

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.**

37 - 56

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**

57 - 124

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.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
COUNCIL

Minutes of the Meeting held on 23 February 2021 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

69. Apologies

The Chairman prior to commencing the business on the agenda welcomed John Payne and Robert Mottershead from the Covid Task Force at the Cabinet Office to the Council meeting.

No apologies were received for this meeting.

70. Declarations of Interests

The Chief Executive reported that all Members of the Council had been granted a dispensation by the Monitoring Officer to take part in debate and to vote on the Budget and Council Tax proposals.

The following declarations were made:

- Councillor Tony Trent declared an interest in respect of item 7i – Cabinet 10 February 2021 - Minute No. 303 - Housing Revenue Account (HRA) Budget Setting 2021 to 2022 as he was a tenant of a Poole Housing Partnership garage.
- Councillor Paul Hilliard declared an interest in respect of item 7g – Cabinet 10 February 2021 – Minute No. 300 - Wessex Fields – Proposed Land Disposal as he was the Council's representative on the University Hospitals Dorset NHS Foundation Trust.

71. Confirmation of Minutes

The Minutes of the Ordinary Council meeting on 23 February 2021 were confirmed.

72. Announcement and Introductions from the Chairman

The Chairman made the following announcements:

A Death of Ian Andrews, Former Town Clerk of the Borough of Poole

The Chairman reported, with sadness, the death of Ian Andrews, former Town Clerk of the Borough of Poole. He reported that Mr. Andrews became Town Clerk in 1974. He had a wide range of interests and was an active member of numerous community and town organisations with a particular passion for the Borough's history.

The Chairman called on Councillor Stribley to say a few words. She paid tribute to Mr. Andrews for his service to the Borough of Poole, the Town and his family.

B Bill Cotton, Corporate Director

The Chairman reported that Bill Cotton, Corporate Director for Regeneration and Economy would be leaving the Council at the end of February to take up a role as Corporate Director for Environment and Place at Oxfordshire County Council.

Members were informed that Bill started work at Bournemouth Borough Council eight years ago and subsequently BCP Council. He played an integral role in the development of BCP Council's ambitious agenda for Regeneration and Economy, including the successful bid to the Government's Transforming Cities Fund and the exciting Smart Place programme.

On behalf of the Council the Chairman took the opportunity to thank Bill for his service to the Council and wish him every success in his new role.

C LGBT Veterans can reclaim removed medals

Councillor David Kelsey, the Council's Armed Forces Champion, commented on the above issue. He explained that the Government had decided to lift the ban on ex-military personnel receiving the medals that they had so rightly earned during their time serving with Her Majesty's Forces. He also commented on his own personal experience and that he had waited 41 years to reclaim his medals and had now made an application for them. Councillor Kelsey took the opportunity to thank everyone for their support and good wishes following the interview on the TV and radio. He looked forward to all veterans receiving their medals.

D Pip Hare – Vendee Globe around the world yacht race

The Chairman acknowledged the achievement of Poole sailor Pip Hare in completing the Vendee Globe around the world yacht race.

Councillor Andy Hadley commented on Pip's significant achievement as the 8th women in history to finish the race and the first British sailor to cross the line in 95 days and 11.5 hours. He explained that she was an inspirational ambassador for the sport with a wide following across social media and especially an inspiration to young people to follow your dreams. He explained that from her hometown of Poole she had already signalled that she wanted to take part in the 2024 event which would be great for the area. I was keen that the Council marked this achievement and I hope that we can find a way to celebrate this further and work with her to inspire young people in the BCP area.

73. Public Issues

The Chairman reported as follows:

A – Public Questions

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

- Reverend Mike Oates on Climate and Ecological Emergency Bill.
- Phil Stanley on formulating a health and fitness strategy.

B – Statements

In accordance with the Constitution the following statements had been published on the website and a link circulated to all Councillors.

- Paul Sondheim on Item 7e – Licensing Committee – 4 February 2021 Minute No. 24 – Taxi and Private Hire Driver, Vehicle and Operator Policies

The statements from the following relate to the Budget/Alternative Budget

- James Croker Poole Bid
- Andy Lennox, the Wonky Table
- Tim Seward, BAHA
- Kris Gumbrell – Brewhouse and Kitchen Limited
- Craig Mathie, - South Coast Events Forum
- Elspeth McBain – Chief Executive, Lighthouse Dougie Scarfe – Chief Executive, Bournemouth Symphony Orchestra Zannah Chisholm – Artistic Director/CEO, Pavilion Dance South West
- Richard Davies – Bourne Asset Management

C – Petitions

There were no petitions submitted for this Council meeting.

74. Questions from Councillors

Question from Councillor Mark Howell

The Portfolio Holder for Regeneration was quoted in the Echo article discussing the unsuccessful Future High Streets bid published on 28th December as follows: “We are pressing ahead with some major plans for Poole High Street which we aim to be transformative.” Given that the only publicly released initiative that has secured delivery funding is the Heritage Action Zone project, which is currently allocated the relatively small sum of £1.25 million, please could the Portfolio Holder for Regeneration and/or Leader Member for Poole Regeneration set out the major plans to which he referred.

Response from Councillor Philip Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council

I would like to thank Councillor Howell for his question.

As he will have noticed, Poole Regeneration is such a major priority for this administration that it made its way as one of the five key areas of focus as part of our Big Plan.

In order to truly put that plan into action, we have to ensure that actual delivery of regeneration is a priority and built into the system. For too long, many good ideas and plans have been drawn up, but they have never progressed their way to actual delivery on the ground, as very little thought has been given to how to actually bring them forward. Many have spent a lot of time on the why, what and where, but almost no time on the how and when. In my view, this is the wrong way round. There is no point in drawing up fancy plans if you have no idea on how you will bring them forward.

Accordingly, whilst also continuing the vital work on the what and where, we will be bringing forward a paper at the next Cabinet meeting titled The Future of Regeneration across the BCP Area. This paper and plan will focus particularly on how we ensure that we have the skills, funds and delivery mechanisms to actually bring forward regeneration across the BCP area, and Poole especially, at pace and scale.

We need to move firmly away from the broken method of drawing pretty plans on a page with no thought about how to get them built. This transformative plan will fix that and I look forward to being part of the administration that will actually deliver regeneration rather than just talk about it.

Councillor Howell asked why it had taken five months get to this stage and why it had not been released to Councillors before now. Councillor Broadhead explained that the paper coming forward to Cabinet would set out how the plans will be put in place as delivery was key.

Question from Councillor Vikki Slade

Since its inception in 2019, Bournemouth Christchurch and Poole Council has been clear that it is very much open for business and ambitious about

the future. Both the unity alliance administration and this new administration have talked about transparency and consultation on every level and have worked to shake off some of the shadows of the legacy councils.

It is crucial that councillors can openly engage with business and with those who seek to invest in our area and that the public can be confident that those discussions are taking place in a structured way and with the officers not only present but documenting the meetings.

The Member Engagement Forum was introduced in late 2019 to enable developers to bring their ideas at an early stage to those cllrs who are not involved in the planning process for their views and to get a steer on our vision for the future. They provide a safe space for the sharing of ideas and avoid the risks associated with private meetings. Since the change of administration every meeting has been cancelled due to 'lack of business' but we are told that developers are keen to invest in our towns.

