

Notice of Council

Date: Tuesday, 23 March 2021 at 6.00 pm

Venue: Virtual Meeting



Chairman:

Cllr D A Flagg

Vice Chairman:

Cllr L Fear

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
Cllr K Wilson
Vacancy
Vacancy

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

The press and public are welcome to view the live stream of this meeting at the following link:
<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=4288>

If you would like any further information on the items to be considered at the meeting please contact: Democratic Services by email at democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: by email at press.office@bcpCouncil.gov.uk

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

GRAHAM FARRANT
CHIEF EXECUTIVE

15 March 2021



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests

Do any matters being discussed at the meeting relate to your registered interests?

Disclosable Pecuniary Interest

Yes

Declare the nature of the interest

Do NOT participate in the item at the meeting. Do NOT speak or vote on the item EXCEPT where you hold a dispensation

You are advised to leave the room during the debate

Local Interest

Yes

Declare the nature of the interest

Applying the bias and pre-determination tests means you may need to refrain from speaking and voting

You may also need to leave the meeting. Please seek advice from the Monitoring Officer

No

Do you have a personal interest in the matter?

Yes

Consider the bias and pre-determination tests

You may need to refrain from speaking & voting

You may also need to leave the meeting. Please seek advice

No

You can take part in the meeting speak and vote

What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer
(susan.zeiss@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

AGENDA

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

1. Apologies

To receive any apologies for absence from Councillors.

2. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

3. Confirmation of Minutes

To confirm and sign as a correct record the minutes of the Meeting held on 23 February 2021.

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4. Announcements and Introductions from the Chairman

To receive any announcements from the Chairman.

5. Public Issues

To receive any public questions, statements or petitions submitted in accordance with the Constitution, which is available to view at the following link:

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

The deadline for the submission of a public question is 4 clear working days before the meeting.

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

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

6. Questions from Councillors

The deadline for questions to be submitted to the Monitoring Officer is 15 March 2021.

7. Recommendations from Cabinet and other Committees

Please see recommendations detailed below.

7a Licensing Committee 4 March 2021 - Minute No 33 - Item of Any Other Business - Procedural Issue

RECOMMENDED that the Council resolves that Part II of the Local

Government Miscellaneous Provisions Act 1976 shall apply to the whole administrative area of Bournemouth, Christchurch and Poole Council from 1 June 2021.

**7b Audit and Governance Committee 11 March 2021 - Minute No 70
- Report of the Constitution Review Working Group - Changes
to the Council's Constitution.**

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RECOMMENDED TO COUNCIL

Code of Conduct for Councillors – Process for consideration of complaints

- (A) That the revised arrangements for the consideration of complaints submitted in accordance with the Council Code of Conduct, including a process of filtering complaints by the Monitoring Officer, as set out in Appendix 1 to the report of the Audit and Governance Committee, be approved and that the whole process be set out within the Constitution.

Procedural – Public Statements to Committees

- (B) That the current 100 word limit on public Statements be retained.

Welfare payments for Councillors

- (C) That the current Member Allowances be retained, confirming no provision for sick pay or maternity pay for Councillors, but that availability of the BCP Council Employment Assistance Programme be advertised more actively to entitled Councillors.

Covid-19 Response Period – Constitution Article 15

- (D) That the revised Article 15 (Covid-19 Response Period Decision Making Arrangements), as set out at Appendix 2 to the report of the Audit and Governance Committee and the protocol set out at Appendix 3 to the report of the Audit and Governance Committee, be approved and that a new Procedure Rule 40 and associated appendix be established which reads “40. *Protocol for the establishment and running of virtual meetings during the Covid-19 Response Period. The protocol is set out in Appendix 7*”.

**7c Audit and Governance Committee 11 March 2021 - Minute No 72
- Financial Regulations - Annual Evolution for the financial year
2021/22**

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RECOMMENDED TO COUNCIL

That the Financial Regulations as shown in Appendix A to the report of the Audit and Governance Committee be approved and referred to Council for adoption.

