

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
CABINET

Minutes of the Meeting held on 30 September 2020 at 10.00 am

Present:-

Cllr V Slade – Chairman

Cllr M Howell – Vice-Chairman

Present: 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 Cllr P Broadhead
attendance:

Apologies: Cllr L Allison

233. Declarations of Interests

There were no declarations of interest made on this occasion.

234. Confirmation of Minutes

The Minutes of the Cabinet meeting held on 9 September 2020 were confirmed and signed as a correct record.

Voting: Unanimous

235. Public Issues

The Leader advised that there had been no public questions, statements or petitions submitted on this occasion.

236. 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.

237. Installation of Combined Heat and Power Unit, The Club at Meyrick Park

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 'A' to these Minutes in the Minute Book.

Cabinet were advised that The Club at Meyrick Park wished to install a Combined Heat and Power Unit (CHP) in order to deliver savings on electricity, heat and carbon generation.

In presenting the report the Portfolio Holder advised that paragraph 15 of the report should read '*combined heat and power unit*' rather than '*heat source pump*'.

RESOLVED that:-

- (a) As representative trustees of the Five Parks Trust, a letter of authority be granted to allow the CHP to be secured at the Land Registry as per the terms of the contract between EuroSite Power Limited (the supplier/installer) and the Club Company (Group) Limited (the tenant); and**
- (b) As representative trustees of the Five Parks Trust, BCP Council grant a licence to alter for the installation of the CHP.**

Voting: Unanimous

Portfolio Holder: Environment and Climate Change

238. Managing Unauthorised Encampments: Members Working Group Report

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 'B' to these Minutes in the Minute Book.

Cabinet were advised of the considerations undertaken and subsequent recommendations brought forward by the cross-party members working group for unauthorised encampments.

Cabinet were informed that the report contained items considered and options reviewed in reaching a consolidated policy for the management of encampments and the future options for the control of unauthorised encampments across BCP Council. Including the recommendations for:

1. Policies for the management of future encampments
2. Policies regarding target hardening of sites
3. The feasibility for pre-emptive injunctions
4. The feasibility of providing alternative stopping places

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

The Overview and Scrutiny Board recommend to Cabinet that the recommendation outlined in the Cabinet report at 'b' should not move forward for approval by Cabinet.

Cabinet Members spoke in support of the report and of the importance of consultation. In addition Cabinet discussed the impact of the removal of recommendation 'b' as proposed by the Overview and Scrutiny Board.

The proposal to remove recommendation 'b' was put forwards by Councillor Phipps, this was seconded by Councillor Dedman but fell upon being put to the vote, with voting 2 For and 7 Against.

RESOLVED that:-

- (a) Cabinet adopt the revised policy for the management of unauthorised encampments across BCP Council;**

- (b) **The working party be asked to explore the following options: the feasibility of providing alternative stopping places; the use of pre-emptive injunction against trespass; target hardening and management of incursions. Their recommendations to be brought back to Cabinet within four months including the necessary governance, resources and consultation that would be required; and**
- (c) **a balanced approach to target hardening as local circumstance dictate be adopted.**

Voting: 7:2

Portfolio Holder: Environment and Climate Change

239. Highway Maintenance Funding 2020/21 report

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 'C' to these Minutes in the Minute Book.

Cabinet were advised that the national funding was intended to fix up to 50 million potholes but was also available for local authorities to undertake longer-term road resurfacing works to prevent potholes from appearing in the first place. In relation to this Cabinet were requested to consider the report and recommendations to Full Council.

