

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**COUNCIL**

Minutes of the Meeting held on 15 September 2020 at 7.00 pm

Present:-

Cllr D A Flagg – Chairman

Cllr L Fear – Vice-Chairman

Present: Cllr H Allen, Cllr L Allison, Cllr M Anderson, Cllr S C Anderson, Cllr M Andrews, Cllr J Bagwell, Cllr S Baron, Cllr S Bartlett, Cllr J Beesley, Cllr D Borthwick, Cllr P Broadhead, Cllr M F Brooke, Cllr N Brooks, Cllr D Brown, Cllr S Bull, Cllr R Burton, Cllr D Butler, Cllr D Butt, Cllr J J Butt, Cllr E Coope, Cllr M Cox, Cllr M Davies, Cllr N Decent, Cllr L Dedman, Cllr B Dion, Cllr B Dove, Cllr B Dunlop, Cllr M Earl, Cllr J Edwards, Cllr L-J Evans, Cllr G Farquhar, Cllr D Farr, Cllr A Filer, Cllr N C Geary, Cllr M Greene, Cllr N Greene, Cllr A Hadley, Cllr M Haines, Cllr P R A Hall, Cllr N Hedges, Cllr P Hilliard, Cllr M Howell, Cllr M Iyengar, Cllr C Johnson, Cllr T Johnson, Cllr A Jones, Cllr J Kelly, Cllr D Kelsey, Cllr R Lawton, Cllr M Le Poidevin, Cllr L Lewis, Cllr R Maidment, Cllr C Matthews, Cllr S McCormack, Cllr D Mellor, Cllr P Miles, Cllr S Moore, Cllr L Northover, Cllr T O'Neill, Cllr S Phillips, Cllr M Phipps, Cllr K Rampton, Cllr Dr F Rice, Cllr C Rigby, Cllr R Rocca, Cllr M Robson, Cllr V Slade, Cllr A M Stribley, Cllr T Trent, Cllr M White, Cllr L Williams and Cllr K Wilson

27. Apologies

There were no apologies submitted for this meeting.

28. Declarations of Interests

Councillor Mike Brooke, in respect of agenda Item 6b - Cabinet 29 July 2020 - Minute no 204 – Adoption of the Statement of Community Involvement, declared a local interest reporting that he was the Vice-Chairman of the Broadstone Neighbourhood Forum.

29. Confirmation of Minutes

The Minutes of the adjourned Annual Council meeting and Ordinary Council meeting held on 7 July 2020 were confirmed.

30. Announcements and Introductions from the Chairman

The Chairman reported on the following:

**A – Death of Councillor Pete Parrish**

The Chairman with great sadness reported on the recent death of Councillor Pete Parrish. He advised Members that Councillor Parrish was elected to BCP Council in May 2019 for the Canford Heath Ward and served as a member of the Licensing Committee.

Councillor Sandra Moore paid tribute to Councillor Parrish for his service to the Council and his role as a Ward Councillor.

### **B – Death of Honorary Alderman Jean Moore**

The Chairman with great sadness reported on the recent death of Honorary Alderman Jean Moore.

Councillor Mrs Moore was first elected to Dorset County Council in 1981, and to Bournemouth Borough Council in 1983 as a Moordown Ward Councillor. She served on numerous Committees for both Councils, took the Office of Mayor of Bournemouth Borough Council from 1996 to 1997 and became an Honorary Alderman in 2007.

Councillor Millie Earl paid tribute to Honorary Alderman Jean Moore for her service. Councillor Mark Anderson commented on his experience of working with Honorary Alderman Jean Moore.

The Council paid silent tribute to Councillor Pete Parrish and Honorary Alderman Jean Moore.

### **C – Card of thanks received from the Lord Lieutenant of Dorset**

The Chairman reported on a card received from the Lord Lieutenant of Dorset Angus Campbell, referring to the innovation, collaboration courage and selflessness shown by so many across Dorset in the shadow of Covid-19 which was an inspiration and as Her Majesty the Queen's representative in Dorset he thanked everyone for their contribution in such extraordinary times.

### **D – 80th Anniversary of the Battle of Britain**

The Chairman following a request from Councillor Susan Phillips reported on the 80<sup>th</sup> Anniversary of the Battle of Britain and in particular that today was Battle of Britain Day.

## 31. Public Issues

The Chairman reported as follows:

### **A – Public Questions**

In accordance with the Constitution the following public questions have been published on the website and a link circulated to all Councillors. Responses to these questions have also been published on the Council's website:

- Angela Sullivan on the plight of bars with live events
- Mr M A Rodger on the Covenant of Mayors
- John Dobson – Mudeford Sandbank Beach House Cafe
- Stephen Barratt - Mudeford Sandbank Beach House Cafe
- Sally Harris - Mudeford Sandbank Beach House Cafe
- Mary Timms - Mudeford Sandbank Beach House Cafe
- Kimbal Furmidge - Mudeford Sandbank Beach House Café
- Lindsey Webb – Mudeford Sandbank Beach House Café

## B – Statements

In accordance with the Constitution the statements received as follows had been published on the website and a link circulated to all Councillors:

- Helen Ash on agenda item 12 - motion on vote of no confidence
- Susan Chapman on agenda item 12 - motion on vote of no confidence
- P Gatrell on agenda item 11 – Report under Section 5 of the Local Government and Housing Act 1989
- Zoe Tees on one-way system on Southbourne High Street

## C – Petitions

The following petition received had been published on the website with a covering statement and a link circulated to all Councillors:

- Mr Frank Ahern on behalf of Save Land North of Merley

Note the above petition was submitted prior to the changes to the Constitution.