Can the portfolio holder explain what action has been taken by himself and his senior planners to encourage developers to showcase their ideas as was done under the previous administration and when we might see this helpful forum return in a virtual way so that members can share their collective vision for BCP?

Response from Councillor Philip Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council

I would like to thank Councillor Slade for her question. The Member Engagement Forum, which was launched in 2019, was put on hold by the last administration at the outbreak of the pandemic in 2020. This was a completely appropriate decision in the circumstances.

I am as keen as anyone to get deeper engagement between those bringing forward development sites and councillors – especially as we have some large and important sites come through the system. As such, working with Officers since the end of last year, we have been working on how we could restart the paused engagement forum but, crucially, improve it.

Whilst the previous forum was a good way for developers to have a extended slot to brief councillors of their coming plans, the forum was restricted in its formal membership and lacked the ability, in my view, to do what it should be doing – having a productive and early conversation on how developing plans could actually be improved. This can only really happen effectively is the forum puts Members of the Planning Committee at its front and centre, and I have therefore been working with the Chairman of the Planning Committee, who in turn has been liaising with the committee members, to finalise arrangements for a new, improved engagement forum. This would have better engagement from councillors of both the wider council AND the planning committee members.

By getting planning committee members involved in the pre-planning stage of major developments, we should be able to more effectively input into the process and improve the quality of development in our area. This needs to

involve the planning committee members and is considered to be good practice.

I understand that the Chairman of the planning committee has finalised arrangements for how this would work with his committee and I look forward to launching the new and improved developer major projects engagement forum – which will need a more catchy name! – shortly.

Question from Councillor David Brown

As the Portfolio Holder is aware, the Beryl Bike Share scheme was launched across Bournemouth and Poole in 2019, and the Unity Alliance administration expanded this service to include Christchurch in 2020, bringing about a common service offering to all residents and Council Tax payers across the BCP area.

While there was publicity for the addition of e-scooters to the Beryl scheme in January 2021, what was not mentioned was that at the same time the original Council contracted Beryl bike share scheme was withdrawn from residents across large parts of North Bournemouth and North Poole covering Bear Cross, Bearwood, West Howe, East Howe, Kinson, Northbourne and parts of Redhill and Ensbury Park.

When it is Council policy to encourage active travel through the Transforming Travel – Transforming Cities Fund (TCF) programme, and these areas include routes where investment will be made to encourage cycling, how does the portfolio holder justify the withdrawal if this service from residents in these areas?

At a time when service provision and Council Tax is being harmonised across Bournemouth, Christchurch and Poole, how does the Portfolio Holder justify introducing an inequality in service provision to the residents of North Bournemouth and North Poole?

As an active user of this service across this part of the conurbation myself, can he explain to me why not all users of this service were notified of this change and were simply left to find out about it when they wanted to use the service and discovered that the bikes had been removed, without any communication or consultation with ward members or service users?

Response from Cllr Mike Greene, Portfolio Holder for Transport and Sustainability

BCP's Bike Share scheme with Beryl has been well received by both residents and visitors, with over 275 000 journeys undertaken since launch. The operating area of 140 km² with 323 parking bays makes the scheme one of the largest in Europe.

All bikes are GPS tracked and this provides Beryl with accurate origin/destination data for all journeys undertaken. Ridership of the scheme is continually monitored and analysis showed that usage in the North Poole and North Bournemouth areas has unfortunately been low.

The Bike Share operation in both Poole and Bournemouth is provided at no cost to BCP Council, with Beryl funding the bikes and all ongoing

maintenance. Whilst the Council has a close working partnership with Beryl and is keen to see Bike Share develop, ultimately Beryl are responsible for the operation of the scheme in these areas and make the commercial decisions.

During the six months up until the 13 bays in question were withdrawn from service, each generated an average of just 0.36 rides per day. This is only a quarter of the average for bays elsewhere in BCP. Although I am disappointed by it, I can therefore understand Beryl's commercial decision to withdraw service from the North Poole and North Bournemouth areas of the scheme. Ultimately we need the overall scheme to be commercially viable if it is to continue and flourish as we hope.

Beryl have told me that users were notified by a direct email sent to any rider that had picked up or parked a bike in any of the 13 bays during the previous 30 days. This amounted to 77 customers, out of 50 000 users of the scheme overall: which again points to how little use those bays were generating. They say they received comments from 2 scheme users that they were not informed - however upon investigation this was due to both customers having duplicate accounts. No further comments have been received.

Notices have also been displayed at the closed bays and the locations no longer appear on the App.

Beryl have reassured me that the revised operating area is only a temporary measure. The Council liaise regularly with Beryl at monthly project meetings and I have asked to be kept updated on progress in the hope that the bays can be brought back into use as the weather improves and the demand increases. I can reassure Cllr Brown that we will be pressing for this to be as early as possible.

The Council will continue to work in partnership with Beryl to develop the Bike Share scheme across the conurbation. The forthcoming Transforming Travel corridors (with segregated cycle facilities) will provide an excellent opportunity to further encourage the demand for Bike Share services and ensure provision in the future.

Councillor Brown asked if the Portfolio Holder would give a commitment to reintroduce the beryl bikes in North Bournemouth and North Poole in keeping with the Council's policy to support active travel options. Councillor Mike Greene explained that this was not a decision for the Council but a decision for Beryl and therefore he could not give that commitment but that he very much hoped that as the weather improved so would demand and that Beryl would be able to reintroduce those bays. He also referred to the transforming travel corridors and as they were introduced that this would increase the demand for cycling and a bay would be available all year round.

Question from Councillor George Farquhar

In the ward I represent there is the installation of a pair of Vehicle Activated Signs that are activated to flash the speed limit when a vehicle approaches in excess of the posted speed limit.

These are installed on the Overcliff Road as a traffic calming measure. I have noted they are frequently triggered by vehicles approaching driving in excess of the 30mph speed limit. I have noted this when I am walking in the area both on weekdays and weekends and different times of the day.

Can I ask what information is available to the Local Authority for how often this pair are triggered and how the Local Authority gauges and implements changes based on the empirical evidence of the efficiency of calming traffic by reducing speed of not only this pair of VAS but all the many VAS across the conurbation (it would be useful to know how many VAS units are installed and active in the BCP geography).

Response from Councillor Mike Greene, Cabinet Member for Transport and Sustainability

We deploy two types of speed activated warning signs across the BCP area, mains powered fixed/permanent VAS (Vehicle Activated Signs) and battery operated mobile/temporary SIDs (Speed Indicator Devices). SID deployment times will depend on battery life.

In general, these signs have an activation threshold above which the sign is automatically triggered by approaching vehicles; this is usually around 1mph to 3mph above the posted speed limit (so 31-33 mph in a 30mph limit area).

We do not currently collect information about how often these signs activate. However, this is something that I would be happy to look into. There are various other methods of calculating speeds on our roads, including speed surveys and the Council is currently looking at how we might try to access speed data from external sources as well.

Although we do not continually measure speed reductions achieved through the use of Vehicle Activated Signs locally, there is very good national research available which points to an average reduction of 1.4mph.

