email or in writing. 15 of the respondents failed to provide their identity or any valid geographical reference. However, the comments made have been taken into consideration and included in the summary of representations for completeness.
- 1.10 The full schedule of responses and comments received online are available as a separate document, anonymised to protect individual identities. Where the response was made by a statutory body or organisation, the name of the organisation has been included.
- 1.11 In summary, analysis of the results of the online responses shows that support for the establishment of the new enlarged parish and parish council is finely balanced with 53% agreeing that the existing parish arrangements should be altered as requested by the petition.
- 1.12 Analysing the data on a geographical basis for those respondents who have provided at least a post code, the support of those residing within the boundary of the proposed parish increases to 83%.
- 1.13 A small number of positive respondents from outside the proposed parish, suggested that the parish area should be extended to include Muscliff or reflect the wider boundary of the BCP Council ward of Muscliff and Strouden Park.

- 1.14 Finally, Hurn Parish Council have responded positively to the establishment of a new parish council, but have objected to the alteration of the historic Hurn parish boundary. In raising objection to the boundary change, the parish council cite the existence of the formal designation of the Neighbourhood Plan area. There are no residential dwellings in the area in question.
- 1.15 The Task and Finish Group considered the representations received and make the following draft recommendations.

2 Draft Recommendations

- 2.1 As part of the current Community Governance Review, under the terms of reference published on 12 July 2019, the Council has made the following draft recommendations in relation to the parished area of Holdenhurst and the unparished area of Throop:
- 2.2 That:
- (a) the existing parish of Holdenhurst Village be altered to include the neighbouring village of Throop as shown on the map appended to this document;
 - (b) the name of the established parish referred to in (a) above be Throop and Holdenhurst;
 - (c) the style of the parish of Throop and Holdenhurst be set as a village;
 - (d) the parish should have a parish council in the style of village council;
 - (e) the name of the village council should be 'Throop and Holdenhurst Village Council';
 - (f) the village council for Throop and Holdenhurst consist of 7 councillors;
 - (g) the effective date for the establishment of the parish council be 1 April 2021;
 - (h) the elections of all parish councillors for the parish of Throop and Holdenhurst shall be held:-
 - (i) on the ordinary day of election of councillors in 2021;
 - (ii) on the ordinary day of election of councillors in 2027; and
 - (iii) every fourth year thereafter.



Proposed Throop and Holdenhurst Parish Boundary

Scale: 1:12500 @ A3



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CABINET



Report subject	Medium Term Financial Plan Update Report
Meeting date	9 October 2019
Status	Public
Executive summary	<p>This report;</p> <ul style="list-style-type: none"> • Presents the work done in refreshing the Medium Term Financial Plan (MTFP) following the Government's 2019 Spending Round and the fundamental annual refresh undertaken at the end of August 2019. • Presents the progress made towards delivering a balanced budget for 2020/21 and highlights the key financial risks faced by the Council. • Sets out the progress in respect of the disaggregation of the 31 March 2019 Balance Sheet of the former Dorset County Council. • Provides details of the grants made available by Government to support the potential costs falling to the Council following the decision of the United Kingdom to leave the European Union.
Recommendations	<p>It is RECOMMENDED that Cabinet note:</p> <p>(a) It is that the gross MTFP funding gap over the three-year period to March 2023 has been revised to £23.9m.</p> <p>(b) that proposals have been formulated which close the funding gap for 2020/21 to £7.7m (from £15m).</p> <p>(c) The need for Members and Officers of the Council to bring forward and examine robust and realistic budget proposals through the autumn which will ensure that the proper and lawful duties of the Council can be satisfied and a balanced budget for 2020/21 can be set.</p>
Reason for recommendations	<p>To comply with accounting codes of practice and best practice which requires Councils to have a rolling multi-year medium term financial plan.</p> <p>To ensure Members develop a balanced budget for 2020/21.</p>

	To provide Cabinet with the latest high-level overview of the medium-term financial plan position for Bournemouth, Christchurch and Poole Council.
Portfolio Holder(s):	Councillor David Brown (Portfolio Holder for Finance)
Corporate Director	Julian Osgathorpe (Corporate Director for Resources)
Contributors	Adam Richens – Chief Finance Officer and Director of Finance Dan Povey, Acting Assistant Chief Finance Officer Nicola Webb, Assistant Chief Finance Officer Matthew Filmer, Finance Manager
Wards	All Wards
Classification	For Decision

Background

1. At its first meeting in June 2019 the Cabinet approved the planning process to be applied in updating the Councils Medium Term Financial Plan (MTFP) alongside the financial strategy to be adopted in developing a balanced budget for 2020/21.
2. Besides a refresh of the Council Tax Harmonisation strategy, in line with the two-year aspiration of the new administration, the report endorsed the approach that each Directorate work on individual savings and efficiency plans designed to ensure they cover their own pressures for 2020/21 including the impact of the pay award and an apportionment of the assumed implications of the 2019 tri-annual revaluation of the pension-fund. This approach was adopted as a matter of pragmatism which recognised that the Councils longer term strategy to shift towards delivering savings at an overall enterprise (council) level would not be implementable in sufficient time for 2020/21 with the report from KPMG not scheduled to be considered until November.
3. The June report also set out that based on all the assumptions and professional judgements which will underpin the budget of a large Unitary Authority the Council was forecasting to have a £15m funding gap for 2020/21, which amounts to approximately 5% of its £274m net budget. That said it was also stressed that sensitivity analysis, in the form of a MTFP Strength Test, had shown that the funding gap could be anywhere between £5m in a best-case scenario and £41m in a worst-case scenario with the disparity between the two associated with the uncertainty caused by the lack of clarity on future funding arrangements being provided by national Government.
4. In endorsing the June report Cabinet agreed to a Budget timetable, as reproduced at Appendix A, which requested this October MTFP Update report in reflection of the progress made in delivering a balanced budget for 2020/21 following the fundamental refresh of the baseline information.

National Context: Spending Review 2019

5. At the time of authoring this report the unprecedented amount of national political turbulence continues to impede the Councils ability to plan meaningfully and therefore effectively for its financial future.
6. April 2020 was supposed to see the introduction of a new financial framework for local government with the implementation of a new fairer funding formulae and the roll out of a new 75% business rates retention system. In addition, 2019 was supposed to see the announcement of a green paper on how the Government considered Adult Social Care should be funded in the future and a spending review which would set out the departmental spending limits for the next three to four financial years.
7. In response to these issues, and the urgent need to provide certainty and stability for next year, the Chancellor, Sajid Javid, announced a one-year spending round on Wednesday 4 September 2019. The statement included the announcement that the long-term local Government finance reforms, including business rates retention and the review of relative needs and resources (fairer funding) have now been delayed until 2021/22. In addition, the statement did not include any indication as to when the Government will publish their proposals for the future funding of Adult Social Care other than a reference to such fundamental reforms being set out by the Prime Minister in due course.
8. Spending Round 2019 has though set out a much-welcomed short-term funding boost for schools, health and social care, and policing. The concern will be that a significant proportion of this funding is being provided by a substantial increase in government borrowing which will not provide a sustainable funding source. In effect, the £15bn of fiscal headroom that was earmarked in the spring as a three-year Brexit contingency fund is effectively being spent in supporting a one-year spending round. This headroom was as identified against the Government's current fiscal rules of keeping the structural deficit below 2% of Gross Domestic Product (GDP) in 2020/21 (the borrowing rule) and debt falling as a percentage of GDP in 2020/21 (the debt rule).
9. It should be emphasised that the spending round sets out the national spending plans at a Government departmental level. It does not provide individual allocations to specific local authorities. These will be contained in the detailed settlement for Local Government which is being promised for early December. That said, it does provide valuable context and clarifications which have been used to update the financial planning assumptions which underpin the Councils Medium Term Financial Plan.
10. The announcements in the spending round which will impact on the Councils financial planning assumptions include;
 - a) All existing 2019/20 grants to support social care will continue.
 - b) The Government will provide a further £1bn of grant funding for adults and children's social care in 2020/21.
 - c) Local Authorities will be able to raise up to a further £500m via a 2% Adult Social Care Precept next year.

- d) A basic Council Tax referendum limit of 2% for 2020/21 will be set (4% total threshold).
 - e) Funding to remove negative Revenue Support Grant will continue for 2020/21.
 - f) An additional £700m will be provided via the Dedicated Schools Grant to support children with Special Educational Needs.
 - g) Further grants of £54m and £24m will be provided respectively to combat rough sleeping and homelessness and building safety.
11. Regardless of the national political turbulence and significant uncertainty the Council is reminded that it has a legal requirement to set a balanced budget for 2020/21 in February 2020 which is just over 130 days from the date of this report.

Latest Medium Term Financial Plan (MTFP)

12. Medium term financial planning processes are designed to provide sound financial management and control arrangements which are integral to the delivery of good governance for the council. Such arrangements help in supporting service delivery, accountable decision making and safeguarding stewardship whilst optimising the use of available resources.
13. The MTFP and budget for 2020/21 should be seen in the context of a rolling, evolving process structured to enable the proactive management and prioritisation of the new Council's resources. To support its development Cabinet agreed the following high-level budget cycle as follows;

Stage One: April to June

- Closure of the accounts for the predecessor authorities
- High level budget planning process as set out in this June 2019 MTFP Update report to cabinet.
- Approval of an outline financial strategy to support the delivery of a balanced budget for 2020/21.
- Design of a two-year base budget review process to aid decision making around the 2020/21 budget and MTFP.