7d	Cabinet 10 March 2021 - Minute No 312 - LTP Capital Programme 2021/22 RECOMMENDED that Council:- (A) approve the proposed 2021/22 Local Transport Plan Capital Programme funding as set out in Appendix A; (B) approve the indicative 2022/23 and 2023/24 Highways Maintenance Programmes as set out in Appendix B.	125 - 154
7e	Cabinet 10 March 2021 - Minute No 313 - Children and Young People's Partnership Plan 2021-2024 RECOMMENDED that Council fully supports this plan. The latest version of the plan can be accessed by using the following link: https://www.bcpccouncil.gov.uk/Children-young-people-and-families/Children-and-young-peoples-partnership/children-and-young-peoples-partnership.aspx	155 - 166
7f	Cabinet 10 March 2021 - Minute No 315 - Sale of Christchurch By-Pass Car Park RECOMMENDED that Council:- (A) agree to dispose of the Christchurch By-Pass Car Park, as outlined in red on the attached plan in Appendix 1, for the purchase price detailed in the confidential appendix to this report; and (B) delegate authority to the Corporate Property Officer in consultation with the Portfolio Holder, Monitoring Officer and Section 151 Officer to finalise the detailed terms of the disposal.	167 - 184
8.	Date of additional Council Meeting Councillors will be asked to agree the date for an additional meeting of the Council.	
9.	Notice of Motions in accordance with Procedure Rule 12 Gender-Neutral Language At the Council meeting on 5 January 2021 the following motion was moved by Councillor L-J Evans and seconded by Councillor Lisa Lewis: " That Council resolves to use gender-neutral language in all reports and formal communications, both verbal and written, in accordance with its commitment to uphold the 9 protected characteristics of the Equality Act 2010 and in combating prejudice and discrimination."	185 - 188
	The Council on 5 January 2021 agreed – That the motion be referred to the Audit and Governance Committee for it to be considered through the Constitution Review Working Group.	

Audit and Governance Committee considered the Motion at a meeting on 11 March 2021 and resolved to recommend that in considering the Motion, Council has due regard to the following issues, namely to:-

- (a) Note that there is inconsistent use of gender terms in BCP Council's constitution, policies and communications.
- (b) Eliminate discrimination and advance equality of opportunity
- (c) Remove gender specific determination when describing roles within BCP, unless there is a genuine occupational requirement for them to remain. This to include the review of the Council Constitution, Policies and communications and replace written references with gender neutral terms, such as the role of the Chair.
- (d) Communicate these changes to all departments and members of staff within BCP Council.
- (e) Continue to use pronouns when the sex of an individual is known, or when an expressed request has been made from an individual to be referred to by a specific gender.
- (f) Note the adoption of the Audit and Governance recommendations at Council on 5 January 2021 which stated that no change be made to current practice relating to the form of address for the person presiding at meetings and that this be left as a matter of choice for each individual person presiding. Democratic Services should ascertain, in each case, the preference of individual Councillors as they are appointed.

In light of the views expressed at the Audit and Governance Committee, the proposer and seconder of the original Motion gave notice to request that the Motion be altered to read as follows (text shown in *italics* are the additional words to be added):-

"That Council resolves to use gender-neutral language in all reports and formal communications, both verbal and written, in accordance with its commitment to uphold the 9 protected characteristics of the Equality Act 2010 and in combating prejudice and discrimination.

In doing so, Council endeavours to:

1. *Remove male universals, such as 'Chairman', from the constitution, policies and all written and verbal communications and to replace them with gender neutral terms, such as 'Chair'.*
2. *Use gender-neutral language where an individual's sex or social gender are not relevant or not known.*
3. *Respect an individual's right to be addressed as they wish, and identify this where appropriate."*

Since the original Motion has already been proposed and seconded, the consent of Council to alter the Motion is required. There should be no discussion on whether consent should or should not be given.

If Council grants consent to alter the Motion, this would be the starting position for debate. If consent to alter the Motion is not granted, debate will proceed on the original Motion.

10. Urgent Decisions taken by the Chief Executive in accordance with the Constitution

The Chief Executive to report on any decisions taken under urgency provisions in accordance with the Constitution.

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