The Council currently operates 52 Fixed VAS sites across BCP and 28 SID signs covering 91 mobile sites across BCP.

Councillor Farquhar asked if the Portfolio Holder would monitor the traffic on the above route as there was concern from residents in his ward. He asked if the Portfolio Holder could give a rough timeframe to actively monitor this location. Councillor Mike Greene explained that speed surveys were undertaken but there was a waiting list. He asked Councillor Farquhar to send a request for a speed survey he would include it on the waiting list and when the results were received if there were excessive speeds greater than expected it would have to be looked for speed reduction measures.

Question from Councillor Andy Hadley

BCP Council participate in the Western Gateway Sub-National Transport partnership, with authorities across Dorset, Wiltshire, Bath, Bristol, and the Gloucester areas. It is the method by which Government will give any significant capital funds for Transport priorities over coming years.

A Strategic Transport Plan document for the next 5 years was finalised at the end of last year. When the portfolio-holder asked me, I agreed that, since no formal decision was required of us, it perhaps did not need to come as a paper to Council, but I suggested that a link to the document be circulated to all Councillors. This did not happen, the link is <https://westerngatewaystb.org.uk/strategy/>

Can the portfolio-holder please explain why he chose not to share this document with his colleagues?

I was disappointed when reading this 5 year strategy, that the Urban Mass Transit aspects of the document now only cover points radiating out from the Bristol conurbation, whereas the draft I contributed to also highlighted the importance of this for the BCP conurbation.

Instead, new wording was added;

“A package of improvements to unlock key development site located close to Bournemouth Royal Hospital, reduce congestion on A3060 Castle Lane, A338, provide for sustainable transport improvements and improved access for cluster of key employment sites.”

The phenomenon of induced traffic is well researched, and Castle Lane already suffers hugely from it. Extra roads will add more congestion.

Can the portfolio-holder please assure Council that the intention to seek Western Gateway Funding is to pursue strategic **sustainable** transport solutions, not just for the area as stated, but to reduce congestion and improve productivity across the whole conurbation, and to aim to think big on transport solutions that will achieve this?

Indeed I would have expected to see something like this namechecked as an ambition for Infrastructure in the Big Plan. When will it be added and when will serious planning commence please?

Response from Cllr Mike Greene, Cabinet Member for Transport and Sustainability

I do apologise for any perceived delay in publicising the document as I agree with Cllr Hadley that it could be useful for Members. Unfortunately the weblink which Cllr Hadley provided was actually to the old draft plan as the final version had not yet been adopted. BCP officers contacted the Western Gateway Programme team and it was noted that all member local authorities needed to indicate approval before publication. This was confirmed at a senior officer meeting held early this month and we will be placing the document on our website very shortly.

The process of finalising the Sub National Strategy took on board the views of many across the area. It is important to stress that the Strategy itself is only for an interim short-term period and that the content reflects only those elements that were deemed to have potential as being shovel ready within the more immediate 5-year timescale. The Urban Mass Transit hopes for the Bristol conurbation met that time requirement but, unfortunately, although we in BCP are looking into the technical feasibility of mass transit at the moment, we are not at an advanced enough stage to realistically and credibly say we could do the same. Cllr Hadley will know that nobody will

be more pleased than me if we are in the position to include Urban Mass Transit proposals for BCP within future iterations of the Plan.

I do not concur with Cllr Hadley's feelings on Wessex Fields. While great efforts are being made to reduce the amount of car use necessary to enable the development, some road improvements are required to ensure optimal use of this key and welcome employment site. The dogmatic approach of the previous Administration would not have allowed this. Moreover, it is hoped and expected that new roads associated with the development will help bring much needed relief to the congestion referred to by my colleague.

I would wish to reassure Members that much work is currently being undertaken for the BCP area towards our refresh of our local position while seeking to take on board the very latest Government guidance for walking, cycling, bus and rail. We are seeking to pursue strategic **sustainable** transport solutions to help reduce congestion and improve productivity across the whole conurbation, and these will form an integral part of our work as part of the Western Gateway Subnational Transport Body.

Question from Councillor Mark Howell

Now that a full planning application has been submitted for development of the empty employment land at Sterte Avenue West, only a couple of viable sites remain for relocation of the Wilts & Dorset bus depot. Its relocation is essential for the regeneration of the Seldown area adjacent to the Dolphin Centre so please could the Portfolio Holder for Regeneration confirm that the Council is treating relocation as a priority and actively and urgently working with Wilts & Dorset to secure a site for relocation.

Response from Councillor Philip Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council

I thank Councillor Howell for his question.

I would challenge the assertion that Councillor Howell has presented as fact: "Its relocation is essential for the regeneration of the Seldown area adjacent to the Dolphin Centre".

As the previous Portfolio Holder, Councillor Howell spent almost 18 months on a costly and time consuming piece of work looking to where he would like to relocate the bus station and depot. The end result of this were proposals that were undeliverable on land which we didn't own.

The development of the Seldown area and others remains a priority, and we will be bringing forward a paper at next month's Cabinet outlining how we will be looking to ensure that delivery of these projects is prioritised.

Councillor Howell asked a supplementary question on the paper being submitted to Cabinet and what was the viable option. Councillor Broadhead explained that delivery was key in respect of any potential projects.

75. Recommendations from Cabinet and other Committees

7a – Audit and Governance Committee 26 November 20201 – Minute No. 47 Report of the Constitution Review Working Group – Changes to the Council’s Constitution – Procedure Rule 36

The Chairman of the Audit and Governance Committee, Councillor Beesley reported that these recommendations had stood adjourned from the Council meeting held on 5 January 2021. Councillor Beesley outlined the current effect of Procedure Rule 36 and the impact of the proposed recommendations as set out on the agenda including the re-positioning of the Rule from the General Provisions to the section of the Constitution relating to Council meetings. Councillor Beesley moved the following recommendations which were seconded by Councillor Williams.

Procedure Rule 36

(a) That Procedure Rule 36 be amended to read “Any motion under Procedure Rule 12 (Motions on Notice), to vary or revoke these Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council”;

(b) That Procedure Rule 36 (as amended) be moved from Sub Part C (General Provisions) to Sub Part A (Council Meetings).

The above recommendations were approved.

Voting: Unanimously agreed.

7b – Cabinet 13 January 2021 – Minute No. 284 – Council Tax Base 2021/22

The Leader of the Council presented the report on the Council Tax Base as set out on the agenda. He explained that this was a technical requirement prior to submission and consideration of the Budget. Councillor Broadhead seconded the recommendations.

Councillor Butler asked if this meant that different tax bands were being set for each Town. She was advised that was not the case.

The recommendations arising from the Cabinet on 13 January 2021 relating to the above were approved.

Voting: Unanimously agreed.