## 32. Recommendations from Cabinet and Other Committees

### **6a - Cabinet 29 July 2020 - Minute no 203 – 2019/20 Financial Outturn Report**

The Portfolio Holder for Finance presented the report on the 2019/20 Financial Outturn and proposed approval as set out on the agenda. He outlined the outturn position explaining that the improved position had resulted in a surplus of £0.2m in the general fund revenue account when the contingency had been used. The Portfolio Holder highlighted that in the first year the work of BCP Council had been delivered within the financial parameters set down by the shadow authority without the need to draw down on the Financial Resilience Reserve. He reported on a number of movements since the third quarter due to the impact of Covid. Councillors were asked to consider the recommendations relating to the capital virements as detailed in the report.

The recommendations arising from the meeting of the Cabinet held on 29 July 2020 relating to the above were approved.

Voting: Unanimous.

### **6b - Cabinet 29 July 2020 - Minute No 204 - Adoption of the Statement of Community Involvement**

The Portfolio Holder for Strategic Planning presented the report on the adoption of the Statement of Community Involvement and proposed approval of the recommendations as set out on the agenda. She explained that the document replaced the legacy documents and highlighted the consultation undertaken. The Council was advised that since Cabinet agreed the content of the draft SCI an amendment had been made to the Town and Country Planning (General Permitted Development) Order 2015 that needed to be reflected in the SCI Section 3 (Table 1 relating to prior approval as detailed on the agenda.

Councillor David Kelsey moved the following amendment seconded by Councillor Ann Stribley:

That the following be added to recommendation (a)

**subject to the additional requirement to send letters by post to neighbouring properties surrounding application sites.**

The Portfolio Holder for Strategic Planning responded to the proposed amendment indicating her surprise in view of previous discussions and comments made previously by the Overview and Scrutiny Board.

Councillors discussed and commented on the timing of the amendment, the implications, wording, role of ward councillors, ensuring that residents were aware of planning applications and cost implications. In response to a question on the assessment of the financial implications of the amendment the Chief Executive reported that the financial implications were set out in the report and explained that if the amendment was passed it would have to be referred back to Cabinet to identify the source of funding.

The Portfolio Holder for Strategic Planning reported that currently letters were not being sent out in Bournemouth. She highlighted that if letters were sent out across Bournemouth, Christchurch and Poole the costs would be considerably more than £80k and this has not been considered. She explained that the Council was meeting its statutory requirement by what she had proposed.

A Councillor referred to the impact of Covid-19 and that he was under the impression that the digital channel would have progressed further than it had. He commented on the cost implications of potentially £30k and the need to keep residents informed. A Portfolio Holder referred to the need to progress the digital agenda.

Councillor Rigby suggested that the amendment should include additional wording namely “during the time of Covid-19”. Councillor David Kelsey confirmed that he would include the additional wording in his amendment and referred to the annual review of the Statement of Community Involvement.

Councillors then voted on the following amendment:

That the following be added to recommendation (a)

**subject to the additional requirement to send letters by post to neighbouring properties surrounding application sites during the time of Covid-19.**

Voting: For – 54, Against – 1, Abstentions – 19

The amendment was carried.

In discussing the substantive motion a Councillor sought clarification on how Parish Councils would be notified of applications. The Portfolio Holder for Strategic Planning reported that Parish Councils would be notified, and this was referenced in Appendix 2 on page 109 specific consultation bodies.

The Leader of the Council asked if the Portfolio Holder for Strategic Planning could feedback to officers that the flowchart on page 103 would be

really helpful to include on the front page of the website with an addition between the yellow box publicising applications and the blue box on officer assessment with an arrow feeding in referencing the public and ward councillors. She highlighted that this would be useful for the Public in understanding the process.

The following substantive motion was carried:

**That:**

- (a) the revised Statement of Community Involvement (Appendix 1) be adopted by Full Council subject to the additional requirement to send letters by post to neighbouring properties surrounding application sites during the time of Covid-19;**
- (b) prior to publication of the SCI, authority be delegated to the Director for Growth & Infrastructure in liaison with the Portfolio Holder for Strategic Planning to make any further minor textual changes;**
- (c) A review of the Statement of Community Involvement be undertaken within 1 year of adoption to assess and monitor its effectiveness; and**
- (d) SCI Section 3 (Table 1) be amended with the addition of:**

<b>Development Type</b>	<b>How BCP Council will meet statutory requirements</b>
<b>Certain applications for Permitted Development requiring Prior Approval as defined by the Town and Country Planning (General Permitted Development) Order 2015 as amended</b>	<b>*Notify each adjoining owner or occupier about a proposed development by serving on them a notice where required by the Town and Country Planning (General Permitted Development) Order 2015 as amended.</b>

Voting: Unanimous

**6c - Cabinet 29 July 2020 - Minute No 207 - Housing Scheme at Cabbage Patch, St Stephens Road**

The Portfolio Holder for Housing presented the report on the Housing Scheme at the Cabbage Patch, St Stephens Road and proposed approval of the recommendations as set out on the agenda. He outlined the detail of the project comprising of 11 units, the eco standards, the funding arrangements and the consultation through the Overview and Scrutiny Board.

