

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
CABINET

Minutes of the Meeting held on 27 May 2020 at 10.00 am

Present:-

Cllr V Slade – Chairman

Cllr M Howell – Vice-Chairman

Present: Cllr L Allison, Cllr D Brown, Cllr L Dedman, Cllr A Hadley,
Cllr S Moore, Cllr M Phipps, Cllr Dr F Rice and Cllr K Wilson

Also in attendance: Cllr P Broadhead (Chairman of the Overview and Scrutiny Board)

161. Declarations of Interests

Councillors M Howell and V Slade declared local interests in Minute No 168 (Seascope Group Limited 5 Year Strategic Plan (2020-25)) and remained present for the discussion and voting thereon.

162. Confirmation of Minutes

The Minutes of the Cabinet meeting held on 22 April 2020 were confirmed and signed as a correct record.

Voting: Nem.Con

163. Public Issues

The Leader advised that there had been no public questions or petitions received on this occasion but that there had been a number of emails from Members of the Public received in relation to Agenda Item 16 which dealt with the Traffic Regulation matters. Further to this the Leader advised that copies of these emails had been circulated to all Cabinet Members prior to the meeting in order for them to read and take into account when considering the matters under Agenda Item 16.

In addition during the meeting Cabinet were made aware of an additional statement which had been submitted but unfortunately not reached officers prior to the meeting. The statement was submitted from Mr Michael Hancock from Harbour Ambition and related to Agenda Item 13 (Holes Bay, Poole (former power station site) acquisition strategy). The statement was read out by the Democratic Services officer during Item 13 and a copy of which has been published on the Councils website.

Questions and Statements from Councillors not on the Cabinet

Three questions and a statement were submitted from Councillors not on the Cabinet on items contained within the agenda. Copies of these questions, the responses from Portfolio Holders and the statement submitted have been published on the Councils website.

164. Recommendations from the Overview and Scrutiny Board

Cabinet were advised that there were no additional recommendations from the Overview and Scrutiny Board on items not otherwise included on the Cabinet Agenda on this occasion.

165. Update on BCP Council's Response to the Covid-19 Pandemic

The Chief Executive presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

In presenting the report the Chief Executive reminded those present that the situation was constantly moving, and that current work included looking towards a local outbreak lockdown plan and the future potential easements of lockdown measures and the potential reopening of businesses subject to government advice.

Cabinet were requested to note the further update to the report summarising the Council's response to the Covid-19 pandemic, which was presented to Cabinet in April 2020.

Cabinet Members provided an update in relation to the impact the Covid-19 pandemic was having within their Portfolio with particular mention of the forthcoming return to school for Reception and Years 1 and 6. In relation to this the Portfolio Holder advised that locally Head Teachers were keen to make this work. An update was also provided in relation to the work of those in the care sector and in particular to some of the Day Centre staff who have been seeking alternative ways in which to engage with some of those who would have ordinarily attended the centres.

The Chairman of the Overview and Scrutiny Board addressed Cabinet advising that whilst there were no formal recommendations from the Boards recent meeting that the Board recognised the way in which the staff and community had stepped up, and that the Overview and Scrutiny Working Group which had been established to look at Covid matters had been working well. In addition the Chairman of the Overview and Scrutiny Board advised that rather than being focused on the response to Covid-19 that the Council was now looking at recovery and reset.

RESOLVED that the Council's response to the Covid-19 pandemic be noted.

166. BCP Council Finance Update

The Portfolio Holder for Finance presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

The Portfolio Holder advised that the country was facing the biggest public health emergency for a generation, and that this required urgent and decisive action by the council to support its community while also supporting the integrity of the Council's financial position and sustainability.

In presenting the report the Portfolio Holder proposed an amended recommendation in respect of recommendation (b) which was requested to be amended to read:

(b) Request that the annual budget for 2020/21 is reviewed and an early budget monitoring report is brought forward to Cabinet in June.

Further to this the Portfolio Holder advised that the financial position continued to be monitored on a daily basis.

Cabinet Members spoke in support of the report and praised the work of Officers.

The Chairman of the Overview and Scrutiny Board addressed Cabinet highlighting that the Board would be looking at the report at their next meeting in June.