7c – Cabinet 13 January 2021 – Minute 286 – Concessionary Fares Bus Operator Reimbursement

The Cabinet Member for Transport and Sustainability presented the report on Concessionary Fares Bus Operator Reimbursement as set out on the agenda. He reported on the English National Concessionary Travel Scheme and advised that this was the arrangement whereby Local Authorities reimbursed bus companies for the journeys that were taken by bus pass holders. He highlighted that Covid had meant that the number of journeys had dropped dramatically. Members were informed that if the

payment was reduced it would have an effect on the bus companies' viability and the ability to run particular bus routes. As a result, the Department of Transport had made it clear to all Local Authorities that they expected them to reimburse the bus companies at the same level as pre covid. The Cabinet Member reported that there were a couple of adjustments relating to the overall bus patronage and the number of miles that were travelled by the buses where they may have reduced or increased services. He advised Council that the report had been discussed at the Overview and Scrutiny Board and approved by Cabinet but due to the amount being paid over the year of £7.83m it required full Council approval. The proposals were seconded by the Councillor Broadhead.

Councillors considered the recommendations including commenting on paragraph 13 of the report relating to the recovery partnership with the bus companies, the use of integrated ticketing, reducing fares to encourage people back on to the buses and that it seemed unfair if the bus companies were reimbursed to pre-covid levels and therefore could the amount be reduced.

The Cabinet Member in summing up responded to the issues raised. He indicated that as part of the partnership that integrated ticketing would be looked at explaining that the funding would come from the Department of Transport to the bus companies. In respect of reduced fares, it would be up to the Council to ensure that the overall routes were profitable and a reduction in fares was not likely to bring bus companies back to viability. The Cabinet Member explained if the reimbursement arrangements were not in place there may have been a collapse in bus companies. He reported that the bus companies had looked to reduce the frequency on some routes resulting in the percentage paid reduced due to frequency. He highlighted that the Council wished to encourage usage of the buses.

The recommendations arising from the Cabinet on 13 January 2021 relating to the above were approved.

Voting: Unanimously agreed

7d – Cabinet 13 January – Minute No. 287 – Dorset Heathlands Interim Air Quality Strategy

The Cabinet Member for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council presented the report on the Dorset Heathlands Interim Air Quality Strategy as set out on the agenda. He explained that this was a short-term plan working in conjunction with Dorset Council to address the issue that we have on some of our heathlands. He reported that Natural England had objected to several planning applications because of the airborne nitrogen and ammonia which comes from multiple sources including agriculture but mainly vehicle omissions which was settling on some of our heathlands and the damage to the soil and the ecology. The Cabinet Member explained that with the rapid uptake of electrical vehicles, it was likely that vehicle omissions would have dropped significantly enough by 2025 to mitigate some of the damage. In the meantime, it was necessary to protect the environment and tackle the

ecological and climate change emergency but ensure that there was a consolidated approach so that development was not affected. Councillor Mike Greene seconded the recommendations and commented on bringing forward measures over the next year on the use of electric vehicles.

A Councillor referred to the suggestion that it was mainly vehicle omissions highlighting that the report indicated that it was 38% agriculture and 8% vehicles, expressing concerns that the graphs show that this was an issue in Wimborne Road and Ashley Road and in looking at figure 4 the growth of car trips in Dorset one third of the total growth was in the BCP area but that the proposal was to bear two thirds of the cost, and objecting to the reference in the financial section relating to the use of CIL monies. A Councillor welcomed plans to due reduce air pollution for both health reasons and the effect on the environment. She referred to paragraph 11 and the suggestion to reduce speeds next to heathlands including Gravel Hill and the A338 by Hurn explaining that that as far as she was aware there was no proof that reducing vehicle speed would reduce air pollution and as road transport accounts for only 8% of the problem suggested that the recommendations were reconsidered. A Councillor referred to the graphs which indicated that bus usage was decreasing and car journeys continuing to increase one of the potential projects was for a modal shift but there needs to be greater emphasise on that issue than was currently being taken and more work was needed.

The Cabinet Member in summing up responded to the issues raised. He indicated that there were a number of different forums where these questions could have been asked. Councillors were advised that there was analysis on car journeys and in particular the quantum of where the journeys were coming from not just developments next to the heathlands. The Cabinet Member reported that considerable work had been undertaken on air pollution it was not just about the efficiency of car. In conclusion he acknowledged that this was the first step and about assigning funds to create the strategy.

The recommendations arising from the Cabinet on 13 January 2021 relating to the above were approved.

Voting: agreed

Councillor George Farquhar wished to be recorded as abstaining from the above decision.

Councillor Diana Butler wished to be recorded as voting against the above decision.

7e - Licensing Committee 4 February 2021 - Minute No. 24 - Taxi and Private Hire Driver, Vehicle and Operator Policies

The Chairman of the Licensing Committee presented the report on Taxi and Private Hire Driver, Vehicle and Operator Policies as set out on the agenda. She explained the requirements of the Local Government Structural Changes General Amendment Regulations 2018 which provide

that the Licensing Authority had 24 months from 1 April 2019 to prepare and publish a statement of Licensing Policy for the new Local Government area. Members were advised of the development of the taxi policies, the three taxi workshops held across BCP, the role of Member Work Groups, submissions to the Licensing Committee, the public consultation, and the detailed feedback received, the legal advice provided by a taxi licence expert on hackney carriages and a final members working party held in January 2021 to discuss the extensive feedback received in response to the taxi trade workshops and the public consultation. The Chairman referred to the meeting of the Licensing Committee on 4 February 2021 that reheard two previously submitted petitions and received four public statements from trade representatives across the three zones and the aims of the policies to create a single hackney carriage area for BCP. The Chairman referred to the error in paragraph 16.6 of the Hackney Carriage and Private Hire Vehicle Policy which should read “All restrictions on numbers of Hackney Carriage vehicle licences will be removed subject to the review of this policy in 2025.” Councillor Julie Bagwell seconded the recommendations.

Councillor Slade requested that the item be postponed as previously requested of the Chairman of the Licensing Committee. She explained that there had been heavy lobbying and a protest, and a postponement would allow for a Member Briefing and enable Councillors to undertake due diligence. She further explained that the Policies did not take into account issues such as the impact of covid and changes under the parking standards.

Councillor Slade moved the following which was seconded by Councillor Rigby:

“That the item be postponed, and a Member briefing be arranged and if necessary, an additional Council meeting be arranged prior to the required timeline for adoption of the Policies.”

Councillors discussed the above proposal, the process adopted, implications of the proposed deferral, the timing of the submission of the recommendations and the work undertaken by the Licensing Committee on the development of the policies.

The Chief Executive explained the order of speakers at the end of the debate on the proposal that Councillor Slade would sum up followed by Councillor Judes Butt.

Councillor Slade explained that this was not about undermining the Licensing Committee, the proposal was to create space to ask questions and understand the issues that have been raised.

Councillor Judes Butt commented on the above proposal reporting that she had responded to Councillor Slade’s request for deferral and Councillor Rigby and highlighted the role of the Licensing Committee on the development of the policies and the remit of the Licensing Authority.

A vote was taken on the proposal from Councillor Slade seconded by Councillor Rigby as detailed above. The proposal was lost:

Voting - For – 31, Against – 41, Abstention – 2

Councillor Farquhar wished to be recorded as voting for the proposed deferral.