A Councillor took the opportunity to highlight his support for the project.

The recommendations arising from the meeting of the Cabinet held on 29 July 2020 relating to the above were approved.

Voting – Unanimous.

**6d - Cabinet 29 July 2020 - Minute No 208 - Youth Justice Plan 2020-21**

The Portfolio Holder for Children's and Families presented the report on the Youth Justice Plan 2020-21 and proposed approval of the recommendations as set out on the agenda. She advised Councillors that this was a statutory plan and the service was Pan Dorset. Councillors were informed that the production of the Plan had been delayed due to Covid Lockdown so action to support the priorities and the plan were well underway. The Portfolio Holder reported that she welcomed the latest results of the plan as one of the Council's priorities was to offer the best support to our young people to help prevent and reduce the numbers committing offences locally. The Plan helps us to identify and fully understand the issues so that the Council can work with young people to fully support them. The Portfolio Holder reported that the Plan has also been considered by the Overview and Scrutiny Committee.

A Councillor reported that in areas where there were youth facilities the level of crime was lower, and this should be understood and recorded. Other Councillors highlighted the benefit of youth facilities throughout BCP Council the safeguarding team and welcomed the improvements in the key indicators. The Leader of the Council indicated that it was important to reflect on where additional funding was coming from and referenced page 183. She reported that the Council had continued to invest in the services and asked the Portfolio Holder to continue to lobby partners about the importance of everyone supporting these young people and to encourage our partners to take this seriously to get the youth justice agenda right as this has an impact on residents and life chances for young people. A Councillor referred to the time and funding for the speech and language therapist and asked if this could be ongoing.

The Portfolio Holder referred to the value of youth facilities and how the youth offending board recognised the benefit of a speech and language therapist and led in this field.

The recommendations arising from the meeting of the Cabinet held on 29 July 2020 relating to the above were approved.

Voting – Unanimous

**6e - Cabinet 9 September 2020 - recommendations – Disposal of Broadwaters site, Wick Lane, Bournemouth (change in sale in price)**

The Chairman reported that there was one recommendation from the Cabinet meeting held on 9 September on the Disposal of Broadwaters site, Wick Lane, Bournemouth (change in sale price). He reported that this item was exempt. No Councillors indicated that they wished to speak on the detail of the item.

The Leader of the Council presented the report on the above item and proposed approval of the recommendations as set out in the exempt report.

The recommendations arising from the meeting of the Cabinet held on 9 September 2020 relating to the above were approved

Voting – Agreed

Councillor Diana Butler voted against the recommendation.

33. Decisions taken by the Chief Executive in accordance with the urgency powers

The Council was advised of the following decisions taken by the Chief Executive in accordance with the relevant urgency powers:

(a) Appointment of Interim Corporate Director for Children's Services (DCS)

(b) Appointment of Interim Director Law & Governance and Monitoring Officer

The Council was asked to ratify the decisions taken by the Chief Executive to appoint the above officers circulated with the agenda.

The Leader of the Council paid tribute to Anne Brown who had been the interim monitoring officer who had been taken ill and thanked her for her service to the Council. She would be replaced on an interim basis by Sian Ballingall who was the current Deputy Monitoring Officer. She also took the opportunity to welcome the new Interim Corporate Director for Children's Services, Elaine Redding.

**RESOLVED that the urgent decisions taken by the Chief Executive detailed above be ratified.**

Voting: Agreed.

Note - Councillor Mark Howell was unable to vote on the above decision as he had lost connection.

34. Local Outbreak Management Plan - delegated powers

The Leader of the Council presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix "A" to the minutes in the Minute Book on the Local Outbreak Management Plan and the specific powers delegated to the Chief Executive. She reported that she was delighted that so many Councillors had attended the seminar on 14 September 2020 on the Plan which explained the escalation process if the number of cases in the BCP Council area were to increase. The Plan provided for specific delegated powers to the Chief Executive as advised by the Director of Public Health relating to issues such as closure of premises.

The Leader in presenting the report referred to the current difficulties being experienced at testing sites including the Creekmoor testing site. She wanted to provide reassurance to the public and reported that she had written to Baroness Dido Harding, the Head of Test and Trace, the Secretary of State, local MPs and the Director of Public health, not only about the difficulties in obtaining tests but also other operational issues. The Leader of the Council reported that she had been raising complaints on these issues for some time. She emphasised that it was crucial that the public have confidence in the ability to get a test and follow the instructions from Public Health and that the Government needed to resolve this national issue quickly.

A Councillor reported that the training that she attended on 14 September 2020 was good, but extremely short and rather late. She highlighted her concerns relating to the actual process in accessing a test which was impossible. She explained that the Chief Executive had struggled to gain

any responses to his numerous approaches to Public Health. She referred to documented evidence of 'horror stories' that many local residents were experiencing. The Councillor reported that the Council had been advised that the issue was due to lab capacity which in her view was an excuse when the tests from the Creekmoor testing site were being sent to the same labs as Bristol, Isle of Wight and Devon. She proposed a virtual delegation from the Council be sent to Government on the Creekmoor regional testing centre emphasising that the process and protocols were not working and the need to resolve this matter quickly as the Council did not want any deaths as a result of this failing.