RESOLVED that Cabinet:-

- a) **Note the contents of the report and that a further report is scheduled for June Cabinet outlining the progress made in establishing and managing the financial impact of Covid-19;**
- b) **Request that the annual budget for 2020/21 is reviewed and an early budget monitoring report is brought forward to Cabinet in June; and**
- c) **Request that the Corporate Director for Resources brings forward a report outlining the Council's transformation programme to June Cabinet.**

Voting: Unanimous

Portfolio Holder: Finance

167. Bournemouth Development Company LLP Business Plan

The Portfolio Holder for Regeneration and Culture presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

The Portfolio Holder advised that the BDC Business Plan set out the strategic direction of BDC over the next five years, with a particular emphasis on the development activity BDC will undertake during 2020/21. In relation to this Cabinet were advised that the Council had reserved the right for Cabinet to approve the annually updated BDC business plan which highlighted the next steps to be undertaken on sites which are currently in the development phase and those which are earmarked for development but yet to enter the development cycle.

The Chairman of the Overview and Scrutiny Board addressed Cabinet advising that at their recent meeting the Board resolved to make the following recommendations to Cabinet in respect of this item:

1. *Cabinet considers carefully whether the proposed BDC Business Plan continues to reflect the Council's ambitions for the future of Bournemouth Town Centre as a whole;*

2. *Specifically, before approving the BDC Business Plan, Cabinet confirms that profits achieved from projects such as the former Winter Gardens site are allocated to developments such as the Pavilion Gardens/ Bath Road where the driver for development centres around cultural and other public benefits rather than profit; and*
3. *Cabinet recognises that Bournemouth Council's Planning Board (unanimously) rejected BDC's application for Durley Road Car Park and considers whether this project should be deleted from the programme.*

The Portfolio Holder thanked the Board for their recommendations and in proposing the report proposed the amended recommendations as set out below.

RESOLVED that Cabinet:-

- (a) Approves the updated BDC Business Plan, a copy of which is set out at Appendix 3;**
- (b) Agrees a principle that any BCP profit within the BDC partnership shall only be withdrawn pursuant to a Cabinet decision; and**
- (c) Requests Officers to advise Cabinet whether under the BDC partnership agreement the Council can secure a commitment to retain a significant proportion of profit within the BDC partnership to be used as reserves for general working capital and reinvestment for progression and delivery of schemes listed in the Business Plan.**

Voting: Unanimous

Portfolio Holder: Regeneration and Culture

168. Seascope Group Limited 5 Year Strategic Plan (2020-25)

The Portfolio Holder for Housing presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Cabinet were advised that this was an ambitious plan, and that the purpose of the report was to seek approval for the Seascope Group Limited 5-year Strategic Plan which set out a 5 year vision for the period 2020-25 for how the Group will continue to deliver and grow its quality services, support communities and help deliver the Council's Corporate Strategy.

The Portfolio Holder advised that a question had been received in respect of this item from Councillor Bartlett, the question and response have been published on the Council's website as referenced under Minute No. 163.

RESOLVED that:-

- (a) Cabinet approves the Seascope Group Limited's Strategic Plan 2020-25 attached in Appendix A and;**

- (b) **Cabinet authorises officers to change the current obligation in the Shareholder Agreement between BCP Council and Seascope Group Limited from the requirement to produce an annual plan to a longer term 5 year strategic plan, in order to facilitate planning in the medium term.**

Voting: Unanimous

Portfolio Holder: Housing

(Councillors M Howell and V Slade declared local interests in this item and remained present for the discussion and voting thereon)

169. Transforming Cities Fund (TCF) Programme

The Portfolio Holder for Transport and Infrastructure presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' to these Minutes in the Minute Book.

Cabinet were requested to note the proposed next steps regarding the TCF processes and the commitment of participating partners, and in relation to this were advised of the progress to date regarding the Department for Transport (DfT) based Transforming Cities Fund (TCF) award and process and were requested to delegate authority to the Director of Growth and Infrastructure in consultation with the relevant Portfolio Holder through the TCF Governance Structure for decisions on delivery.

The Chairman of the Overview and Scrutiny Board addressed Cabinet advising that at their recent meeting the Board resolved to make the following recommendations to Cabinet in respect of this item:

To better reflect the importance of the programme and its effect on the conurbation's development, the two BCP councillors appointed to the CGB should be the Portfolio Holder for Transport and Infrastructure and the Leader or Deputy Leader of the Council.

In relation to the recommendation from the Board Cabinet noted the comments of the Board but stressed that the current membership of the Board being that of the Portfolio Holder for Transport and Infrastructure and the Portfolio Holder for Environment and Climate Change matched that of Dorset Council and was therefore most appropriate.