Stage Two: June to September

- Initial detailed bottom up baseline financial assessments for each service. This should include a reflection on previous year's actual performance and forecast in-year performance to evaluate the realism of future year plans.
- Stage one base budget reviews.
- Phase one initial savings and efficiency plans as per the Financial Strategy.

Stage Three: October to December

- Stage two base budget reviews.
- Refinement stage including councillor consideration of budget saving options
- Consideration of public consultation, options and proposals.

Stage Four: January to February

- Finalise the 2020/21 Budget.

14. Stage one and stage two are now complete with a substantially weekly base budget review process now established at which the Leader, Portfolio Holder for Resources, relevant Portfolio Holder, the Chief Executive and Chief Finance Officer consider the base budget for specific service areas. The intention of these reviews being to not only identify areas for potential savings and efficiencies, but to challenge the cost and understand the risks associated with service delivery, and to plan to ensure consistency in service delivery standards by April 2021.
15. Figure 1 below sets out the current MTFP to 2023. It should be emphasised that the table shows the incremental changes, positive and negative from the preceding year. It does not show absolute amounts.

Figure 1: Medium Term Financial Plan 2019 to 2023

19/20 £m	Pressures	20/21 £m	21/22 £m	22/23 £m	Total £m
6.9	Adult Social Care – growth in demand and cost	10.4	5.3	5.3	21.0
2.9	Pay award for staff	3.0	2.9	2.9	8.8
6.9	Government Funding reductions	1.8	3.5	1.0	6.3
1.1	Regeneration and Economy	1.4	1.4	1.6	4.4
1.3	Environment and Community	1.5	0.1	0.1	1.7
1.8	Pension Fund – tri-annual revaluation impact	1.3	0.7	0.7	2.7
1.3	Children’s Services – demand and cost increases	3.1	1.0	0.6	4.7
1.1	Corporate Services / Central Items – Microsoft licence costs and time limited contributions	0.2	0.4	0.9	1.5
0.7	Minimum Revenue Provision / Interest payable	0.4	0.0	0.0	0.4
0.1	Public Health – grant contribution to service reduced	0.1	0.0	0.0	0.1
2.0	Contingency	0.0	0.0	0.0	0.0
1.7	Adult Social Care - winter pressures	0.0	0.0	0.0	0.0
1.1	Revenue Contribution to Capital	0.0	0.0	0.0	0.0
28.9	Total Additional Annual Pressures	23.2	15.3	13.1	51.6
	Cumulative Pressures	22.2	38.5	51.6	
19/20 £m	Additional Resources	20/21 £m	21/22 £m	22/23 £m	Total £m
(5.4)	Council Tax – Income	(6.3)	(6.2)	(6.7)	(19.2)
1.5	Council Tax – Foregone	2.5	3.2	0.0	5.7
(2.7)	Council Tax - Tax base increases	(1.0)	(1.1)	(1.1)	(3.2)
(0.4)	Council Tax – Discounts / Local CT Support Scheme	0.0	0.0	0.0	0.0
0.3	Chartered Trustees	0.0	0.0	0.0	0.0
(1.7)	Business Rates Income	(1.0)	(1.0)	(1.1)	(3.1)
(0.6)	Collection Fund – Surplus Distribution	0.2	0.0	0.0	0.2
(0.8)	Use of Reserves	0.8	0.0	0.0	0.8
(1.3)	DCC Disaggregation 2018/19 Budgets	0.0	0.0	0.0	0.0
(3.0)	Social Care Funding	(6.7)	3.4	0.0	(3.3)
(1.7)	Adult Social Care – winter pressures funding	0.0	0.0	0.0	0.0
(1.9)	Improved Better Care Funding	0.0	0.0	0.0	0.0
(2.2)	Adult Social Care – services savings & efficiencies	(2.1)	(0.8)	(0.1)	(3.0)
(1.6)	Children’s Services – services savings & efficiencies	(0.3)	0.0	0.0	(0.3)
(4.3)	Regeneration & Economy – savings & efficiencies	(0.7)	(0.6)	0.0	(1.3)
0.0	Environment & Community – savings & efficiencies	(0.5)	(0.1)	0.0	(0.6)
(3.1)	Corporate Services – services savings & efficiencies	(0.4)	0.0	0.0	(0.4)
(28.9)	Total annual extra resource & savings	(15.5)	(3.2)	(9.0)	(27.7)
	Cumulative extra resources & savings	(15.5)	(18.7)	(27.7)	
	Annual – Net Funding Gap	7.7	12.1	4.1	23.9
	Cumulative MTFP – Net Funding Gap	7.7	19.8	23.9	

16. The key matters for consideration in the refreshed MTFP particularly pertinent to the 2020/21 position can be listed as;

a. Council Tax Harmonisation Strategy

As referenced earlier in this report the 2019 Spending Round set out the Governments policy around Council Tax increases and the funding of Social Care for 2020/21. This provided for a maximum increase of 4% made up of 2% annual referendum threshold and a further 2% Adult Social Care Precept. All three of the relevant predecessor authorities took the opportunity to implement the maximum Social Care precept on every occasion it has been offered as a mechanism for protecting services to the most vulnerable in our community.

The June MTFP Update report to Cabinet set out the Council Tax Harmonisation Strategy being used for financial planning purposes only which was designed to ensure that a harmonised rate of Council Tax is applied from April 2021 onwards. This approach was detailed as;

- The 2020/21 Council Tax in Poole and Bournemouth to be calculated by adding 2.99% to the 2019/20 charge with an adjustment for the impact of the Chartered Trustees precept.
- The 2020/21 Council Tax in Christchurch to be a 4.5% reduction which would be to a level of tax consistent with the 2021/22 estimate for Poole and Bournemouth.
- In respect of 2021/22 the rate in Christchurch would be frozen from 2020/21, Poole's would be increased by 2.99% and Bournemouth's would be increased by 0.76%.

At this stage this remains the strategy for financial planning purposes. This will give the Council the opportunity to reconsider its position as part of the final strategy that could be put forward in underpinning the 2020/21 budget submission in February 2020. Clearly much will depend on the final level of financial pressures and service standards the Council wish to agree to at that time.

b. Adults and Children's Social Care Grant

Based on the £1bn extra resources announced in the 2019 Spending Round the Council is assuming that it will receive an additional £5.2m net of a revised assumption around the national living wage. It should be highlighted that this is an estimate based on how previous national allocations translated into a specific award to the Council. Consultation on awards to individual local authorities is awaited.

c. Negative Revenue Support Grant (RSG)

BCP Council is receiving £3m in Revenue Support Grant from the Government in 2019/20. This grant can be used to finance revenue expenditure on any council service and is set out annually in the local government finance settlement. The June Medium Term Financial Plan Update report to Cabinet set out that it is estimated that this core grant is £105m per annum less in 2019/20 than it otherwise would have been in 2010/11. As part the Governments funding formulae some authorities are deemed to receive more income from council tax and business rates relative to other authorities. This excess amount, known as Negative Revenue Support Grant, amounted to £3m for Poole and Christchurch and the Government previously provided one-off resources to avoid it impacting in 2019/20. As part of the 2019 Spending Round the Government have made a commitment to cover the cost of negative RSG for another year and to also prevent it having an impact in 2020/21.

d. Additional Service Pressures

This fundamental refresh of the MTFP recognises significant additional service pressures such as the cost and number of Children in Care, the costs and number of concessionary journeys, and further inflationary pressures such as those associated with energy prices. In addition, provision is made for reduced bereavement income and a reduced price for waste recyclate material. Recognition is also made of the need to invest in the maintenance of the Councils Civic Estate including its depots.

e. Additional Service Based Savings

Since June an additional £3m in service based savings and efficiencies have been identified. This includes those established as part of the regular base budget review process.

17. Besides delivering a balanced General Fund budget for 2020/21 in this period of significant national political uncertainty the Council is also carrying four key strategic financial risks

(1)Balancing the 2019/20 in-year forecast financial outturn

The quarter one budget monitoring for 2019/20 indicates a forecast £5m pressure within services managed by the application of additional resources built into the budget in recognition of the greater than normal level of uncertainty in the first year of the new Council. The quarter two report will present the detailed actions the relevant Corporate Directors propose in mitigation to limit the call on these additional resources. Such action is vital in preventing both further pressures being added to the current funding gap for 2020/21 and as a mechanism for avoiding the depletion of resources which could provide much needed flexibility if the funding gap was realised at the higher end of the range suggested by the previous sensitivity analysis.