The Leader of the Council clarified the specific delegated powers of the Chief Executive in accordance with the Local Outbreak Management Plan which were to close premises, restrict events and restrict access to premises. She highlighted that the difficulties with testing was a national problem, the Council had no involvement with the Creekmoor Testing Centre and emphasised that this was a matter that the Government needed to resolve. A Councillor confirmed that she was not saying that the Council was at fault it was Public Health England and the incorporated system that had failed. The Leader of the Council apologised if she had misunderstood the Councillor.

A Councillor congratulated Officers for the plan and welcomed the acknowledgement of the role of ward councillors referenced in the training session on 14 September and the need to use ward councillors knowledge and insight. A Councillor also highlighted the need to be responsible and follow the guidelines as the number of cases in the area was a high number for other Countries where lockdown had been applied.

**RESOLVED that Council notes that the Chief Executive has delegated authority to exercise the local powers available to the Council under the Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020 (the "Regulations") should the need arise in connection with any outbreak or significant increase in coronavirus cases.**

Voting: Unanimous

35. Review of the Political Balance of the Council and the allocation of seats on Committees

The Leader of the Council 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 Council was asked to consider and approve the review of the political balance of the Council, the allocation of seats on Committees to each political group and the appointment of Councillors to Committees.

The Leader of the Council outlined the proposed changes as detailed in the report. She reported on the proposal to replace Councillor Parrish on the Licensing Committee and remove a Liberal Democrat member on the Planning Committee which would be allocated to the Conservative Group. She reported on the Investigation and Disciplinary Committee and the



membership as set out in the Constitution which by default included the Leader of the Council. The Leader of the Council reported that she had approached the non-aligned Members for expressions of interests and had received a request for further information at this stage. She highlighted that the membership of the Committee still needed to be resolved.

**RESOLVED that:**

- (a) the revised political balance of the Council, as set out in Table 1 of this report, be approved;**
- (b) the allocation of seats to each political group, as set out in Table 2 of this report, be approved, subject to any changes;**
- (c) the appointment of Councillors to Committees and Boards taking into account the membership, as detailed in Table 3 and any nominations submitted by political groups, be approved acknowledging that the membership of the Investigation of Disciplinary Committee still needs to be resolved.**

Voting: Unanimous

36. Review of Article 15 - Covid-19 Interim Decision-Making Arrangements

The Leader of the Council 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 Council adopted, under urgency provisions, an Article for the Constitution which enabled effective and transparent decision-making to continue during the Covid-19 crisis, including provisions relating to the holding of virtual meetings. The Article included provisions for review and indicated that, in any event, the Article would be reviewed by the end of September 2020.

The Leader of the Council outlined the interim decision-making arrangements adopted including the arrangements for virtual meetings. She reported that the Council had been able to maintain a full programme of Committees acknowledging that during lockdown there had been some reduction whilst maintaining statutory Committees. All Members had been able to access virtual meetings and the public had the opportunity to view public meetings via live streaming through You Tube, facebook and other electronic methods. The Leader of the Council explained that the report therefore sought Council's approval for a revision to this Article in light of working practices and latest guidance and outlined options for conducting meetings of the council during the pandemic and recommended that virtual meetings should continue. The Council was advised that consideration had been given to what was practical and admissible and the Leader of the Council reported that on site meetings would not be compliant with national public health guidance. She commented on the level of public interaction and the positive comments received in viewing meetings electronically. The Leader of the Council referred to the option of hybrid meetings which had also been considered but explained that there were difficulties with the co-ordination of differing electronic systems which were not compatible. Therefore, it was recommended to continue with virtual meetings. Councillors were informed that the Town Hall Accommodation Project was

making good progress and once the Group on civic and meeting spaces was convened (the Leader made a request for nominees to serve on this group) and concluded its work some spaces would be provided with the appropriate equipment.

A Portfolio Holder congratulated officers on the work undertaken to enable the Council to undertake meetings virtually and how the Chairman managed Council meetings. He welcomed 8.4 of the Article and the introduction of other parties to overview and scrutiny meetings.

A Member expressed her concerns on the length of time for the interim decision-making arrangements and asked if a review date could be included. The Leader of the Council clarified that 7 May 2021 was when the regulations would be reviewed by the Government. She highlighted the opportunity in view of the current situation and longer-term implications of Covid-19 of being able to reintroduce physical meetings was unlikely.

**RESOLVED that the revised Article 15 – Covid-19 Interim Decision-Making Arrangements, as set out in Appendix 1 to this report, be approved with the current remote meeting arrangements.**

Voting: Unanimous

37. Report under Section 5 of the Local Government and Housing Act 1989

The Chief Executive 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.

The Chief Executive explained that he was introducing this report on behalf of Anne Brown the Monitoring Officer who had left due to illness. He also wanted to take the opportunity of thanking her for her service in the short time that she was with the Council.

The Chief Executive reported that all Councils had a legal duty to publish a draft Annual Governance Statement alongside the Statement of Accounts which had been a legal requirement since April 2015 including for public consultation. The Chief Executive explained that the Annual Governance Statement sets out the Council's assessment of the key governance issues faced by the Council and the process for identifying those issues. He reported that the Council had carried forward the accounting practices from preceding authorities and in doing so had omitted to fulfil the specific legal duty of publishing the draft Annual Governance Statement for Bournemouth Borough Council. The Council had recognised this omission which had been identified by a local resident. The Chief Executive thanked him for bringing it to the Council's attention.