RESOLVED that Cabinet:-

- (a) **Notes the Transforming Cities Fund (TCF) Award, seeks Council approval to accept the grant funding and notes the progress to date regarding the TCF programme;**
- (b) **Approves in principle the proposed three-year delivery programme, in line with the TCF Strategic Outline Business Case, and guidance set out by the Department for Transport (DfT) in the Assurance Framework;**
- (c) **Approves the proposed Governance Framework and delegates authority to the Director of Growth and Infrastructure in consultation with the Portfolio Holder for Transport and Infrastructure, through the TCF Council Governance Board (CGB), for approval of future**

proposals, the detailed design of each element of the programme and to advertise associated Traffic Regulation Orders (TROs);

- (d) Approves any variation (as required) to the spend against the corridor based budgetary allocations identified in the SOBC and the making of TROs, following consideration of any objections to the advertising of those orders associated with the programme;
- (e) Receives quarterly TCF reports on progress to Cabinet for approval prior to submitting to DfT; and
- (f) Notes the proposed next steps regarding the TCF processes and the commitment of participating partners.

Voting: Unanimous

Portfolio Holder: Transport and Infrastructure

170. Delivery of Sprinkler Installation at Sterte Court

The Portfolio Holder for Housing presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'F' to these Minutes in the Minute Book.

Cabinet were asked to consider the recommendation of the award of a new contract for the delivery of works to install a full sprinkler system to Residential Category 3 (flats and communal areas) at 1-57 & 58-114 Sterte Court. In relation to this Members were advised that these works would deliver a new sprinkler system in order to enhance fire safety management across the buildings.

RESOLVED that Cabinet:-

- (a) Endorses the previous decision made in July 2018 by the Borough of Poole to install sprinklers in the tower blocks owned by BCP Council and managed by Poole Housing Partnership; and
- (b) Approves the award of a new contract to Harmony Fire Ltd to deliver the sprinkler installation and approve the overall sprinkler budget of £575k.

Voting: Unanimous

Portfolio Holder: Housing

171. Whitecliff Recreation Ground - Pavilion Redevelopment

The Portfolio Holder for Environment and Climate Change presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'G' to these Minutes in the Minute Book.

Cabinet were advised that in December 2017 Borough of Poole Cabinet approved the commencement of procurement to seek a developer to deliver enhanced facilities within Whitecliff Pavillion as set out in Appendix 1 of the report, and that in relation to this through the planning application process, approval had been granted to redevelop the pavilion. Further to this Cabinet were advised that the tender to find an operator to design,

build, manage and maintain the facility is live with a closing date of 1 July, and that consultation had been undertaken with stakeholders, ward councillors and the public.

The Chairman of the Overview and Scrutiny Board addressed Cabinet advising that at their recent meeting the Board resolved to make the following recommendations to Cabinet in respect of this item:

Recommendation B should be amended to read “Members delegate authority to officers in consultation with the Portfolio Holder and Ward Councillors to award...”

The Portfolio Holder thanked the Board for their recommendation and advised that this amendment would be incorporated into the recommendations accordingly.

RESOLVED that:-

- (a) Cabinet approve the appropriation of land at Whitecliff Recreation Ground for planning purposes; and**
- (b) Members delegate authority to officers in consultation with the Portfolio Holder and Ward Councillors to award contract to the successful bidder following close of Tender on 1 July and all subsequent decisions to enable the completion of the development.**

Voting: Unanimous

Portfolio Holder: Environment and Climate Change

172. Holes Bay, Poole (former power station site) acquisition strategy

The Portfolio Holder for Regeneration and Culture presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'H' to these Minutes in the Minute Book.

Cabinet agreement was sought for the Council to purchase the former power station site according to the defined terms set out in the report. In relation to this Cabinet were advised that a potential purchase was proposed based on negotiations with the landowner and with support from both Homes England and the Dorset Local Enterprise Partnership (DLEP).

As set out in Minute No. 163 a public statement was received in relation to this item from Mr Michael Hancock of Harbour Ambition, the statement was read out by the Democratic Services Officer and a copy of which has been published on the Councils website.

In addition the Portfolio Holder advised that a question had been received in respect of this item from Councillor White, the question and response have been published on the Councils website as referenced under Minute No. 163.

Cabinet Members spoke in support of the report highlighting the fantastic opportunity this presented.