RECOMMENDED that:-

- (a) **Cabinet note the allocation of £2.864M of Dept for Transport (DfT) Pothole Funding and approve its addition into the 2020/21 LTP Capital Programme;**
- (b) **Cabinet recommend approval to full Council of the proposed programme outlined in Appendix A to utilise the £2.864M Pothole Fund award;**
- (c) **Cabinet note the allocation of £4.184M of Dept for Transport (DfT) Challenge Funding and approve its addition into the 2020/21 LTP Capital Programme.**
- (d) **Cabinet recommend approval to full Council for the proposed programme outlined in Appendix B to utilise the £4.184M Challenge Fund award**
- (e) **Cabinet recommend approval to full Council for the capital allocation of £700k to Environmental Services.**
- (f) **Cabinet receives a further report at the earliest opportunity to consider future years capital funding allocation options and impacts for Environment & Growth & Infrastructure Services.**

Voting: Unanimous

Portfolio Holder(s): Environment and Climate Change
Transport and Infrastructure

240. Christchurch Bay and Harbour Flood and Coastal Erosion Risk Management Strategy

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 'D' to these Minutes in the Minute Book.

Cabinet were advised that a new Flood and Coastal Erosion Risk Management (FCERM) Strategy covering Christchurch Bay and Harbour was needed to guide long term sustainable coastal and tidal flooding and erosion risk management.

In relation to this Cabinet approval was sought to progress procurement of specialist consultancy services to develop the strategy using Flood Defence Grant Aid (FDGiA) funding which is in the process of being secured by the Environment Agency.

RESOLVED that approval is given to:-

- (a) Proceed with developing a new Flood and Coastal Erosion Risk Management (FCERM) Strategy covering Christchurch Bay and Harbour in partnership with New Forest District Council and the Environment Agency, using funding from Flood Defence Grant in Aid (£450,000 is in the process of being secured);**
- (b) Subject to funding being secured, then proceed with procuring a Consultant to produce the FCERM Strategy via the South Coast FCERM Framework administered by Portsmouth City Council on behalf of the Southern Coastal Group area, which includes BCP Council;**
- (c) Delegate authority to the Director for Growth and Infrastructure in consultation with the Section 151 and Monitoring Officers to agree the terms of any funding and consultancy agreement; and**
- (d) Delegate progression of the technical case and associated future submission to the Director for Growth and Infrastructure in consultation with the Director of Finance.**

Voting: Unanimous

Portfolio Holder: Environment and Climate Change

241. Flood Defences - Poole Bridge to Hunger Hill

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 'E' to these Minutes in the Minute Book.

Cabinet were advised that Poole town centre is at considerable flood risk which will increase over time with the effects of climate change. Further to this Cabinet were informed that recent schemes had been completed from Baiter to Poole Bridge, delivered by both the Environment Agency (EA) and Poole Harbour Commissioners (PHC). However, the area remains at risk due to the ageing infrastructure between Poole Bridge and Hunger Hill.

BCP Council is leading on a proposal for tidal flood defences on the remaining frontage.

The current policy of flood defence delivery through regeneration and private development has not provided the required level of investment. Our proposal is to deliver via a single scheme, led by the council, working in liaison with the various landowners.

RECOMMENDED that:-

- a) Cabinet approves submission of an Outline Business Case to the Environment Agency's Large Projects Review Group (LPRG) to seek circa £12m Flood Defence Grant in Aid (FDGiA) to construct tidal flood defences from Poole Bridge to Hunger Hill. LPRG is provisionally booked for Oct 2020;**
- b) Cabinet approves that BCP Council adopt the new flood defence assets and commit to fund future maintenance costs (estimated £303k over 85 years);**
- c) Cabinet approves for BCP to underwrite the costs, identified in the OBC, for adaptation measures for future phases of construction within the business case – estimated at a total of £836k in years 2071 and 2105; and**
- d) Delegate authority to the Director for Growth and Infrastructure in consultation with the Section 151 and Monitoring Officers to agree the terms of any funding and/or supplier agreement(s)**

Voting: Unanimous

Portfolio Holder: Environment and Climate Change

242. Complaints and 2019/20 LGSCO annual report

The Deputy Leader 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 informed that the Local Government and Social Care Ombudsman (LGSCO) provided an independent and impartial service to investigate complaints about Councils, or actions taken by another body on behalf of the Council, and that the LGSCO provided a report annually which details the number of enquiries, investigations and resolved complaints for each authority in the past financial year.