The Chief Executive reported that the Council had remedied this for the future and changed its practices, and he confirmed that the Annual Governance Statement for BCP Council for 2019/20 was published from 3 August until 14 September 2020 in accordance with the Regulations. He explained that the Monitoring Officer had a legal duty to advise the Council of the breach and that was why the report had been submitted to the Council.

A Councillor thanked Mr Gatrell who was a resident in his ward for bringing the matter to the attention of the Council. He reported that it was not necessarily a minor error as the Council broke the law. The Councillor highlighted the huge amount of effort undertaken by Mr Gatrell, that he was delighted that it had now been recognised and placed on record his thanks to Mr Gatrell. His comments were echoed by another Councillor who expressed his concern about the Council’s approach.

**RESOLVED that the report be noted.**

Voting: Unanimous

Note the meeting was adjourned from 20:57 until 21:09

38. Notice of Motions in accordance with Procedure Rule 12 and 14.2

The following motion was submitted in accordance with Procedure Rule 12 and 14.2 of the Meeting Procedure Rules and signed by the requisite number of Councillors proposed by Councillor Drew Mellor and seconded by Councillor Philip Broadhead:-

**“In recent weeks, a number of decisions have been taken by the BCP Council Administration without proper consultation with the residents and businesses who will be affected. Ward Councillors were only consulted or informed, once plans were set to be implemented. This has resulted in a high level of public frustration and mistrust.**

**It is clear that the “Unity Alliance” administration is making decisions and plans without due regard to resident, business, visitor or councillor comment or suggestions.**

**This Council therefore has no confidence in the current administration to deliver for the residents of Bournemouth, Christchurch and Poole and seeks the removal from office of its Leader.”**

Members in considering the motion took into account the statements that had been received on the above, discussed the opportunity to work together the work undertaken by the Unity Alliance including their schemes, projects and policies, the expectations of local residents, the level of consultation and the operation of the Council during the pandemic.

A recorded vote was taken on the motion:

For

Cllr Hazel Allen	Cllr Bryan Dion	Cllr Cheryl Johnson
Cllr Mark Anderson	Cllr Bobbie Dove	Cllr Andy Jones
Cllr Sarah Anderson	Cllr Beverley Dunlop	Cllr Jane Kelly
Cllr Julie Bagwell	Cllr Jackie Edwards	Cllr David Kelsey
Cllr John Beesley	Cllr Duane Farr	Cllr Bob Lawton
Cllr Derek Borthwick	Cllr Laurence Fear	Cllr Drew Mellor
Cllr Philip Broadhead	Cllr Anne Filer	Cllr Tony O’Neill
Cllr Diana Butler	Cllr Mike Greene	Cllr Susan Phillips
Cllr Daniel Butt	Cllr Nicola Greene	Cllr Karen Rampton
Cllr Judes Butt	Cllr May Haines	Cllr Roberto Rocca
Cllr Eddie Coope	Cllr Peter Hall	Cllr Ann Stribley
Cllr Malcolm Davies	Cllr Nigel Hedges	Cllr Mike White

Cllr Norman Decent	Cllr Mohan Iyengar	Cllr Lawrence Williams
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Against

Cllr Lewis Allison	Cllr George Farquhar	Cllr Simon McCormack
Cllr Marcus Andrews	Cllr David Flagg	Cllr Pete Miles
Cllr Steve Baron	Cllr Nick Geary	Cllr Sandra Moore
Cllr Mike Brooke	Cllr Andy Hadley	Cllr Lisa Northover
Cllr David Brown	Cllr Paul Hilliard	Cllr Margaret Phipps
Cllr Simon Bull	Cllr Mark Howell	Cllr Felicity Rice
Cllr Richard Burton	Cllr Toby Johnson	Cllr Chris Rigby
Cllr Mike Cox	Cllr Marion LePoidevin	Cllr Mark Robson
Cllr Lesley Dedman	Cllr Lisa Lewis	Cllr Vikki Slade
Cllr Millie Earl	Cllr Rachel Maidment	Cllr Tony Trent
Cllr L-J Evans	Cllr Chris Matthews	Cllr Kieron Wilson

Abstentions

Cllr Stephen Bartlett	Cllr Nigel Brooks	
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Voting: For – 39; Against – 33; Abstentions – 2

The motion was carried, and the Chairman announced that an Extraordinary Council meeting would be held on 1 October 2020 at 7 pm for the Election of the Leader of the Council.

Councillor Mark Howell reported that he would undertake the role of acting Leader of the Council until a new Leader was appointed which he stated was a privilege and a great responsibility. He reported that he was disappointed that the Council was in this position and made a statement on the work of the Council, Officers and Councillors and in particular the former Leader. He referred to the declaration of the climate and ecological emergency and the commitment made by the Council. He thanked Cllr Slade for the huge amount of work that she had undertaken since May 2019 and reported that she had served the residents of Bournemouth, Christchurch and Poole very well.

39. Questions from Councillors

**Question from Councillor Andy Jones**

The environmental charity ‘Keep Britain Tidy’ believes that education is the way to prevent the public from littering, supported by proportionate and fair enforcement. Could the Cabinet Member advise what action the Council is taking in respect of both of these areas. Could the Cabinet Member further advise how many fixed penalty notices have been issued as part of the Bournemouth town centre littering pilot and whether this will be made a permanent arrangement and also extended to other areas across the conurbation?

**Response from Councillor Felicity Rice, Portfolio Holder for Environment and Climate Change**

Through our ‘Leave Only Footprints’ campaign we have engaged with beach visitors on site, through our website and social media since 2017.