The Council then considered the substantive motion and raised a number of issues including the following:

Councillor Evans commented on:

- Paragraph 8.10 page 103 – depression being used as a reason for disqualification – only the DVLA exclusions should be used.
- Paragraph 15.2 page 109 – dress code was discriminatory as it should be up to the individual on what was appropriate appearance and there was no reference to dress from different cultures.
- Paragraph 16 page 148 – that there was no unmet need so why release more licences.
- Paragraph 17 page 149 – livery – could stripes be used
- There was no mention of the need for compliance with Covid legislation.

Councillor Brown commented on the deregulation and the release of 15 new plates in Bournemouth and Poole each year for next five years and the impact on trade. Councillor Brown reported on the unacceptable detrimental impact on the trade and indicated the timing of the deregulation was not appropriate and that the trade should be given time to plan.

Councillor Brown made the following amendment which was seconded by Councillor Burton:

That the Hackney Carriage and Private Hire Vehicles Policy 2021-2025 Chapter 16 Paragraph 16.3 be amended to add the following words

“commencing 1 April 2022”

The Chairman explained that the above was an amendment to the policy if there were any further amendments that they would have to be debated.

Councillor Slade asked if the issues raised by Councillor Evans required an amendment. The Chairman asked for the technical officers to respond on any further proposed amendments to the policies. The Licensing Manager responded to the issue raised on the fit and proper person and depression issues. Members were advised that all drivers as part of the licence conditions and first application were required to provide a medical certificate from their GP and that was assessed by the DVLA guidance group 2 drivers and depression was clearly defined in that guidance when assessing a fit and proper person. Kelly Ansell, Director of Communities referred to the dress code suggesting that it would be appropriate to include a definition which allowed the Council to take account of suitable adaptations to address any issues for protected characteristics. The Chairman asked for clarification on how the policy could be amended. The Monitoring Officer indicated that with any policy it would be subject to review. A Councillor reported that all licensing policies were under constant review and can be reviewed by the Licensing Committee at anytime that it was necessary to make an amendment which was standard practice.

The Chairman of the Licensing Committee reported on how to deal with the issues raised and the impact. She thanked Councillor Evans for raising the issue on dress code which should be included and referred to unmet need, the associated survey and suggested that some of the issues were not relevant. The Licensing Manager reported that this was the time to amend the policy before it was ratified and the opportunity to review and include minor amendments without the need to go back to full Committee or out to public consultation.

The Chief Executive indicated that the suggestions coming forward were relatively minor and in the remit of the Licensing Committee to agree at the next meeting.

Councillor Brown following debate summed up on his proposed amendment. In doing so he thanked colleagues who supported his proposals which would allow the taxi trade to plan for deregulation. The Chairman of the Licensing Committee reported on Department of Transport best practice guidance on the issue of quantity restrictions.

A vote was taken on the following amendment moved by Councillor Brown seconded by Councillor Burton

That the Hackney Carriage and Private Hire Vehicles Policy 2021-2025 Chapter 16 Paragraph 16.3 be amended to add the following words

“commencing 1 April 2022”

The amendment was lost:

Voting - For – 26, Against – 41, Abstention – 7

Councillor Farquhar wished to be recorded as abstaining from the above decision.

Councillor Nicola Greene raised a point of order and highlighted Procedure 9 and requested that the question be now put which was seconded by Councillor Haines.

Following a question on a point of order raised by Councillor Evans asking for clarification on whether the Council could vote on a motion which was discriminatory against protected characteristic the Monitoring Officer reported that assurances had been received from the Equalities Officer and legal experts that the obligations of the Equalities Act had been taken into account.

A vote was taken on the proposal that the question be now put and was carried:

Voting – For 42, Against – 31, Abstention – 1

A vote was taken on the recommendations as set out on the agenda plus the additional recommendation as follows:

That paragraph 16.6 of the Hackney Carriage and Private Hire Vehicle Policy should read:

“All restrictions on numbers of Hackney Carriage vehicle licences will be removed subject to the review of this policy in 2025.”

Voting – For 41, Against – 30, Abstention - 3

Councillor Diana Butler, George Farquhar, Lisa Lewis and Chris Rigby wished to be recorded as voting against the above decision.

The substantive motion as detailed above was carried.

7f - Cabinet 10 February 2021 - Minute No. 296 - Quarter 3 Budget Monitoring 2020-21

The Leader of the Council presented the report on the Quarter 3 Budget Monitoring report 2020-21 as set out on the agenda which was seconded by Councillor Broadhead.

The recommendations arising from the Cabinet on 10 February 2021 relating to the above were approved.

Voting: agreed

7g - Cabinet 10 February 2021 - Minute No. 300 - Wessex Fields - Proposed Land Disposal

The Cabinet Member for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council presented the report on the Wessex Fields proposed land disposal for a medi-tech research centre the purpose of the item was to approve the specifics of the land and the terms of the disposal. The recommendations were seconded by Councillor Mellor.

Councillors in discussing the proposals, raised a number of issues including that any development on this land should be with sustainability at its core, such as building design and renewable energy, that world class sustainable businesses would be looking at how staff would get to the site including an appropriate walking and cycling infrastructure.

To enable the Council to discuss the financial details of the disposal the press and public were excluded

‘That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.’

The above was proposed by Councillor Evans and seconded by Councillor Farquhar.

The press and public were excluded from the meeting to enable Councillors to ask questions on the financial details of the project.

The meeting then resumed in public session

The Cabinet Member in summing up explained that there was ample opportunity to raise questions in other forums. He explained that the Council had discussed the price of the development in exempt session and with regards to the early point about sustainability being at the core of what

we do reported that this was not a binary choice and we should be able be create development with sustainable travel.

The recommendations arising from the Cabinet on 10 February 2021 relating to the above were approved.

Voting – For – 44, Against 6, Abstentions – 23

Councillor George Farquhar wished to be recorded as voting against the above decision

Councillor Paul Hilliard did not speak or vote on the above issue due to the interest that he declared.

The meeting was adjourned from 10.15 pm – 10.25 pm

The Chairman reported that the following items from the Cabinet meeting held on 10 February 2021 related to the budget and therefore 'Members were reminded that, under Regulation 2 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 votes taken at key budget decision meetings must now be recorded in the minutes. He explained that he would therefore ask the Chief Executive to take a recorded vote on the following recommendations from the Cabinet on 10 February 2021 as they relate to key budget decisions.

7h - Cabinet 10 February 2021 - Minute No. 301 - Dedicated Schools Grant (DSG) Schools and Early Years Formulae 2021/22

The Cabinet Member for Covid Resilience, Schools and Skills presented the report on the Dedicated Schools Grant Schools and Early Years Formulae 2021/22 as set out on the agenda. She explained that the funding was passported through to schools extensively consulted upon through the Schools Forum, Overview and Scrutiny Board and Cabinet. The recommendations were seconded by Councillor White.

The recommendations arising from the Cabinet on 10 February 2021 relating to the above were approved.

All Councillors present as follows voted for the recommendations.