In relation to this Cabinet were advised that the 2019/20 report shows that the number of enquiries to the LGSCO have risen slightly, as have the investigations, but that there has been a fall in the number of investigations upheld by the Ombudsman to 50%. Further to this Cabinet were advised that there are no major concerns relating to LGSCO findings.

RESOLVED that Cabinet note:-

- (a) the Local Government and Social Care Ombudsman's Annual Report; and**
- (b) the current position with internal complaint reporting**

Voting: Unanimous

Portfolio Holder: Leader of the Council

243. 2019/20 End of Year Performance Report

The Deputy Leader 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 informed that the report provided an overview of performance for the first year of BCP Council. In relation to this Cabinet were advised that the report identified some key improvements and some performance issues which were set out in Appendix B to the report.

RESOLVED that Cabinet:-

- (a) Noted the end of year performance; and**
- (b) Considered the attached exception reports relating to areas of current adverse performance.**

Voting: Unanimous

Portfolio Holder: Leader of the Council

244. Cabinet Forward Plan

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

The Portfolio Holder for Strategic Planning addressed the Cabinet in respect of the BCP Statement of Community Involvement:

"Members of Cabinet following the Council decision to adopt the BCP Statement of Community Involvement with an amendment to require neighbour notification letters to be sent out for planning applications across the BCP local planning authority area I need to raise some concerns over the financial, environmental and operational implications of this decision. These are as follows:

- Whilst fully respecting the need to publicise planning applications openly and transparently, the proposal to notify by site notice only had been carefully considered as being the best approach for the Council in view of the current financial and practical restrictions resulting from the ongoing pandemic. It is surprising that the amendment was not raised previously when it was being considered by O&S and then Cabinet.*
- The decision at Council to re-introduce letters now needs further consideration in terms of the financial impacts before implementation. As set out in the Council papers, going to a system of site notices would have realised a saving of circa £14k to £18k from reduction in postage, paper and ink costs that had been factored in to this year's Covid-19 financial budget response, which can no longer be taken and therefore needs to be acknowledged as a pressure. Adding the requirement to send letters in Bournemouth*

after over 20 years of using site notices will likely create an additional pressure of around £10k per annum. Taken together and with the Council's current financial pressures, there is no available funding in the existing planning budgets to pay for the additional costs arising from the decision and additional funding will need to be made available.

- There is also the issue of the extra officer time involved by having to send letters out in Bournemouth. Staff resources are already severely stretched and in the absence of employing additional staff to send out the letter, this the process will have to be absorbed into existing officer time at present. This will likely mean other activities in the planning department will be slowed down by having to allocate more staff time to producing and sending out letters. There will also be a greater requirement to have staff in the office to produce letters at a time when the Government is telling us to work from home more. A resource and process plan is needed in order to ensure letters can be sent out without impacting on current service.*
- The Council has declared a climate emergency and the reduction in use of letters would have had an environmental benefit by reducing materials used, so a re-appraisal of environmental impact alongside financial and operational issues should be undertaken.*

For the aforementioned reasons, it is advised that the Council's decision is referred for further detailed consideration at the next Cabinet meeting before the SCI is effected with an updated report on how the decision to send letters out across BCP will be resourced and implemented at the present time."

In closing the meeting the Acting Leader invited Councillor Slade to address the Cabinet in relation to the forthcoming Leadership vote. With regards to this Councillor Slade highlighted that a change of administration would mean significant changes to the Cabinet. Further to this Councillor Slade advised that should there be no change to the administration that the intention was that there would be a review of the Cabinet both in terms of membership, shape and portfolio areas, and that any changes would be an interim arrangement with the intention to look very closely at the possibility of moving to a committee style structure in order to address concerns with regards to decision making sitting with a small number of people.

Councillor Slade expressed thanks to officers for their support to the Cabinet.

The meeting ended at 11.50 am

CHAIRMAN