Supported in part by Natural England we recruited an engagement officer in September 2018 with a desire to take positive engagement to all primary school pupils in the BCP area, and whilst Covid has impacted on our ability to work with schools in 2020 we had over 2000 children engage with the programme in their schools and around 2500 engage with our programme on our seafront in 2019.

We are currently drafting a Leave Only Footprints strategy to enable us to improve our engagement activities, especially with the completion of the Environmental Hub at Durley Chine in summer 2021, to link in with the current Climate Emergency Action Plan and the BCP Waste Strategy when it is completed in the near future.

Regarding the fixed penalty notices pilot, Cabinet agreed on 15 January to implement a six month pilot to use CSAS Officers to issue fixed Penalty Notices for littering and these officers were allocated these powers following this approval. However, progress in implementing this was impacted by the Covid lockdown. Since the reopening of urban centres and throughout the busy summer period, CSAS Officers have been focused on tackling street ASB and begging. The six month pilot will formally start on September 14 and run until February 2021. Subsequently a report will be brought back to Cabinet setting out the outcome of the pilot, financial implications and future options appraisal for Environmental Enforcement across BCP. This will also be an important aspect of the future strategy for CSAS as a service going forward.

**Question from Councillor Diana Butler,**

The Dorset Local Industrial Strategy specifies “5 Foundations of Productivity” (ideas, people, infrastructure, business environment and place) – what steps have been taken to ask businesses, the public, council staff and councillors for ideas to retain Poole Civic Centre for the town?

**Response from Councillor Vikki Slade**

The creation of BCP Council in 2019 was based on the opportunity to deliver services at a conurbation wide level, thereby establishing a stronger regional and national profile for our area, and also to bring about sustainable financial efficiencies. As a single authority it was inevitable that our office accommodation requirements would change and in particular that the council’s civic space would necessarily be less than when the preceding councils existed.

The aim of the Estates and Accommodation project is to bring about the most suitable way forward for our office accommodation and as members are aware the decision has already been made to establish our main civic office within the former Bournemouth Town Hall, as it represents the most appropriate option in terms of its location, space and facilities.

The future of the Poole Civic Centre will be determined in due course once it has been declared surplus to requirements. The timing of that decision will be dependent upon the developing timescales for the remodelling of the Bournemouth Town Hall, and a report will be provided to Cabinet in October seeking approval for the budgetary allocation to fund that work, along with its anticipated timescales. A working party has also been set up

for Cllrs looking at a range of issues including the Civic Space, Office Space and the wider Estates of the council which would include options around both Poole Civic Centre and Christchurch Offices and an officer group has been set up to consider the disposal strategy for any buildings considered surplus.

Every effort will be made to identify the most appropriate outcome for the council and its communities from these important disposals, but it would not be appropriate for the council to retain assets in excess of those it needs to support its operational requirements, or to not seek an outcome that supports the council's challenging financial position.

At this point there has not been wider consultation with the business world. Our economic development team work closely with businesses to understand the need for office space in our town centres and will ensure any enquiries that do come in of this nature are fed into the process. None have been received to date. Community groups have not been directly engaged with but the running costs of the buildings is such that a significant income would need to be obtained to justify the retention of buildings that are no longer required when there is considerable community space available already.

It should also be noted that the disposal of these assets will, in due course, generate a capital receipt that will be needed to fund the changes to the Bournemouth Town Hall to ensure that the council can modernise and work as intended by the new operating model approved by Council earlier this year.

I can confirm to members that any future decisions regarding the preferred disposal option for the Civic Centre will be considered by Cabinet in due course and a range of factors will no doubt be considered as part of that process in order to achieve the best outcome for the council and its communities. It should also be noted that as the Poole Civic Centre is a listed building that will have a significant impact on the options available.

Councillor Butler asked a supplementary question. She referred to the accommodation strategy which stated that the Poole Civic Centre would be the subject of disposal. She asked what right does BCP Council have to dispose of this iconic and valuable asset built for Poole residents.

Councillor Slade explained that BCP Council was the authority that now looks after the assets and protects the heritage of the three towns. The accommodation strategy has clarified that the Council would be moving to Bournemouth Town Hall as the civic centre. She reported that it would not be appropriate for the Council to retain a building that was not fit for modern use and did not fulfil its needs. The listing enables the heritage part of the building to be protected and saved for the people of Poole, but it does not mean it should be used as a civic centre. The Accommodation Strategy signed off through Council had already clarified that until the building was deemed as surplus it was not officially declared surplus and that would be the subject of the report that will come to Cabinet in October.

**Question from Councillor Duane Farr**

In the financially crippling aftermath of the Covid Lockdown, how prepared are BCP Council to support business and commerce in the conurbation to be able to take immediate advantage of the new global markets that will be available and how will this fit in with the BCP area Industrial Strategy?

**Response from Councillor Mark Howell, Acting Leader of the Council and Portfolio Holder for Economy, Regeneration & Culture**

The Council's Economic Development Team works in partnership with, and signposts to, the Department for International Trade and Dorset Chamber to support our local businesses with exporting.