Cllr Hazel Allen	Cllr Bobbie Dove	Cllr Bob Lawton
Cllr Lewis Allison	Cllr Beverley Dunlop	Cllr Marion LePoidevin
Cllr Mark Anderson	Cllr Millie Earl	Cllr Lisa Lewis
Cllr Sarah Anderson	Cllr Jackie Edwards	Cllr Rachel Maidment
Cllr Marcus Andrews	Cllr L-J Evans	Cllr Chris Matthews
Cllr Julie Bagwell	Cllr George Farquhar	Cllr Simon McCormack
Cllr Steve Baron	Cllr Duane Farr	Cllr Drew Mellor
Cllr Stephen Bartlett	Cllr Laurence Fear	Cllr Pete Miles
Cllr John Beesley	Cllr Anne Filer	Cllr Sandra Moore
Cllr Derek Borthwick	Cllr David Flagg	Cllr Lisa Northover
Cllr Philip Broadhead	Cllr Nick Geary	Cllr Tony O'Neill
Cllr Mike Brooke	Cllr Mike Greene	Cllr Susan Phillips
Cllr Nigel Brooks	Cllr Nicola Greene	Cllr Margaret Phipps

Cllr David Brown	Cllr Andy Hadley	Cllr Karen Rampton
Cllr Simon Bull	Cllr May Haines	Cllr Felicity Rice
Cllr Richard Burton	Cllr Peter Hall	Cllr Chris Rigby
Cllr Diana Butler	Cllr Nigel Hedges	Cllr Mark Robson
Cllr Daniel Butt	Cllr Paul Hilliard	Cllr Robert Rocca
Cllr Judes Butt	Cllr Mark Howell	Cllr Vikki Slade
Cllr Eddie Coope	Cllr Mohan Iyengar	Cllr Ann Stribley
Cllr Mike Cox	Cllr Cheryl Johnson	Cllr Tony Trent
Cllr Malcolm Davies	Cllr Toby Johnson	Cllr Mike White
Cllr Norman Decent	Cllr Andy Jones	Cllr Lawrence Williams
Cllr Lesley Dedman	Cllr Jane Kelly	Cllr Kieron Wilson
Cllr Bryan Dion	Cllr David Kelsey	

7i - Cabinet 10 February 2021 - Minute No. 303 - Housing Revenue Account (HRA) Budget Setting 2021 to 2022

The Cabinet Member for Homes presented the report on the Housing Revenue Account Budget Setting for 2021 to 2022 as set out on the agenda. He explained that the HRA budget sets out the proposals for rents, service charges and other charges for tenants as well as the expenditure plans for 2021/22. Councillors were advised that the increase in charges were in line with the national policy, good practice and legislation. There were several measures in place to help tenants with these charges for example housing benefit with staff available to provide help and support. Members were advised that the expenditure plans set out the budget required to manage and maintain the existing stock, provide services to residents as well as building new homes and completing major projects and detailing the borrowing. The Cabinet Member reported that 2020 had been a challenging year due to the pandemic but the impact on the HRA had not been as great as for other service areas. He explained that there had been some reduction in services due to the national lockdowns, but most had continued to be provided in a different and safe way. Members were advised of the proposed full rent increase of 1.5% per property with garage rents increasing by 2%. Councillor Haines seconded the proposed recommendations.

Councillors in considering the proposals raised a number of issues and comments including would the increase in garage rents increase additional on street parking and seeking clarification on progress with housing developments such as Herbert Avenue.

The Cabinet Member for Homes in summing up responded to the above issues explaining that garages were more likely to be used for lockups than creating additional on street parking and that he would respond direct to the Councillor on the progress with the development at Herbert Avenue.

The recommendations arising from the Cabinet on 10 February 2021 relating to the above were approved.

All Councillors present as follows voted for the recommendations.

Cllr Hazel Allen	Cllr Bobbie Dove	Cllr Bob Lawton
Cllr Lewis Allison	Cllr Beverley Dunlop	Cllr Marion LePoidevin
Cllr Mark Anderson	Cllr Millie Earl	Cllr Lisa Lewis
Cllr Sarah Anderson	Cllr Jackie Edwards	Cllr Rachel Maidment
Cllr Marcus Andrews	Cllr L-J Evans	Cllr Chris Matthews
Cllr Julie Bagwell	Cllr George Farquhar	Cllr Simon McCormack
Cllr Steve Baron	Cllr Duane Farr	Cllr Drew Mellor
Cllr Stephen Bartlett	Cllr Laurence Fear	Cllr Pete Miles
Cllr John Beesley	Cllr Anne Filer	Cllr Sandra Moore
Cllr Derek Borthwick	Cllr David Flagg	Cllr Lisa Northover
Cllr Philip Broadhead	Cllr Nick Geary	Cllr Tony O'Neill
Cllr Mike Brooke	Cllr Mike Greene	Cllr Susan Phillips
Cllr Nigel Brooks	Cllr Nicola Greene	Cllr Margaret Phipps
Cllr David Brown	Cllr Andy Hadley	Cllr Karen Rampton
Cllr Simon Bull	Cllr May Haines	Cllr Felicity Rice
Cllr Richard Burton	Cllr Peter Hall	Cllr Chris Rigby
Cllr Diana Butler	Cllr Nigel Hedges	Cllr Mark Robson
Cllr Daniel Butt	Cllr Paul Hilliard	Cllr Robert Rocca
Cllr Judes Butt	Cllr Mark Howell	Cllr Vikki Slade
Cllr Eddie Coope	Cllr Mohan Iyengar	Cllr Ann Stribley
Cllr Mike Cox	Cllr Cheryl Johnson	Cllr Tony Trent
Cllr Malcolm Davies	Cllr Toby Johnson	Cllr Mike White
Cllr Norman Decent	Cllr Andy Jones	Cllr Lawrence Williams
Cllr Lesley Dedman	Cllr Jane Kelly	Cllr Kieron Wilson
Cllr Bryan Dion	Cllr David Kelsey	

7j - Cabinet 10 February 2021 - Minute No. 297 - 2021/22 Budget and Medium-Term Financial Plan (MTFP)

The Leader of the Council made his budget statement and presented the report on the 2021/22 Budget and Medium-Term Financial Plan (MTFP) and recommendations as set out on the agenda. The Leader acknowledged the outstanding contribution of the Chief Financial Officer and his team for all their work on preparing the budget. Councillor Broadhead seconded the recommendations and reserved his right to speak later in the debate.

Councillor Cox moved and Councillor Hilliard seconded the following amendment and revised recommendations:

1) a) A net budget of £243.2 million, resulting in a total council tax requirement of £216.7 million, is set for 2021/22 based on the settlement figures published by government in December 2020. This is based upon:

- i. an increase in council tax in 2021/22 which means that the total BCP unitary charge will increase by 2.55% when applied to the average charge for 2020/21. Individual resident charges can be summarised as;

1. Bournemouth's council tax charge being an increase of 1.75% over that levied in 2020/21.
2. Christchurch's council tax charge being an increase of 0.99% over that levied in 2020/21.
3. Poole's council tax charge being an increase of 4.01% over that levied in 2020/21.

iii. the allocations to service areas in the budget as proposed and as set out in Appendix 2a;

- 1) **b)** approve a £8.4 million gross investment in the council's corporate priorities (£7.4 million net) in 2021/22 which is an increase of £6.0 million compared to the 2020/21 budget;
- 1) **i)** that the chief finance officer provides council with a schedule setting out the rate of council tax for each category of dwelling further to councillors consideration of the decision required in respect of (a) above and after taking account of the precepts to be levied by the local police and fire authorities, neighbourhood, town and parish councils, and chartered trustees once these have been determined prior to the Council meeting on the 23 February 2021.