RESOLVED that Cabinet:-

- (a) Agrees that the site is acquired on the acquisition proposal set out in this report for the consideration detailed in the confidential part at appendix 1 of this report (site indicatively edged red on the plan attached at appendix 2);**
- (b) Agree in principle to accept the £5m Dorset Local Enterprise Partnership (DLEP) grant (with its associated terms and conditions) to part fund the acquisition of the site, with delegated authority to the Section 151 Officer;**
- (c) Agree that plans are developed promptly following acquisition to bring the site forwards, with a further report to Cabinet/Council seeking approval on the associated investment decisions, revenue implications and proposed detailed delivery model;**
- (d) Agree that a project team for this site be formally established as part of the Poole Regeneration Board framework within existing resources to drive the project forward and ensure appropriate governance; and**
- (e) Delegate authority to the Corporate Property Officer to complete the acquisition and all associated property transactions to prepare the site for development.**

RECOMMENDED that Council:-

Amend the Capital Programme to include provision for this purchase, to be funded by prudential borrowing, on the basis set out in the confidential report.

Voting: Unanimous

Portfolio Holders: Housing
Regeneration and Culture

173. Bournemouth Town Centre Vision (TCV): Winter Gardens Site – Regeneration Opportunities

The Portfolio Holder for Regeneration and Culture presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'I' to these Minutes in the Minute Book.

Cabinet were reminded that on the 12 February 2020 they had approved a number of decisions in relation to the Winter Gardens scheme relating to the funding and lease terms which will assist the ability to secure third party funding.

In relation to this Cabinet were advised that the purpose of the report was to seek approval for additional Council finance in accordance with the terms of the BDC Members Agreement to deliver the scheme and realise the scheme benefits and to consider the acquisition of certain elements of this strategically important scheme to enable the Council to meet its housing targets and long term regeneration objectives.

Further to this the Portfolio Holder advised that a question had been received in respect of this item from Councillor Bartlett, the question and response has been published on the Councils website as referenced under Minute No. 163.

The Chairman of the Overview and Scrutiny Board addressed Cabinet highlighting the opportunity this exciting project presented and advising that at their recent meeting the Board resolved to make the following recommendations to Cabinet in respect of this item:

1. *Before approving the requests for Council Finance, Cabinet should confirm that it believes the projected revenue from car parking as outlined in the report is realistic; and*
2. *Cabinet should consider whether the public benefits offered by the proposed scheme genuinely reflect the Council's ambitions for the Town Centre.*

The Portfolio Holder thanked the Board for their recommendations and advised that it was felt that the projected revenue from car parking was realistic, and that it was also felt that the proposed scheme offered substantial net benefit to the town centre in terms of additional housing and increased consumer spending.

RESOLVED that Cabinet:-

- (a) **approves the request for up to a further £7.6M Additional Council Finance less the Site Lease Value. The Site Lease Value will be calculated once the construction procurement process is complete and the terms of the Third Party Finance have been settled. It is anticipated this will be around Q1 2021;**
- (b) **approves the MTFP to be updated in 2021/22 to include £304k per annum (plus interest) for the Minimum Revenue Provision (MRP) associated with this Additional Council Finance;**
- (c) **the purchase of the Private Rented Sector (PRS) and Car Park elements of the Winter Gardens Scheme, from the Bournemouth Development Company LLP, on the terms detailed in the confidential part of the report;**
- (d) **authorises the Corporate Property Officer in consultation with the Monitoring Officer to agree the detailed [contract provisions];**
- (e) **approves the grant of a 50-year lease of the PRS elements to Seascope Homes and Property Limited on terms to be agreed by the Corporate Property Officer in consultation with the Monitoring Officer; and**
- (f) **approves the MTFP to be updated in 2021/22 for the net loss of income relating to the redevelopment of the Winter Gardens car park totalling £743,200.**

RECOMMENDED that Council:-

- (a) **amend the Capital Programme to include Additional Council Finance up to £7.6M less the Site Lease Value anticipated to be**

drawdown in 2021/22. [It would be prudent to assume the Additional Council Finance will be £7.6M];

- (b) amend the Capital Programme to include provision for these acquisitions to be funded by prudential borrowing, which is subject to RPI as detailed in the confidential part of this report; and**
- (c) authorise the Section 151 Officer in consultation with the Portfolio Holder for Finance to determine the detailed funding arrangements for both the forward purchase of the PRS and Public Car Park and the Additional Council Finance.**

Voting: Unanimous

Portfolio Holder: Regeneration and Culture

174. Children's Services Capital Strategy

The Portfolio Holder for Children and Families presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'J' to these Minutes in the Minute Book.