The Department for International Trade provides exporting support including:

- Helping businesses sell overseas – including export finance
- Doing business with integrity
- Getting local market help to sell overseas
- Helping UK businesses expand into overseas markets
- Connecting overseas buyers with UK businesses

Dorset Chamber provides exporting support including:

- Customs declarations and training
- Certificates of Origin
- Export documentation
- Training
- Advice regarding ICC Incoterms - the rules define the responsibilities of buyers and sellers when trading internationally — setting out the obligations and risks involved in the delivery of goods
- Advice regarding letters of credit and foreign exchange through their partner Moneycorp

An Economic Development officer also leads on BREXIT issues.

BCP Council does not have an Industrial Strategy. Government creates the UK Industrial Strategy, and LEPs and Combined Authorities create Local Industrial Strategies. BCP Council has contributed to the draft Dorset Local Industrial Strategy though. The Council is also currently creating a draft Economic Development Strategy, which will fully align to both the national and draft Dorset Local Industrial Strategy.

The draft Economic Development Strategy's strategic themes are Economic Recovery; Flourishing people & communities; Productive businesses; Globally, nationally and locally connected; and Creating a vibrant city region. It builds on the BCP Local Economic Assessment, which provides a robust analytical evidence base. It will:

- help deliver the Council's Corporate Strategy; and
- detail how, following Covid-19 and BREXIT, we will deliver an inclusive, vibrant and sustainable economy, which also delivers our climate change and carbon reduction goals

The draft strategy will be sent to members and businesses for comments in the next couple of months and is scheduled to go to Cabinet in January

2021. An Action Plan will follow, which will detail the projects/initiatives that will deliver the strategy.

The Economic Development team regularly delivers 'Meet the Buyer' events to encourage larger international businesses to buy from smaller local businesses. On 29th September we are working with BAE to deliver a 'Meet the Buyer' event to let local suppliers know what products and services BAE are seeking. This event will also provide guidance and tips on securing contracts with BAE.

Councillor Farr asked about free ports which presents an opportunity to boost the local economy and employment with inward investment. Bournemouth Airport is listed in the running for free port status with the Chancellor's announcement of his vision and backing of free ports how is BCP Council working with Bournemouth Airport to facilitate this ambition?

The Acting Leader of the Council reported on the work of Dorset LEP to secure further investment to develop the smart ports project. He explained that in relation to free ports this was a relatively new initiative and he would make arrangements for a response to be provided to Councillor Farr.

**Question from Councillor Ann Stribley**

Will the portfolio holder kindly advise Council how many parking spaces have been lost across the Borough since May 2019? Will he kindly identify the numbers on both the public highway and in our parks or on other Council land?

**Response from Councillor Andy Hadley, Portfolio Holder for Transport and Infrastructure**

I thank Councillor Stribley for her question (asking how many parking spaces have been lost across the borough). There has been no change of Council policy on existing parking since the Unity Alliance took control in May 2019. We have needed to find alternative uses for some spaces for a range of operational reasons.

You asked about spaces on highway, in car parks and other council land, and I have collated all that I have been made aware of across the multiple directorates.

As part of the Covid related distancing measures on the Lower High Street and Poole Quay, we suspended 13 x 1 hour time limited free parking spaces on the Lower High Street because the pavements were too narrow for people to safely pass. The trial road closure has not only enabled social distancing but has substantially improved accessibility for those with wheelchairs, buggies or mobility scooters, and has supported local businesses in Covid recovery.

We also moved the disabled bays alongside Sea Music across the road. These were substandard width, having limited space for door opening. The new disabled bays each have more room. There were 4 general parking bays that were removed to facilitate this. I have asked whether the dedicated space for HM Coastguard can be returned to general use since their office is no longer there. The old bays have been used to provide an outdoor dining area.



Evening Hill – The creation of the trial cycle lane to improve safety for pedestrians and uphill cyclists required the temporary suspension of approximately 37 car spaces, none of which were marked for disabled use. There are very many other parking spaces in the immediate area.

Birds Hill Road – Approximately 5 parking spaces were removed to create the Low Traffic neighbourhood closure.

Poole Park reconfiguration, this has removed some spaces but also added capacity near the fountain – approximately 10 spaces have been reallocated in favour of disabled only parking on the road from the Seldown entrance, and a net reduction of 3 spaces at Westfield car park and around the water fountain.

Christchurch – we created 3 coach spaces on the roundabout at the entrance to Two Riversmeet car park to assist coach operators – replacing 12 general parking spaces.

Boscombe Undercliff – this car park was closed to support social distancing, but given the impact of this linear feature on the beach users, and heavy pressure on our beaches, it has not been reinstated at this time in order to reduce congestion, and also because of antisocial behaviour by some drivers especially in the evenings. 12 bays which are marked for Disabled use, have been reinstated and only available to be pre-booked by those hiring the adapted beach huts. 340 general spaces were removed.

Ferry Car Park was initially closed to enable pedestrian and cyclist queueing for the Sandbanks Ferry, at their request. This has been reduced to 15 spaces, and we were last week advised that the Sandbanks Ferry no longer require the remaining spaces, so they will be restored.

There has been a general flow of identifying general or dedicated spaces for disabled drivers on street parking and releasing them when not required.

As part of heathland mitigation, 30 new car parking spaces are to be implemented at Stour Valley Nature Reserve, and 20 spaces are included in the Hicks Farm planning application

Upton Country Park. 30 additional spaces have been created in the former petanque area

The Canford Park SANG. this is not BCP owned but includes a significant new parking area.

I trust that is helpful.