Set out below are the financial implications of the above amendment:

1. The revised recommendations were underpinned by the following changes, presented in **absolute** amounts rather than on an incremental basis, to the 2021/22 Budget and medium- term financial plan as set out in the substantive report.

	21/22 £000s	22/23 £000s	23/24 £000
Additional Funding			
a) Extra 1% increase in Council Tax in 2021/22	(2,114)	(54)	(56)
Sub Total	(2,114)	(54)	(56)
Reduction in corporate priorities spend			
b) Remove the investment in Regeneration	(1,750)	(1,750)	(1,750)
c) Defer the investment in Arts and Culture	(100)	-	-
d) Remove the investment in the cultural Bounce Back Festival	(250)	(250)	(250)
e) Defer the investment in Community safety officers	(100)	-	-
Sub Total	(2,200)	(2,000)	(2,000)
Proposals including additional corporate priorities spend			
f) Defer inflationary uplift on client contribution towards Adult Social Care until 2022/23	400	-	-
g) Provision of a respite fund for carers – one off	1,000	-	-

h) Provision of Mental Health & youth services for young people	250	250	250
i) Development of a resident's card	150	-	-
j) Green recovery fund	1,750	1,750	1,750
k) Additional highway improvements – one off	250	-	-
Sub-Total	3,800	2,000	2,000
Changes in Reserves			
l) Increase in unearmarked reserves	514	54	56
Sub-Total	514	54	56
Additional annual (surplus) / deficit	0	0	0

- The financial planning assumption around future years council tax increases would now be 3.99% in 2022/23 (rather than 4.99%) and 1.99% in 2023/24 (unchanged)
- The permanent changes to the corporate priority expenditure compared to the substantive budget is the removal of both the £1.750m investment in regeneration and the £250,000 investment in the cultural bounce back festival.
- The £100,000 deferral (circa 40%) in the planned £240,000 investment in Community Safety Officers in 2021/22 is achieved by staggering the appointment of the 6 new officers over the year.
- In respect of the resident's card the commitment in year one is to the development of the scheme. The intention from year 2 is the scheme would pay for itself through sponsorship, or through differential charging, by increasing charges (e.g. parking) to visitors and freezing/discounting charges to BCP residents.
- Purpose of the Green Recovery Fund will be to ensure any regeneration expenditure is spent on "Green" initiatives and fulfils the Councils climate change and ecological emergency commitment.
- As part of the substantive budget it is proposal to hold unearmarked reserves at £15.4 million which is approximately 5.5% of the proposed net revenue expenditure for the year. The budget amendment would increase these reserves to £15.9m which would be approximately 5.6% of the proposed net revenue expenditure for the year. The Chartered Institute of Public Finance and Accountancy (CIPFA) have carried out some benchmarking on the level of reserves held by most unitary authorities and identified that they tend to maintain unearmarked reserves between 5% and 10% of net revenue expenditure.

8. Revised Appendix 2a (as circulated with the supplementary pack on the alternative budget)

Members were advised that all other recommendations remained unaltered. Councillor Cox explained the detail of his proposal, the financial implications of the amendment as circulated to all Councillors and the impact of his amendment to support residents, businesses and those most in need. Councillor Hilliard in seconding the amendment indicated that it addressed the failings of the substantive proposal and he explained the rationale for using a percentage of the adult social care levy.

Councillors in considering the amendment raised a number of issues including commenting on the impact of the amendment on the business community, the removal of the bounce back festival fund, the arts and culture fund and regeneration fund from the budget, the support residents, children, young people and families need, that the amendment did not address hardship and deprivation. A Cabinet Member referred to the Culture Compact and the recognition locally and nationally highlighting the need to lift our ambitions and drive forward with proposals to access culture. A Member whilst acknowledging the difficult position of the hospitality sector highlighted the need to support residents who had been suffering with the effects of the pandemic. A Cabinet Member highlighted the support being provided for youth services and children and families suffering from mental health including the additional funding already committed by the administration. He referred to the harmonisation of Council tax and the financial implications for residents. A Councillor felt that there was much that was good in the budget due to the policies of the previous administration, but it could be improved and directly benefit the residents in the BCP area. A Member explained that the amendment would result in £1.20 per month for the average household to protect the most vulnerable in our communities and emphasised that the proposed festival should be scheduled for 2022. A number of Members referred to the use of borrowing, level of reserves and expected income levels. A Cabinet Member raised her concerns on the implications of (f) and (g). The Chairman of the Health and Adult Social Care O&S Committee reported that a Care Strategy was being looked at and a Working Group could be set up to help shape the strategy.

Councillor Cox in summing up emphasised the need to listen to those members of the community who were voiceless and need support. He explained that the amendment did not propose to scrap the regeneration budget and that it was aiming to secure responsible sources of income.

The Leader of the Council explained the harmonisation and the use of the social care precept.

A recorded vote was taken on the amendment moved by Councillor Cox and seconded by Councillor Hilliard

For

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

Against

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

Abstentions

Cllr Stephen Bartlett	Cllr David Flagg	Cllr Margaret Phipps
Cllr Lesley Dedman	Cllr Simon McCormack	

The amendment was lost

Voting – For 28, Against – 41, Abstentions – 5

Councillors then considered the original recommendations. Councillor Broadhead having reserved his right to speak as the seconder explained that this was truly a transformative budget. A Member expressed her concern that the budget relied heavily on borrowing and referred to the two year harmonisation of Council Tax to achieve equity across the area which was instigated by Christchurch Independents.

Councillor Brooke moved that the question be now put which was seconded by Councillor LePoidevin.

For

Cllr Lewis Allison	Cllr Millie Earl	Cllr Sandra Moore
Cllr Marcus Andrews	Cllr George Farquhar	Cllr Lisa Northover
Cllr Stephen Bartlett	Cllr Andy Hadley	Cllr Margaret Phipps
Cllr Mike Brooke	Cllr Paul Hilliard	Cllr Felicity Rice
Cllr David Brown	Cllr Toby Johnson	Cllr Chris Rigby
Cllr Simon Bull	Cllr Marion LePoidevin	Cllr Mark Robson
Cllr Diana Butler	Cllr Lisa Lewis	Cllr Vikki Slade
Cllr Richard Burton	Cllr Rachel Maidment	Cllr Tony Trent
Cllr Mike Cox	Cllr Chris Matthews	Cllr Kieron Wilson
Cllr Lesley Dedman	Cllr Peter Miles	