(2)Balancing the High Needs element of the 2020/21 Dedicated Schools Grant (DSG)

The Dedicated Schools Grant (DSG) includes the provision of funding to support the specialist provision of services for children and young people with high needs. This includes funding for mainstream schools and specialist providers to support pupils with Education, Health and Care Plans (EHCPs) aged 0-25, and those educated out of school, for example due to permanent exclusion or medical needs. The budget for 2019/20 recognised a £4.8m deficit on High Needs Budget which was managed by;

- a) a £2.4m Council contribution from a specific earmarked reserve. This was a one-off contribution as the reserve was completely extinguished in making this allocation.
- b) a £2.4m transfer, with the approval of the BCP Shadow Schools Forum, from the school's section of the DSG. All such approvals are not recurring, and Schools Forum approval is required for any such allocation each year.

2019/20 in-year monitoring indicates a £2m pressure over and above the £4.8m set a-side which by implication suggests that the Corporate Director for

Children's Services is required to plan to eliminate a minimum £6.8m pressure for 2020/21. It is estimated that £3m will be provided by the extra £700m of Government funding outlined in the spending round leaving £3.8m to be identified to balance the High Needs (DSG) budget in 2020/21 before further growth in demand for next year is considered. There is no evidence yet that historic trends are reducing, despite development and implementation of the high needs action plan, with demand growing at an estimated cost of £4m per annum. This would mean the funding gap for 2020/21 growing by a further £1m to £7.8m.

This will need to be managed alongside the requirement to eliminate the historic deficit, forecast now to be at least £4.6m by 31 March 2020. The deficit includes the 2018/19 closing position for each legacy Council (with the disaggregated amount from Dorset remaining estimated). The forecast deficit at the end of 2019/20 has been updated since the first quarter to consider DSG funding adjustments from the January 2019 school census, which was finalised in the second quarter. The deficit by 31 March 2020 is planned to be cleared from DSG allocations outside the high needs funding block but this has not yet been agreed by the Schools Forum or the Department for Education (DfE). However, the DfE have confirmed in a joint statement with the Chartered Institute of Public Finance and Accounting (CIPFA) that Councils are not expected to use their own funds.

It was reported in early September that the DfE is to launch a review to look at how children with special educational needs are supported. This is with a view to improving services and is to include an investigation into what is driving the increasing demand for Education, Health and Care Plans, the number of which is one of the main drivers of high needs costs.

Appendix C to the Quarter One Budget and Performance Monitoring Report to Cabinet in September 2019 presents the Corporate Directors deficit recovery plan. This report is designed to assure Members that actions are underway to mitigate the in-year position and manage the future year pressure. The BCP Schools Forum is due to consider the matter initially on 25 September but no decisions will be taken until later in the year. Clearly this will present a significant risk to the Council until a balanced budget for 2020/21 has been approved.

(3) Providing resources to support the Councils transformation.

In a Local Government Reorganisation (LGR) update report to Cabinet in July 2019 it was acknowledged that phase one (creating BCP Council) had been completed and phase two (delivering senior staffing structures and business functionality for April 2019) was materially complete. In support of these phases the predecessor Councils and BCP Council itself set aside £9.1m to fund the associated programme and transition costs which have now been fully committed. These costs have to-date supported the Council in delivering the £11.2m of annual service-based savings included in the BCP revenue budget for 2019/20 which were additional to the £1.3m of additional resources identified on the disaggregation of the Dorset County Council 2018/19 Budget.

Phase three relates to the designing and building of the new Local Authority by taking the opportunity to fundamentally transform and provide improved services to residents while also identifying and releasing savings and

efficiencies. No resources have currently been set aside to support this phase with a report presenting the outcome of the organisational design work by KPMG scheduled to be presented to Cabinet in November. Additional resources will also be required to complete the transition of the phase two business functionality onto a business as usual basis. This will include the work to move to one key system in each operational area, the archiving of previous/historic data, and the redundancy costs for tier 4 and tier 5 staff.

The intention has always been that this phase would be supported by a fair and reasonable share of the reserves of Dorset County Council, not required for a specific purpose, from the application of the inherited flexible use of capital receipts policies from the predecessor councils, as well as resources generated from a consolidation of the number of buildings the Council manages and maintains. The level of resources that can be generated from these, and any other areas will clearly be a constraining factor on the scale and pace of any organisational change.

(4) Establishing a reasonable level of contingent capital resources

BCP Council has endorsed the approach of operating with a capital contingency to provide unallocated capital resources to fund;

- a) unforeseeable demands including those of an urgent or unavoidable nature.
- b) the Councils local share of Government supported schemes which is an increasingly common approach required to secure inward investment.
- c) the risk associated with the final cost that will need to be borne to deliver the numerous schemes included in the capital programme over and above any specific project contingency.
- d) any schemes which the Council would want to undertake to support its priorities.
- e) potential dilapidation costs on building leased from third parties.

As at October 2019 the contingency stands at £0.7m net of the proposed contribution to the Poole Bay Beach Management Plan of £3.3m of which £2.5m will be an annual contribution of £360k between 2020/21 and 2026/27 from the revenue contribution to capital outlay (RCCO) which will need to be reflected in the Councils annual base revenue budget.

In an ideal situation BCP would hold a contingency of anything up to 5% of its normal annual programme. However, as a new Council it will take several years until such a baseline can be established, therefore the Chief Finance Officer (CFO) would recommend that each budget sets out how a baseline £2m capital contingency can generally be established accepting that the actual level held will vary during the year due to the ebb and flow of allocations made and funding delivered.

The prioritisation of the pipeline of capital receipts being brought forward for 2020/21, which are not needed for transformation, will be the main method of ensuring the current capital contingency is increased to this level. The work on the disaggregation of the 31 March 2019 Balance Sheet of Dorset County

Council, as set out below, may also provide a means of delivering further capital resources.

Disaggregation of the 31 March 2019 Balance Sheet of Dorset County Council (DCC) – Progress Update

18. As part of the work to create the two new Unitary Authorities in Dorset both new Council's local government review programmes approved a set of principles to be applied to enable the disaggregation of the assets and liabilities of Dorset County Council. Confirmation of the acceptance of these principles was provided directly to the Ministry of Housing, Communities and Local Government (MHCLG).
19. Following Deloitte's signing of the Dorset County Councils Accounts at the end of July 2019, work commenced to apportion their certified assets and liabilities between the two new Councils. The priority work stream was the disaggregation of debt. All the actual external debt held by Dorset County Council will novate to the new Dorset Area (DA) Unitary. However, BCP Council will be required to compensate the DA for Christchurch's share of that debt. Using a model recommended by the Local Government Association (LGA) known as the Cheshire model (used on the disaggregation of Cheshire County Council), work to date indicates that BCP Council will inherit approximately 7.75% of the debt of DCC which amounts to £24.3m. This figure may change while some outstanding queries relating to equipment and assets under construction are addressed.
20. The position on debt is also underpinned by agreement on those assets which will directly transfer to BCP Council.
21. The work programme now turns to the 180 specific earmarked reserves, and 170 unapplied capital grants of DCC to ensure that BCP Council is allocated a fair and reasonable apportionment of these resources. Such work is time consuming as it involves reviewing specific grant conditions, examining expenditure over numerous financial years and in some cases may require a forensic analysis of the background of numerous reserves.

European Exit Funding for Local Government

22. The United Kingdom is scheduled to leave the European Union (EU) on the 31 October 2019. In response, the Government is encouraging the Council to take all reasonable steps, in line with any relevant guidance and messaging coming from Government and its agencies, to prepare. In addition, and to support the process the Government has made £60m available across all local authorities, released in three tranches of £20m. The expectation is that these resources will be used to enhance capacity and capability within local authorities including the designation of a senior officer as the Brexit Lead Officer. BCP Council's share of these resources amounts to £703k.
23. Currently these resources have been allocated as follows;
 - Extra capacity to the Council Corporate Management office due to the Chief Executive being designated as the nominated Brexit Lead Officer.
 - Port Authority – export and import costs.
 - Traffic management in and around the port.
 - Costs associated with the Emergency Planning Team.

- Additional support to local businesses via the Dorset Chamber of Commerce.
 - Social care business continuity planning due to its reliance on EU nationals as part of the workforce.
 - Waste streams business continuity planning to ensure continued ability to remove waste from the area to recycling and disposal facilities/destinations.
24. The residual resources will continue to be applied as the programme develops and as the actual implications are clarified

CIPFA Financial Resilience Index

25. Details of the Chartered Institute of Public Finance and Accountancy (CIPFA) Financial Resilience Index were set out in a Medium Term Financial Plan update report to the BCP Shadow Executive in October 2018. By way of an update CIPFA are planning to make its index publicly available online later in the year after a trial in 2018. In future CIPFA are considering changing the index to reduce the weighting on reserves and introduce forward-looking measures.

Consultation

26. In isolation, the matters raised in this report do not require any formal consultation. The necessary additional resources, savings and efficiencies required to balance the budget over the next three years will each need to be reviewed to determine the extent to which they may require consultation. Consideration will also need to be given to the relevant period, stakeholder groups and method of consultation.

Alternative Options

27. This report considers current and future financial sustainability. Any consequential saving and efficiency plans that are developed will each need to be stress tested to determine the extent to which alternative options exist.

Summary of financial implications

28. This report considers current and future financial sustainability. Any consequential saving and efficiency plans that are developed will each need to be stress tested to determine the extent to which alternative options exist.