Councillor Stribley asked has the Portfolio Holder conducted any study into the consequences of the loss of these parking spaces such as the extra pollution as drivers look for alternative parking, loss of income and additional congestion and obstruction with more on street parking and the inevitable consequence.

The Portfolio Holder reported that as part of the active travel plan people were encouraged to consider alternative modes of transport. He reported that in monitoring one week of use Evening Hill took as many people on bikes as there are spaces in the Sandbanks Car Park. In respect of the air quality he reported that he would have to ask for those details from the Environmental Team which was not part of his directorate.

**Question from Councillor Andy Jones**

Can the Cabinet Member confirm that it was only a Government recommendation to introduce the Boscombe Overcliff ETRO using a 7 day notice period, and not mandatory, therefore allowing him more than sufficient time to consult with residents and local businesses before implementing such an ill-thought-out scheme which generated numerous objections including a petition signed by over 2000 people?

**Response from Councillor Andy Hadley, Portfolio Holder for Transport and Infrastructure**

In May 2020 BCP Council was advised by the Department for Transport (DfT) that it had indicatively allocated us approximately £1.4million from the Emergency Active Travel Fund (EATF), in proportion to the public transport journeys to work in our area. The purpose of the fund is to support more people walking and cycling because of displacement due to the limited capacity on public transport, to support Covid-19 social distancing measures, and to attempt to reduce traffic congestion.

On 27 May the DfT issued application guidance that advised the Council that, in order to secure the first Tranche of the available fund (£280k), it needed to have ‘swift and meaningful plans to reallocate road space to cyclists and pedestrians, including on strategic corridors.’ The letter highlighted ‘the quickest and cheapest way of achieving this will normally be point closures.’

The guidance also stipulated that proposals needed to be installed on the ground within 12 weeks, and for us this was from a standing start. I was advised that once plans were drawn up and available, the consultation itself would have taken more than the 12 weeks, and in normal times be undertaken face to face.

The DfT letter actively encouraged councils to use the Experimental Traffic Regulation Order (ETRO) process to implement such schemes, as they are quicker to implement and in their very nature allow for consultation and the flexibility to amend the measures in light of feedback from residents over the duration of the scheme.

Therefore, taking all of this into account, the Council decided that it would be appropriate to implement the scheme on the Boscombe Overcliff using this type of traffic regulation order. The use of a 7 days’ notice period to implement an Experimental TRO is mandatory and stipulated in legislation.

The Overcliff was recommended by officers as a scheme to relieve pressure on the promenade, to improve this link on National Cycleway Route 2, and to support commuting by bike across this area, based on propensity to cycle modelling.

All relevant Ward Councillors were asked for their views alongside the materials being produced for public engagement, it is a regret that some chose instead to publish their own material that inaccurately misrepresented the scheme, which resulted in the petition that you mention.

Having deferred the scheme, I have had correspondence from people, who regret that this route was not calmed as vehicles do speed between the road humps, making it hazardous for pedestrians crossing and for cyclists along the route.

I would have preferred a prior consultation period, but the DfT Timelines and sanctions did not allow this.

Councillor Andy Jones asked how and when the Council will consult local residents. The Portfolio Holder reported that there is a meeting on Thursday this week on consultation on those schemes deferred and tranche 2 schemes. He also commented on the availability of new consultation software.

### **Question from Councillor Diana Butler**

Why have Experimental Traffic Regulation Orders (ETROs) been decided and actioned so quickly, when most people have to travel within or between Poole, Bournemouth and Christchurch by motor vehicle for work or essential supplies?

### **Response from Councillor Andy Hadley, Portfolio Holder for Transport and Infrastructure**

I thank Councillor Butler for her question.

As in my previous answer, the purpose of an Experimental Traffic Regulation Order is to implement quickly, with 7 days advance notice, and for the consultation and feedback to be over the duration of the experiment (6-18 months). Importantly the Government recommended this method to Councils to support the Emergency Active Travel changes in response to limited bus capacity, and the need to support alternative means of travel for passengers. We had instructions from DfT to commence implementing within 4 weeks and complete within 8 weeks, so this 12 week timeline required us to use the ETRO process.

You suggest that most people have to travel within or between BCP by motor vehicle, but that is only a choice for those with access to a car. The 2011 Census statistics (the most recent comprehensive guide) highlights that 64% or 2/3rds of travel to work journeys are undertaken by car/van. The rest walk, cycle or take public transport, or work from home.

Of the car commuting journeys

15 % are less than 2Km/ 1.2 miles, for many easily walkable

78 % are less than 10km/ 6.2 miles, easy cycling distance

No-one is suggesting that the disabled should walk or cycle, but for many people who are able, these shorter journeys could equally be undertaken by bike or on foot, saving the individual money, the hassle of finding a parking space, and reducing the congestion delays that we all face.

It is up to all of us to consider the appropriate mode of transport for the journeys that we make, and it is a duty on the Council to balance the limited available space to support all users, and to encourage people for their own health and wellbeing, and for the sake of each other, to choose an active travel mode when they can.

Councillor Diana Butler asked how the effects of ETROs will be recorded monitored and reported for decisions to be made as to whether to make them permanent or not.

The Portfolio Holder reported that there was a link on the Council's website to questionnaires for completion and those were being collated and will be presented at the end of the 6 month period. In addition, some of the sites were being monitored by cameras before and after and this information would be presented in order for a final decision to be made.

Note - Councillor Peter Hall left at 23:35

The meeting ended at 11.45 pm

CHAIRMAN