Cabinet approval was sought for the Children's Services Capital Strategy 2020/23 and the associated use of capital programme funds for 2020/21.

Cabinet spoke in support of the report highlighting the fact that this would support the Council in complying with its statutory duties in relation to the supply of school places, special educational needs/ disabilities (SEND) and school condition.

RESOLVED that Cabinet:

- (a) Approves the adoption of the Children's Services Capital Strategy 2020/21 to 2022/23 as contained within this report;**
- (b) Notes the funding constraints within which the Strategy is drafted, as outlined in Appendix A;**
- (c) Approves the inclusion of programme of activity / works as set out at Appendix B within the Capital Investment Programme; and**
- (d) Approves the use of school condition grant for children's centres to maintain urgent health and safety issues as identified.**

Voting: Unanimous

Portfolio Holder: Children and Families

175. Traffic Regulation Orders

The Portfolio Holder for Transport and Infrastructure presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'K' to these Minutes in the Minute Book.

Cabinet were requested to consider representations made in response to the advertisement of a number of Traffic Regulation Orders, and to approve

the sealing and advertisement of a number of other Traffic Regulation Orders.

In presenting the reports the Portfolio Holder advised that there had been a number of email representations from Members of the Public in relation to the orders set out within the report. Further to this the Portfolio Holder advised that copies of these emails had been circulated to Members of the Cabinet for them to take into consideration during the relevant item. In addition the Portfolio Holder advised that a statement had been received in respect of this item from Councillor Trent and that the statement had been published on the Councils website as referenced under Minute No.163.

The Leader advised that ordinarily these items would have been considered by the Transportation Advisory Group (TAG) prior to Cabinet decision and that these representations would have been made to TAG, but that as TAG was not currently meeting Cabinet were therefore receiving these representations.

RESOLVED that Cabinet:-

- (a) confirms the Traffic Regulation Order as advertised in Aston Way as set out in TRO sub-report A;**
- (b) confirms the Traffic Regulation Order as advertised in Steeple Close and Tollerford Road as set out in TRO sub-report B;**
- (c) confirms the Traffic Regulation Order as advertised in Dear Hay Lane as set out in TRO sub-report C;**
- (d) confirms the Traffic Regulation Order as advertised in North Street as set out in TRO sub-report D;**
- (e) confirms the Traffic Regulation Order as advertised in Sherwood Avenue as set out in TRO sub-report E;**
- (f) confirms the Traffic Regulation Order as advertised in Douglas Gardens as set out in TRO sub-report F;**
- (g) confirms the Traffic Regulation Order as advertised in Salterns Road as set out in TRO sub-report G;**
- (h) confirms the Traffic Regulation Order as advertised in Sunridge Close as set out in TRO sub-report H;**
- (i) confirms the Traffic Regulation Order as advertised in Southill Road and Sunnyside Road as set out in TRO sub-report I;**
- (j) confirms the sealing of Traffic Regulation Orders ref P16 2019**
- (k) confirms the sealing of Traffic Regulation Orders ref P17 2019**
- (l) confirms the sealing of Traffic Regulation Orders ref P18 2019**
- (m) confirms the following Traffic Regulation Orders and sealing of the following Traffic Regulation Orders for which no representations were received:-**
 - i. Ashley Road (loading bay)**
 - ii. Cardigan Road (parking bay amendments)**
 - iii. Kellaway Road (yellow line extension)**
 - iv. Sherborn Crescent (20mph limit)**

- v. **Kitchener Crescent/ Plumer Road (yellow lines)**
- vi. **Hoyal Road, Stanley Road and Courthill Road (disabled bay changes)**
- vii. **Churchill Road (yellow lines)**
- viii. **Parr Street (Taxi bay)**
- ix. **Sandecotes Road, junctions with Overbury Road and Glengariff Road (yellow lines)**
- x. **Slip Way (parking bay amendments)**
- xi. **Kingland Road Service Road (verge parking Order)**

Voting: Unanimous

Portfolio Holder: Transport and Infrastructure

176. Cabinet Forward Plan

The Leader advised that the latest Cabinet Forward Plan had been published on the Council's website.

The meeting ended at 12.21 pm

CHAIRMAN