Summary of legal implications

29. It is the responsibility of Councillors to ensure the Council sets a balanced budget for the forthcoming year. In setting, such a budget Councillors and Officers of the Council have a legal requirement to ensure it is balanced in a manner which reflects the needs of both *current* and *future* taxpayers in discharging these responsibilities. In essence, this is a direct reference to ensure that Council sets a financially sustainable budget which is mindful of the long-term consequences of any short term decisions.

Summary of human resources implications

30. There are no direct human resource implications of this report. However, the MTFP and Budget will have a direct impact on the level of services delivered by the Council, the mechanisms by which those services are delivered and the associated staffing establishment.

Summary of environmental impact

31. Consideration will be given as part of the Budget for 2020/21 into ways in which BCP Council could be made more environmentally-friendly and into ways in which it could act as an environmental ambassador towards others.

Summary of public health implications

32. None specifically related to this report.

Summary of equality implications

33. A full Equalities Impact and Needs Assessment (EINA) will be undertaken as part of the final February report to Members as part of the annual budget process to identify the overall equality impacts in respect of the nine protected characteristics:
- a) age;
 - b) disability;
 - c) gender reassignment;
 - d) marriage / civil partnership;
 - e) pregnancy/maternity;
 - f) race;
 - g) religion & belief;
 - h) sex;
 - i) sexual orientation.
34. Officers are required to identify any EINA implications of any specific priorities or savings which they bring forward as part of their budget proposals which are then used to inform the Council's final Budget decisions.

Summary of risk assessment

35. A key element of the reorganisation of local government in Dorset was the opportunity to best protect public services as central government continues to reduce the core funding it provides local councils.
36. This report and the outlined actions will form part of the mitigation strategy associated with the risks to the delivery of the Council's objectives due to the level of available resources.
37. Uncertainty associated with the Government's financial planning framework, be that due to the national spending review or new model of funding local government, will continue to be a key risk as will possible variations to base assumptions such as the demand for council services or their cost.

Background papers

38. The 2019/20 Budget and Consolidated Medium Term Financial Plan (MTFP) Update for Bournemouth, Christchurch and Poole Council which was approved by the BCP Shadow Authority on the 12 February 2019 can be found at;

<https://moderngov.bcpshadowauthority.com/ieListDocuments.aspx?CId=136&MIId=123&Ver=4>

39. BCP Cabinet - 12 June 2019 - Medium Term Financial Plan Update Report

[https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=3718&Ve
r=4](https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=3718&Ve
r=4)

Appendices

40. Appendix A - Key Financial Reports Timeline

Key Financial Reports - 2019/20 Budget Monitoring & 2020/21 Budget Timeline

Date	Event	Report Title / Action	Detail
12 June 2019	Cabinet	2018/19 Financial Outturn Report	Summary report covering outturns; <ul style="list-style-type: none"> • Bournemouth • Christchurch • Poole
12 June 2019	Cabinet	Medium Term Financial Plan (MTFP) Update Report	Includes; <ul style="list-style-type: none"> • Update on rolled MTFP • Proposed Financial Strategy • Budget process • CIPFA Financial Management Code
25 July 2019	Audit & Governance	2018/19 Draft Statement of Accounts	Report presents draft statement of accounts for; <ul style="list-style-type: none"> • Bournemouth • Christchurch • Poole
June to December	Base Budget Reviews	Cabinet Members, Director and Service Directors	Year 1 - Base Budget Reviews (BBRs) in support of 2020/21 Budget and MTFP refresh process
31 August 2019		Directors and Service Directors	Deadline for the production of baseline financial assessments following base budget review process to support the fundamental refresh of the MTFP

Date	Event	Report Title / Action	Detail
11 September 2019	Cabinet	2019/20 Q1 Budget Monitoring Report	First quarter (April to June) budget monitoring report
9 October 2019	Cabinet	MTFP Update Report	Includes; <ul style="list-style-type: none"> • fundamental refresh of the MTFP • progress towards delivering a balanced budget for 2020/21 • impact of the disaggregation of the 31 March 2019 Balance Sheet of Dorset County Council
13 November 2019	Cabinet	2019/20 Q2 Budget Monitoring Report	Second quarter (July to September) budget monitoring report
		Member Seminar	Presentation to all Members of the refresh of the MTFP and 2020/21 budget framework
11 December 2019	Cabinet	MTFP Update Report	Includes; <ul style="list-style-type: none"> • impact of the Chancellors 2019 Budget Statement • progress towards delivering a balanced budget for 2020/21 • details of a fundamental review of earmarked & unearmarked reserves
January 2020		Presentation to representatives from Commerce & Industry	Consultation on 2020/21 Budget & MTFP
15 January 2020	Cabinet	Taxbase Report	2020/21 Council Tax Taxbase

Date	Event	Report Title / Action	Detail
23 January 2020	Audit & Governance	Treasury Management Strategy 2020/21	Seeks approval for 2020/21 Treasury management strategy
12 February 2020	Cabinet	2020/21 Budget & MTFP Update Report	Includes; <ul style="list-style-type: none"> • 2020/21 Provisional Local Government Finance Settlement • 2020/21 Budget Proposal • 2020/21 Council Tax Resolution
		2019/20 Q3 Budget Monitoring Report	Third quarter (October to December) budget monitoring report
18 February 2020	Council	2020/21 Budget & MTFP Update Report	Formal approval of the budget and council tax for 2020/21
March 2020	n/a	n/a	Publish 2020/21 Budget Book
June 2020	Cabinet	2019/20 Financial Outturn Report	Fourth quarter (January to March) budget monitoring report

Events in support of the 2018/19 financial position of the council
Events in support of the 2019/20 financial position of the council
Events in support of the 2020/21 financial position of the council

Subject to determination

- Scrutiny arrangements of the both the 2019/20 budget monitoring reports or the 2020/21 Budget & MTFP reports
- Dates of the precept meetings for the four Town Councils in Christchurch and the Chartered Trustees in both Bournemouth & Poole

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CABINET



Report subject	Equality and Diversity Policy
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>BCP Council is required to meet certain responsibilities which are set out in the Public Sector Equality Duty of the Equality Act 2010.</p> <p>A review of activity, process and procedure was undertaken in March '19 to determine how well the Council was meeting this duty and how performance compared to the Equality Framework for Local Government (EFLG).</p> <p>It was determined that the Council was meeting its legal duty and at the 'achieving' level of the framework.</p> <p>The EFLG has been used to inform the development of a high-level, council wide equality & diversity action plan.</p> <p>The action plan uses the criteria for achieving the 'excellence' level of the EFLG as a benchmark. It shows the Council has made good progress to date and proposes some next steps for action. Some of the headlines include:</p> <ul style="list-style-type: none"> • The Council's commitments to equality & diversity are embedded in the high-level priorities of the Corporate Strategy. This has been subject to wide stakeholder engagement over the summer. • An equality & diversity policy has been drafted and is attached for Member approval. <p>An internal Equality & Diversity Governance Framework is being implemented.</p>
Recommendations	<p>It is RECOMMENDED that Cabinet:</p> <p>(i) Approve the draft Corporate Equality & Diversity Policy & Governance Framework</p> <p>(ii) Note progress towards the development of a Corporate Equality Action Plan</p>

Reason for recommendations	<ul style="list-style-type: none"> • The policy will contribute to improved equity in service delivery and ensure fairness in employment practices. • The policy supports the continuance of the good practice already underway, the robust Internal Governance Framework that has been put in place, the delivery of the equality objectives that are embedded within BCP Council's Plan and significantly contributes towards the Council meeting its obligations under the Equality Act 2010. • The high-level Equality Action Plan will enable BCP Council to move closer towards being an 'excellent' Council on equality, enhance its reputation and provide confidence of being compliant with the requirements of the Public Sector Equality Duty.
Portfolio Holder(s):	Councillor Vikki Slade (Leader of the Council)
Corporate Director	Julian Osgathorpe (Corporate Director for Resources)
Contributors	Bridget West - Head of Insight Policy & Performance Sam Johnson - Policy and Performance Manager
Wards	All Wards
Classification	For Decision

Background

1. Section 149 of the Equality Act 2010 imposes responsibilities on all public authorities and consists of a general equality duty, supported by specific duties.
2. The Public Sector Equality Duty (PSED) states that local authorities and those who deliver services on their behalf must, in the exercise of their functions, have due regard (or take proactive measures) to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic
3. An ambition for the Council is to place equality & diversity at the heart of everything it does. There is currently no proposal to develop a separate strategy or set of processes to measure how the Council discharges its PSED but rather a desire to routinely embed equality & diversity in all Council activities as a matter of course.

4. As a new council with developing policies and procedures, BCP Council has a great opportunity to achieve this.
5. Consideration of the PSED was integral to the decision-making processes of Phase 2 of LGR.
6. The Council's commitment to equality and diversity and its equality objectives are embedded in the proposed Corporate Strategy which is being presented to Cabinet for approval.
7. The duty requires the Council to prepare and publish a minimum of one equality objective that is specific and measurable, at least every 4 years. This is in line with the proposed review cycle of the Corporate Strategy.

The Policy

8. To demonstrate leadership and commitment to equality and diversity the Council is required to adopt an equality and diversity policy.
9. The policy at Appendix A has been developed with consideration of the approach and achievements of the legacy councils.
10. This policy will replace all legacy council equality & diversity policies and procedures.
11. Adherence to the policy will ensure the Council complies with legislation and effectively discharges its PSED.
12. The policy is a commitment to everyone who uses council information, facilities and services (including those provided by third parties) that the Council recognises that everyone has the right to be treated fairly and with dignity and respect.
13. It explains the Council's legal duty to service users and to staff, the roles and responsibilities of officers and Members and the consequences of non-compliance.
14. The policy includes an Equality and Governance delivery framework.
15. Implementation of the policy is supported by additional procedure, process and guidance which includes:
 - A single equality impact assessment screening process and template
 - A single full equality impact assessment process and template
 - A council wide equality action plan

The Action Plan

16. The high-level action plan at Appendix B is based on the Equality Framework for Local Government (EFLG). This framework is intended to help councils deliver accessible and responsive services, attract a representative workforce, promote equality of opportunity for staff and to ensure councils meet the requirements of the PSED.

17. The EFLG has three levels of attainment:

- Level 1 – Developing
- Level 2 – Achieving
- Level 3 – Excellent

18. Based on current activity and known process and procedure it was determined that BCP Council was likely to be at the 'achieving' level of the framework. The developing level requires recognition of the inequality in communities and the workforce, the setting up of systems and adoption of key policies to progress equality.
19. The achieving level requires the implementation of these systems, policies and procedures.
20. The excellence level requires the organisation to assess and demonstrate improved outcomes because of actions taken to address inequality.
21. The proposed high-level action plan, which has been shared with Service Directors for input and update, has been prepared against the criteria for reaching the 'excellence' level of the framework.
22. This is an evolving action plan, underpinned by a range of other actions and activities. Going forward it is proposed that the Strategic Equality Leadership Group monitor and review progress of the action plan.

The Internal Governance & Delivery Framework

23. An internal governance and delivery framework is included in the policy document. This is one of the key actions identified in the equality & diversity action plan.
24. The creation of BCP Council and the development or harmonisation of strategies, plans, policies and procedures presents an excellent opportunity to embed equality and diversity in all council activities from vestment day.
25. An equality and diversity governance and delivery framework has been developed to drive this agenda forward and to ensure the Council delivers its equality & diversity commitments both within and outside the organisation.
26. All equality and diversity contacts and/or service unit champions from legacy councils were asked for feedback on the proposed governance structure and if they would like to take a lead or support the development of roles, responsibilities or terms of reference for any elements of the proposed framework.
27. The idea of the governance framework was positively supported. There were several observations which included: the frequency of meetings; how to achieve support and buy-in from senior management to allow staff time to be part of E&D forums or groups; questions around the role of E&D champions and how they would be selected and the role of unions.

28. The framework was also shared with the BCP Equality Forum for comment at its meeting on 18th July '19 and it received broad support. The forum is managed and administered by Dorset Race Equality Council but it is a multi-characteristic group that aims to represent all protected characteristics.
29. Work is now well underway to develop the implementation groups. Over 60 employees have expressed an interest in being either an employee equality champion or a service unit equality champion.

Summary of financial implications

30. There are no known financial implications at present. However, failure to carry out a robust equality impact analysis could lead to the decision being challenged through the Judicial Review Process. The financial sanctions that can be applied in the case of breach of duty has no upper limit.

Summary of legal implications

31. Failure to comply with the PSED could lead to litigation and significant financial loss and damage to reputation. The law requires that the duty of due regard is met by the Council and that the impact of a potential decision has had meaningful consideration applied to it before being finalised.

Summary of human resources implications

32. Service Directors will need to identify appropriately skilled or trained individuals (Service Unit Equality Champions) to help ensure ensure services are developed and delivered in line with the requirements of the PSED and the EFLG.

Summary of environmental impact

33. No environmental impact is known. It will be the responsibility of Service Directors through governance and management to ensure that any changes that are required to advance equality in line with requirements under the PSED are sustainable and to consider any potential impact on the environment when making the change to a service, policy, practice or procedure.

Summary of public health implications

34. There are not any known implications to public health.

Summary of equality implications

35. These proposals support the advancement of equality and enables the Council to meet its responsibilities and discharge its duties under the Public Sector Equality Duty. An equality impact assessment can be found on the [Council's website](#).

Summary of risk assessment

36. Failure to comply with the statutory obligations imposed on BCP Council could lead to:

- Judicial Review to challenge decisions
- Litigious actions against BCP Council and/or its representatives
- Financial loss for the Council
- Reputational damage

Background papers

BCP Corporate Strategy

Medium Term Financial Plan

State of BCP Council Report

Equality Framework for Local Government

[Equality Impact Assessment](#)

Appendices

Appendix A - Equality Policy

Equality and Diversity Policy

August 2019

Policy & Performance Team

Author: Samuel Johnson
Version: V4.1
Approval Date:
Review Date: 01 April 2023



1. Purpose Statement

This policy is a commitment to everyone who uses BCP Council (the Council) information, facilities and services, including those that are provided by others on our behalf, that the Council recognises that people have the right to be treated fairly and with dignity and respect.

The Council and anyone acting on their behalf has a legal responsibility under the [Equality Act 2010](#) (the act) to comply with the Public Sector Equality Duty (the duty).

The legal duty is to:

- Eliminate (stop or prevent) unlawful discrimination
- Advance (keep working to improve and promote) equality of opportunity
- Foster (create and maintain) good relationships between people who share a protected characteristic and those who do not

The Council is required to treat people fairly.

The Council must not discriminate against people who access our services, including in those circumstances where services are provided by third parties on our behalf.

The Council must not discriminate against people who represent or are employed by the council in any capacity – Members, staff and those seeking employment by the Council.

Everyone who works for the Council has a duty to challenge inappropriate language and behaviour towards others and to members of the public should they come across it during their work.

The council is committed to principles of equality and respect for diversity and will provide quality responsive services, appropriate to need.

The Council will use this policy to ensure as far as possible that these rights are upheld.

The Council will ensure that all employees, potential employees and contractors are aware of this policy.

Any acceptance of an offer of employment or contract will automatically also be taken as a commitment of acceptance of the policy and a pledge to demonstrate that commitment in their performance and provision of service.

2. Who the policy applies to

This policy is applicable to all who represent BCP Council in any capacity – Members, officers, contractors, volunteers, partner organisations, people on work placements, visitors and customers.

It applies:

- in day to day interactions with customers
- when considering changes to employment practice, services change or creating or reviewing a policy

Regardless of their:

- age
- caring responsibility whether for children or other dependents
- civil or marital status
- disability
- gender reassignment
- political, religious or other belief
- race, colour, national or ethnic origin
- sex
- sexual orientation
- socio-economic status
- trade union membership or activity, or work pattern
- any other status as identified within the European Convention of Human Rights
- any other reason that cannot be justified

3. This policy replaces

- 3.1 This policy repeals all equality and diversity policies and guidance of the legacy councils that were Bournemouth Borough Council, Christchurch Borough Council and Borough of Poole.

4. Approval process

- 4.1 This policy requires Cabinet approval.

5. Links to Council Strategies

- 5.1 This policy supports the BCP Corporate Strategy and all other council policies, strategies and plans.
- 5.2 The Council's equality and diversity commitments are set out under the headline priorities in the [Corporate Strategy](#):
- Fulfilled Lives
 - Brighter Futures
 - Connected Communities
 - Dynamic Region
 - Sustainable Environment

6. The Policy

- 6.1 As a public sector organisation, the council follows the Public Sector Equality Duty (PSED) under the Equality Act 2010, to protect individuals from unlawful discrimination.
- 6.2 The Council will not tolerate unjust, unfair or unlawful discrimination by or towards any of its staff, contractors or partners including those who deliver services on our behalf
- This applies to all conditions of employment including recruitment, selection, pay, hours of work, holiday pay, holiday entitlement, work allocation, sick pay, pensions, training and development, annual appraisal, promotion and retention.
 - This also applies to the provision of all services, whether directly delivered by the Council, or by a third party on the Council's behalf.
- 6.3 In providing services the Council - or third parties providing services for the Council - must be able to demonstrate that they have considered the needs and characteristics of service users, and in view of these have considered the appropriateness and accessibility of the services being offered.
- 6.4 All policy documents must be able to demonstrate that due consideration has been given to the PSED. The following principles, drawn from case law, explain what the minimal requirements are to meet the Public Sector Equality Duty:
- Knowledge – Officers must be aware of the requirements of the equality duty. Compliance with the equality duty demands a conscious approach and state of mind.
 - Timeliness – The equality duty must be complied when a policy is under consideration or a decision to proceed with an idea is taken – that is, in the development of policy options and before making a final decision. The Equality Duty cannot be satisfied by applying the duty afterwards to justify a decision after it has already been taken.
 - Real consideration – The Equality Duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision and is not a tick box exercise.
 - Enough information – when considering a proposed policy or decision the decision maker must consider whether they have enough information to consider if the requirements of the Equality Duty have been met as part of their decision.
 - No delegation – public bodies are responsible and liable for ensuring that any third parties which exercise functions on their behalf can comply with the Equality Duty and must take steps to ensure they are required to comply, and that they do so in practice. It is a duty that cannot be delegated.
 - Review – public bodies must have regard to the aims of the Equality Duty not only when a policy is developed and decided upon, but also when it is implemented and reviewed. The Equality Duty is a continuing duty
- 6.5 An equality impact assessment (EIA) must be undertaken and support all key decisions and policy documents.
- 6.6 All EIAs will available on the Council's website.
- 6.7 An internal Equality and Diversity Governance and Delivery Framework¹ is in place to help ensure the Council discharges its PSED. The framework is led by a Strategic Equality

¹ Appendix A

Leadership Group (SELG) who set the strategic direction of equality objectives, as required under the Equality Act 2010.

6.8 The SELG monitor performance against an agreed equality action plan and agree an annual programme of celebrations and events which the Council will support to advance equality and diversity.

6.9 Four implementation groups support the SELG and will have representation at the SELG.

- Service Unit Equality Champions
- Employee Equality Champions
- Community Equality Champions
- Corporate Support

6.10 Service Directors can make representations to the SELG as required.

7. How to use this policy

7.1 Every key decision change to policy, service provision or service provider needs to be able to demonstrate that it has considered, understood and reflected the positive or negative impact it will have in terms of equality and the nine protected characteristics of the Equality Act 2010.

7.2 A BCP equality impact assessment [screening tool](#) is available to help determine if a full equality impact assessment (EIA) needs to be carried out. The summary and conclusion of the screening exercise should be used to inform Council reports. It is important to note that even when it has been decided not to carry out a full EIA the outcome of this decision remains subject to the general duties and not carrying out a full EIA places the Council at greater risk of legal challenge.

7.3 A full [equality impact assessment template](#) and guidance is available to evidence in detail how both positive and negative equality impacts have been identified and understood.

7.4 Identifying negative impacts will help protect the organisation from potential litigation in the future, it does not mean the policy cannot continue. However, the EIA does require that actions are agreed to address negative or unknown impacts.

7.5 The Council works in partnership with organisations across Dorset to tackle hate crime and discrimination in a forum called [Prejudice Free Dorset](#). More information about hate crime support and useful contacts can be found [here](#).

7.6 Employee monitoring data will be used to inform the Council's People Strategy, terms & conditions of employment, pay & reward strategies and all other HR related policy and practice. Monitoring data can be collected through the self-service function on employee first and through the recruitment process. This data is key to ensure the Council understands the make-up of its workforce and any negative impacts that could arise from terms & conditions and pay & reward on the different protected characteristic groups.

8. Roles and responsibilities

Role	Responsibility
Strategic Equality Leadership Group	<ul style="list-style-type: none"> ▪ set the strategic direction for equality within BCP Council including commitments to the public sector equality duty, equality objectives & policy ▪ agree annual programme of equality & diversity themed events and celebrations that BCP Council support ▪ monitor progress against the corporate equality action plan
Service Unit Equality Champions	<ul style="list-style-type: none"> ▪ communicate and help embed equality & diversity policy and procedure ▪ support and undertake equality impact assessments ▪ monitor and report activity and performance within their business area ▪ attend E&D forums on behalf of their Service Unit as required
Employee Equality Champions	<ul style="list-style-type: none"> ▪ represent staff at strategic leadership groups and provide a safe place to discuss equality related issues ▪ maintain close communication links with HR ▪ contribute to the development of employment policy and procedure. ▪ attend E&D Forums on behalf of staff as required
Community Equality Champions	<ul style="list-style-type: none"> ▪ act as a link and conduit between BCP Council and local community groups ▪ promote and facilitate wider community engagement and participation ▪ attend E&D Forums
Corporate Support	<ul style="list-style-type: none"> ▪ coordinate strategic Equality Leadership Group and Forum meetings ▪ horizon scan and provide guidance and advice ▪ develop corporate equality policy and procedure ▪ prepare equality monitoring reports for SELG ▪ undertake consultation, research and source intelligence ▪ provide employee relations support and training ▪ promote equality and diversity related activity and events ▪ procurement advice and guidance
Elected Members	<ul style="list-style-type: none"> ▪ ensure their behaviour is consistent with the principles of this policy and have a central role to play in ensuring that they are integral to the local authority's aims. ▪ Group Leaders are responsible for informally monitoring the behaviour of members in their political group and take appropriate action if there is evidence of unfair or discriminatory treatment, harassment or bullying. They are also for raising awareness of this policy within their political group. ▪ should understand their responsibility under the equality Duty to ensure fairness and equality of opportunity and outcomes for local people
Corporate Directors	<ul style="list-style-type: none"> ▪ to be proactive in the promotion of equality and demonstrate respect for diversity ▪ embed equality in all aspects of service delivery ▪ encourage the collection of equality monitoring data within their business area ▪ contribute to the development of an organisational culture that supports those who take active steps to challenge discrimination and harassment
Service Directors	<ul style="list-style-type: none"> ▪ to ensure effective integration of the principles of equality within their service plans ▪ to maintain an overview of performance on equality ▪ to nominate and support an Equality Representative within their Business Unit ▪ to support staff to attend staff equality networks
Managers	<ul style="list-style-type: none"> ▪ to monitor individual behaviour and take appropriate action if there is evidence of discrimination, harassment or bullying. ▪ to raise awareness of individual rights and responsibilities. ▪ to identify appropriate training needs and provide training opportunities
All Staff	<ul style="list-style-type: none"> ▪ to take responsibility and be accountable for their own behaviour. ▪ to challenge discrimination and harassment without fear as defined in the complaints and grievance procedures or the corporate complaints or Whistle Blowing policies as appropriate. ▪ to provide diversity monitoring information to help inform workforce planning and the BCP People Strategy

9. Enforcement and sanctions

- 9.1 Failure to comply with our Public Sector Equality Duty could have significant legal and financial implications for BCP Council and individuals. It is key to embed Equality and demonstrate respect for Diversity in our strategies, policies, plans and procedures.
- 9.2 Members who fail to comply with this policy will be subject to procedures set out in their code of conduct.
- 9.3 A member of staff who causes offence or makes another individual feel unsafe or degraded or creates a hostile, intimidating, humiliating environment for their colleagues or customers, whether intentionally or not may be subject to disciplinary action in line with the Council's Disciplinary Policy and could be subject to legal action from the complainant.
- 9.4 Contracts with providers or suppliers may be terminated if they do not operate in the spirit of this policy or provide equitable services.

10. Further information and evidence

- 10.1 Demographic profiles, diversity dashboards and other research and consultation about the makeup of our area and workforce can be found [here](#).
- 10.2 The Equality Impact Assessment that supports this policy can be found [here](#).
- 10.3 BCP Corporate Strategy which sets out the Council's commitments to Equality and Diversity.
- 10.4 LGA Councillor Guidance 2018/19 can be found [here](#).
- 10.5 The Equality Framework for Local Government can be found [here](#)
- 10.6 More information about equality and the latest judicial reviews can be found at the Equality and Human Rights Commissions Website: [ECHR](#)

Equality and Diversity – Internal Governance and Delivery Framework

Strategic Direction

Strategic Equality Leadership Group

Who are they?

- Chief Executive
- Portfolio Holder
- Director of Organisational Development (or representative)
- Director of Communities (or representative)
- Directors from Children and Adult Services
- Single rep from each Equality Implementation Group as required
- Union Representative

What do they do?

- Set the strategic direction for equality and diversity in BCP Council, the objectives, public sector equality commitments and policy
- Monitor progress
- Agree an annual programme of equality and diversity events or celebrations for the Council to support

How often do they meet?

- 3 times a year or quarterly (should be subject to review)

Implementation Groups

Service Unit Equality Champions

Who are they?

- 2 x representatives from each Service Unit, agreed with the Service Director

What do they do?

- Communicate and help embed E&D policy and procedure in service unit activities
- Support/undertake equality impact assessments for key service decisions
- Monitor and report equality & diversity activity and performance in the service unit
- Attend E&D Forums

Employee Equality Champions

Who are they?

- Staff representatives for the 9 protected characteristics

What do they do?

- Represent staff at Strategic Leadership Groups
- Provide a safe place to discuss E&D issues
- Maintain close communication links with HR
- Set up and maintain communication channels within group
- Understand and contribute to HR policy and procedures
- Attend E&D Forums

Community Equality Champions

Who are they?

- Officers with a community role/community safety officers

What do they do?

- To be a link between Council and groups in community
- Act as a two-way communication channel
- Bring community concerns into the organisation
- Take Council initiatives into the community and promote engagement, participation and consultation
- Attend E&D Forums

Corporate Support

Who are they?

- Insight, Policy and Performance
- HR
- Legal
- Communications and Marketing
- Customer Access Teams

What do they do?

- Coordinate Strategic Equality Leadership Group and Equality Forums (3 times a year)
- Horizon scan, provide guidance and advice, develop corporate policy and procedure
- Undertake consultation, research and source intelligence
- Provide employee relations support and training
- Promote E&D activity and events

CABINET

Report subject	BCP Council's Corporate Strategy
Meeting date	9 October 2019
Status	Public Report
Executive summary	<p>The draft Corporate Strategy sets out the longer-term priorities, high level objectives and the Council's commitments to equality and diversity. The draft Council Plan was agreed for wider engagement, and this took place between 5th August and 6th September 2019. It consisted of a range of public and partner events across the BCP area and a survey.</p> <p>Overall the draft document was well received, and the high-level priorities were endorsed by those who gave feedback but there were also suggestions for improvement.</p> <p>The draft Corporate Strategy has been revised in light of the feedback and a revised version is appended as Appendix B.</p>
Recommendations	<p>It is RECOMMENDED that Cabinet:</p> <ul style="list-style-type: none"> (i) Notes the summary of feedback from stakeholders (ii) Recommends the revised Corporate Strategy for adoption by Council
Reason for recommendations	<p>A corporate strategy is vital in identifying and gaining visibility of the council's key priorities. These represent the objectives and outcomes that the council's performance will be judged against.</p> <p>The strategy's objectives are the beginning of a golden thread that links personal, team and service performance to the things that matter most to the organisation, and as such will be a vital component of the council's performance management framework.</p> <p>The strategy will influence the allocation and distribution of resources, ensuring that the organisation commits its limited resources in accordance with its stated priorities.</p> <p>The process of engagement has ensured that stakeholders were afforded the opportunity to influence the council's priorities prior to adoption, and the feedback from the process has resulted in a number of changes to the draft strategy.</p>

Portfolio Holder(s):	Councillor Vikki Slade (Leader of the Council)
Corporate Director	Julian Osgathorpe (Corporate Director of Resources)
Contributors	Bridget West - Head of Insight, Policy & Performance Lisa Stuchberry - Insight Manager
Wards	All Wards
Classification	For Recommendation

Background

1. A draft Council Plan was designed and approved for wider public and stakeholder engagement. Engagement activity ran from Monday 5th August to Friday 6th September and included displays in all libraries, an online questionnaire on the BCP Council website; roadshows in Christchurch, Poole and Bournemouth; two stakeholder engagement events, a youth forum event and a survey to BCP Council Staff Panel. The Council also received written responses from partner organisations. The engagement was heavily promoted through the Council's social media channels. The results from all the methods of engagement are summarised in Appendix A and a detailed report is available on the [Council's website](#). There were a total of 2176 survey responses and a wealth of qualitative comments were received from all the engagement activity.
2. This analysis has been used to inform changes to Council Plan, now known as BCP Council's Corporate Strategy, which is shown at Appendix B.
3. All Elected Members were invited to attend a workshop to hear the results of the engagement and the results have also been shared with the council's senior leadership team.

Findings

4. Overall the draft Council Plan was well received, and the high-level priorities were endorsed by those who gave feedback but there were also suggestions for improvements. The main improvements are suggested below.
 - Acknowledge that the high-level document is not a plan and should be called either a high-level strategy or vision.
 - Look to reword some of the jargon to make the document easier to understand.
 - Acknowledge that to achieve its strategy/vision BCP Council will work with its partner organisations and the community voluntary sector. This should be reflected in the high-level plan to show the Council's commitment to support volunteering and an active relationship with the voluntary and community sector.
 - Look at the issues that have been suggested by respondents as missing or needing more emphasis. Consider whether they are issues that should be included in the high-level plan or should be included within the delivery plan.

Conclusion

5. The process of engagement on the draft Council Plan has been a valuable opportunity to test the Council's future proposed priorities and objectives. The resulting feedback has been given careful consideration in finalising the content of the draft Corporate Strategy presented with this report.
6. The title of the document has consequently been amended from Council Plan to BCP Council's Corporate Strategy. The revised strategy can be seen in Appendix B.
7. Further changes resulting from the engagement process have included rewording some of the content of the Strategy and the inclusion of working with the community and voluntary sector. A wealth of views and information has been collected through the engagement and whilst not all of that feedback will have immediately changed the Strategy it will be used to inform the development of the delivery plan which will underpin the high-level priorities.

Summary of financial implications

8. The financial implications of delivering against the strategy objectives will be defined in the delivery plans due to be presented with the budget to Cabinet and Council in February 2020.

Summary of legal implications

9. None

Summary of human resources implications

10. Service Directors will need to identify appropriately skilled or trained individuals to implement the delivery plans which will sit under the Corporate Strategy.

Summary of environmental impact

11. The draft strategy contains objectives relating to the protection and enhancement of environment and these will be developed as part of the delivery plan process.

Summary of public health implications

12. There will be a requirement to work closely with Public Health and align strategies and plans to achieve the priorities.

Summary of equality implications

13. The Corporate Strategy sets out the Council's commitment to equality and diversity and equality impact assessments will support delivery plans. An equality impact assessment for the strategy is available on the Council's website.

Summary of risk assessment

14. Risks and issues will be included in the delivery plans due to be presented to Cabinet and Council in February 2020.

Background papers

Detailed stakeholder engagement analysis is published on the Council's website.

Appendices

Appendix A - Engagement Summary

Appendix B - Draft BCP Council's Corporate Strategy

Full engagement report:

[https://live-bcpcouncil-bournemouth.cloud.contensis.com/Council-and-Democratic/Consultation- And-Research/Council-Plan.aspx](https://live-bcpcouncil-bournemouth.cloud.contensis.com/Council-and-Democratic/Consultation-And-Research/Council-Plan.aspx)

Council Plan Engagement Summary

The results from all of the methods of engagement are summarised below. The analysis will help to make improvements to the high-level plan document and priorities. There is also a lot of information which can inform the next stage of the process which includes writing a delivery plan. A full version of the engagement report can be found on [BCP Council's website](#)

Survey analysis

2,176 respondents took part in the survey. This includes 14 Easy Read surveys.

96% are residents and 4% responded on behalf of an organisation (25 of these work for BCP Council).

Importance of priorities

Respondents were asked to rate the importance of each priority from 1 to 5 (where 1 = very low priority and 5 is very high priority). Overall, respondents are supportive of the priorities, with each receiving a 4 or 5 from over three quarters of respondents.

The table below shows the percentage of residents and organisations that feel each priority is a high priority (scoring 4 or 5).

	Residents	Organisations
Sustainable Environment	82%	90%
Dynamic Region	81%	80%
Connected Communities	77%	82%
Brighter Futures	83%	91%
Fulfilled Lives	83%	82%

1,267 respondents wrote a comment or suggestion about the BCP Council Plan. The majority of people are supportive of the overall priorities and actions. In the comments, many people suggested the actions or improvements that they would like to see (which have been related to the priorities) or explained why they felt that priority is important. 580 respondents commented about the Plan, including wanting to see more details and in particular how the plan would be implemented/actioned and financed, as well as compliments about the plan.

Youth Forum

BCP Council's Youth Participation Workers shared the questionnaire with young people over the summer. A youth forum event was also held in Poole which 19 young people aged 12-18 attended.

The Chief Executive, Insight Manager and Youth Development Worker - Participation held a workshop on the draft Council Plan. We asked young people if the plan resonated with them, what it means to them and what the council should do under each of the priorities. The feedback will help make changes to the draft Council Plan and to inform the delivery plan which will sit under it.

The overall feedback for the corporate plan was generally positive. The majority of young people when asked to rate it out of 10 gave it a 7. The things that were important to the group that should be addressed by the Council included: cleaner streets, safer streets (particularly Poole Bus Station), homelessness, involvement of young people in council decision making, transparency of the council, improve the bus network, affordable housing and for schools to care more about their students. Protecting the environment was also seen as an important.

When asked about the vision, the young people particularly didn't like the word 'vibrant' but didn't suggest an alternative. Some also struggled to define sustainability and dynamic. There were a couple of comments about Brighter Futures and Fulfilled Lives meaning the same thing.

Stakeholder events

Two stakeholder events were held for the Community Voluntary Sector, Town and Parish Councils, Area Forums and Residents' Association representatives. 31 people attended an evening event in Christchurch and 33 people attended an afternoon event in Poole.

It is quite difficult to summarise the stakeholder events feedback as the comments were varied all of which will be useful in helping to shape the delivery plan. However, one of the main challenges with all the priorities was the funding available to deliver the actions, not only for the Council but partner organisations as well. There was also a strong message that BCP Council needs to make a commitment to work and engage with partners (the community voluntary sector, partner organisations, Town and Parish Councils and residents' associations) in delivering its aspirations.

Go Forum

An Easy Read version of the questionnaire was produced and disseminated. 14 respondents completed the easy read version of the questionnaire and members of the Go Forum completed the questionnaire as an organisation. Their full response can be seen in the full Engagement report. Every member rated each of the priorities as a 4 or a 5, apart from one member who rated Brighter Futures as a 3.

Staff Panel

The Staff Panel were asked three open questions for each of the five priorities (What opportunities do you think that this priority presents? What challenges, if any, do you think could get in the way of achieving this priority? What ideas do you have for overcoming these? and How will we know we've been successful?), plus an opportunity for a final comment about the Council Plan overall.

Results are difficult to summarise as they varied widely. Comments were broadly positive with many seeing the opportunity to improve the lives of the area's residents and some seeing an opportunity to rethink the way in which the Council delivers services. Actions relating to transport and housing received the most comments. Lack of finance and resources was seen as the main barrier to delivering the priorities.

Written responses

The Chief Executive of Dorset Chamber of Commerce and Industry provided his views of the draft Plan and his main observation is that there is little emphasis on supporting economic and business growth and a heavy focus on the digital economy and sustainability.

Christchurch Town Council provided a detailed response about each of the specific priorities overall, they said that funding was important to be considered in light of what was affordable.

The Highcliffe and Walkford Parish Council (HWPC) states that it gives wholehearted support to the sentiments expressed by BCP and believes there is little that anyone could object to in terms of desired outcomes. However, it states the document shouldn't be called a plan and that it is a set of principles.

Dorset Local Nature Partnership (DLNP) support the inclusion of Sustainable Environment as a specific priority within the Council's plan and associated actions.

Dorset Wildlife Trust note that they are pleased that health and wellbeing and environmental sustainability both come through very strongly as values and act as golden threads through the plan.

Dorset and Wiltshire Fire and Rescue Service welcome the draft Council Plan. Their only suggestion is regarding the middle section around Vibrant Communities. This section has the smallest writing but importantly is about individual impact "with outstanding quality of life where everyone pays an active role". They advised that this section is reconsidered to underline the importance that each person plays. Change cannot be brought about by the staff and teams alone and perhaps the public we serve should be included into each of the priorities to show there is a place for them to be engaged and make an impact in their community.

DOTs Disability

BCP Council asked Dots Disability to run a discussion group about the draft council plan. They compiled a report, based on discussions with a small number of local disabled people who were a pan "protected characteristic group". Much of the feedback from this group will help inform and improve the next steps of the Council Plan process. Some specific feedback on the high-level plan included some of the phrases used in the document were considered to be "buzz words" and not meaningful to the people who viewed it.

DOTs note that the introduction to the plan mentions BCP Councils' commitments to equality and diversity which is very welcome, as are specific references to older people and carers within the document. It is noted that the plan does not mention disabled people, people from the LGBT communities etc. Whilst DOTs recognised the challenges of referencing all communities within such a document, the group recommended that there is significant value in referencing the term "protected characteristic groups," in this and all related high-level strategic documents. DOTs recommend this because these are the groups of people most likely to be excluded from the aspirational outcomes sited in the plan. Their view is that it is key to the success of the BCP Council Plan that the legal obligations of "anticipatory Reasonable Adjustment" are embedded at a strategic level, in order to leverage high quality engagement, participation and co-production throughout the development and the delivery phases.

Conclusion

Overall BCP Council's Plan has been well received and the priorities are also endorsed by respondents. Improvements have been suggested along with issues that respondents felt were missing. These were:

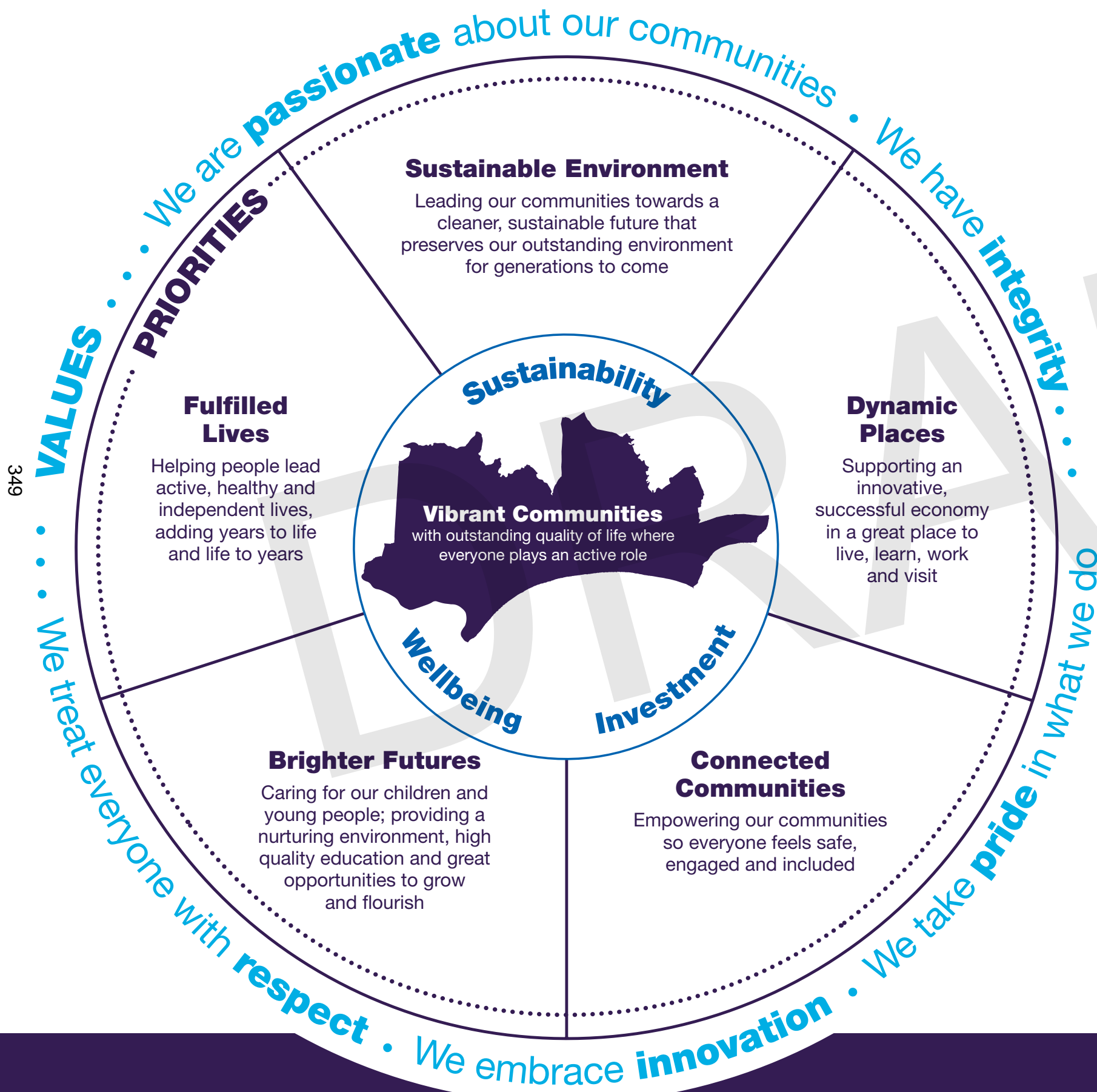
- Housing
- Affordable housing
- Transport
- Travel plan
- Clean streets
- Protecting wildlife
- Culture
- Arts, Heritage, Creativity
- Leisure
- Diversity and protected characteristics
- Disability
- The local economy
- Economic growth
- Tourism
- Developing and attracting business
- Further education / Higher education
- Mental Health
- Health Care
- Care for elderly / older people
- Social and community adult care
- Safety
- The police
- Integrated system for entry so a person as a contact in BCP who can signpost to all areas
- Integrated Transport Policy
- Transparency
- Generating income
- Partnership working
- Involvement in decision making
- Lack of collaboration / partnership

Based on feedback it is recommended that BCP Council considers the following:

- Acknowledge that the high-level document is not a plan and should be called either a high-level strategy or vision.
- Look to reword some of the jargon to make the document easier to understand.
- Acknowledge that to achieve its strategy/vision BCP Council will work with its partner organisations and the community voluntary sector. This should be reflected in the high-level plan to show the Council's commitment to support volunteering and an active relationship with the voluntary and community sector.
- Look at the issues that have been suggested by respondents as missing or needing more emphasis. Consider whether they are issues that should be included in the high-level plan or should and will be included within the delivery plan.

BCP Council's Corporate Strategy

We are a modern, accessible and accountable council committed to providing effective community leadership



► Our Objectives are to...

Sustainable Environment

- ensure sustainability underpins all of our policies
- protect and enhance our outstanding natural environment
- develop an eco-friendly and active transport network
- tackle the climate change emergency
- promote sustainable resource management
- maximise access to our high quality parks and open spaces

Dynamic Places

- revitalise and reinvent our High Streets and local centres
- invest in the homes our communities need
- create a sustainable, vibrant and inclusive economy
- increase productivity through skills development
- develop sustainable infrastructure
- support our businesses to operate more creatively
- create a 21st century digital infrastructure

Connected Communities

- strengthen the cultural identity of our towns and places
- respect and engage with our diverse communities
- encourage intergenerational interactions
- reduce loneliness and isolation
- ensure our communities feel safe
- empower a thriving voluntary and community sector

Brighter Futures

- enable access to high quality education
- be aspirational for our children in care
- support parents and guardians to care for their children well
- prevent harm through early intervention

Fulfilled Lives

- support people to live safe and independent lives
- promote happy, active and healthy lifestyles
- develop age-friendly communities
- value and support carers
- enable people to live well through quality social care
- tackle homelessness and prevent rough sleeping
- promote lifelong learning for all

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