Against

Cllr Hazel Allen	Cllr Bobbie Dove	Cllr Mohan Iyengar
Cllr Mark Anderson	Cllr Beverley Dunlop	Cllr Cheryl Johnson
Cllr Sarah Anderson	Cllr Jackie Edwards	Cllr Andy Jones
Cllr Julie Bagwell	Cllr L-J Evans	Cllr Jane Kelly
Cllr Steve Baron	Cllr Duane Farr	Cllr David Kelsey
Cllr John Beesley	Cllr Laurence Fear	Cllr Bob Lawton
Cllr Derek Borthwick	Cllr Ann Filer	Cllr Simon McCormack
Cllr Philip Broadhead	Cllr David Flagg	Cllr Drew Mellor
Cllr Nigel Brooks	Cllr Nick Geary	Cllr Tony O'Neill
Cllr Daniel Butt	Cllr Mike Greene	Cllr Susan Phillips
Cllr Judes Butt	Cllr Nicola Greene	Cllr Karen Rampton
Cllr Eddie Coope	Cllr May Haines	Cllr Robert Rocca
Cllr Malcolm Davies	Cllr Peter Hall	Cllr Ann Stribley
Cllr Norman Decent	Cllr Nigel Hedges	Cllr Mike White
Cllr Bryan Dion	Cllr Mark Howell	Cllr Lawrence Williams

The above motion was lost

Voting – For – 29, Against – 45, Abstentions – 0

A Councillor expressed her concerns about the amount of borrowing and level of reserves she also highlighted the loss of the grant for the Turlin Moor project which the administration indicated was due to lack of engagement. A Ward Councillor clarified the position indicating that it was felt that the Hamworthy Residents deserved appropriate consultation on this major project. A Cabinet Member emphasised how proud she was of how the Council had operated during the pandemic. Councillors commented on the impact of the budget on the arts and culture sector.

The Leader of the Council in summing up highlighted the significant investment in frontline services and that the proposals provided a budget of hope and optimism.

A recorded vote was taken on the recommendations on the 2021/22 Budget and Medium-Term Financial Plan (MTFP) including the Council Tax resolution as set out in the report attached to the Council agenda headed

2021/2022 Council Tax Resolution (recommendation i) moved by Councillor Mellor and seconded by Councillor Broadhead

For

Cllr Hazel Allen	Cllr Norman Decent	Cllr Toby Johnson
Cllr Mark Anderson	Cllr Bryan Dion	Cllr Andy Jones
Cllr Sarah Anderson	Cllr Bobbie Dove	Cllr Jane Kelly
Cllr Marcus Andrews	Cllr Beverley Dunlop	Cllr David Kelsey
Cllr Julie Bagwell	Cllr Jackie Edwards	Cllr Bob Lawton
Cllr Steve Baron	Cllr Duane Farr	Cllr Drew Mellor
Cllr Stephen Bartlett	Cllr Laurence Fear	Cllr Sandra Moore
Cllr John Beesley	Cllr Ann Filer	Cllr Tony O'Neill
Cllr Derek Borthwick	Cllr Mike Greene	Cllr Susan Phillips
Cllr Philip Broadhead	Cllr Nicola Greene	Cllr Karen Rampton
Cllr Nigel Brooks	Cllr May Haines	Cllr Robert Rocca
Cllr Richard Burton	Cllr Peter Hall	Cllr Ann Stribley
Cllr Daniel Butt	Cllr Nigel Hedges	Cllr Tony Trent
Cllr Judes Butt	Cllr Mohan Iyengar	Cllr Mike White
Cllr Eddie Coope	Cllr Cheryl Johnson	Cllr Lawrence Williams
Cllr Malcolm Davies		

Against

Cllr Mike Brooke	Cllr Mike Cox	Cllr Paul Hilliard
Cllr David Brown	Cllr L-J Evans	Cllr Mark Howell

Abstentions

Cllr Lewis Allison	Cllr Andy Hadley	Cllr Lisa Northover
Cllr Simon Bull	Cllr Marion LePoidevin	Cllr Margaret Phipps
Cllr Diana Butler	Cllr Lisa Lewis	Cllr Felicity Rice
Cllr Lesley Dedman	Cllr Rachel Maidment	Cllr Chris Rigby
Cllr Millie Earl	Cllr Chris Matthews	Cllr Mark Robson
Cllr George Farquhar	Cllr Simon McCormack	Cllr Vikki Slade
Cllr David Flagg	Cllr Peter Miles	Cllr Kieron Wilson
Cllr Nick Geary		

Voting – For – 46, Against – 6, Abstentions - 22

The recommendations on the 2021/22 Budget and Medium-Term Financial Plan (MTFP) including the Council Tax resolution as set out in the report attached to the Council agenda headed 2021/2022 Council Tax Resolution (recommendation i) were agreed.

76. Appointment to the Lower Central Gardens Trust Board

The Leader of the Councillor moved and Councillor Broadhead seconded that the Bournemouth Independent and Green Group be allocated the seat on the Lower Central Gardens Trust Board.

RESOLVED that the above proposal be agreed without dissent.

Voting: Unanimous.

77. Notice of Motions in accordance with Procedure Rule 12

Councillor Matthews moved and Councillor Flagg seconded that the motion as set out on the agenda be deferred until the next Council meeting.

RESOLVED that the above proposal be agreed.

Voting: Unanimous.

The meeting ended at 0.50 am on 24 February 2021.

CHAIRMAN

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AUDIT AND GOVERNANCE COMMITTEE



Report subject	Report of the Constitution Review Working Group - Changes to the Constitution
Meeting date	11 March 2021
Status	Public Report
Executive summary	<p>The report summarises the issues considered by the Constitution Review Working Group and sets out a series of recommendations arising from the Working Group for consideration by the Committee.</p> <p>Any recommendations arising from the Committee shall be referred to full Council for adoption.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) the views and recommendations of the Constitution Review Working Group, as set out in this report at paragraphs 8, 10, 13, 17 and 25, be supported;</p> <p>(b) that necessary and consequential technical and formatting related updates and revisions to the Constitution be made by the Monitoring Officer in accordance with the powers delegated.</p>
Reason for recommendations	To make appropriate updates and revisions to the constitution following consideration by the Working Group.

Portfolio Holder(s):	Councillor Drew Mellor (Leader of the Council)
Corporate Director	Graham Farrant (Chief Executive)
Report Authors	Richard Jones, Head of Democratic Services Susan Zeiss, Director of Law and Governance and Monitoring Officer
Wards	Council-wide
Classification	For Recommendation

Background

1. The Terms of Reference of the Audit and Governance Committee include 'Maintaining an overview of the Council's Constitution and governance arrangements in all respects'.
2. In discharge of this responsibility the Committee established a Constitution Review Working Group of five of its Councillors. The current members of the Working Group are Councillor Williams (Chairman), Councillor D Butt (Vice-Chairman) and Councillors Beesley, Brooke and Trent.
3. Since its establishment, the Working Group has continued to meet on a regular scheduled basis.

Code of Conduct for Councillors – Process for consideration of complaints

4. The Working Group considered the arrangements for the initial assessment of allegations of breach of the Code of Conduct. The Chairman of the Standards Committee also attended the meeting. The Working Group was presented with a form of re-wording, for discussion, that would introduce into the arrangements a process empowering the Monitoring Officer to filter complaints at a stage before Councillors on the Standards Committee become involved. The circumstances under which the Monitoring Officer could potentially exercise this are set out within the proposed draft. This would be in contrast to the current process where all complaints are considered by Councillors.
5. The opportunity was also highlighted for consideration of whether the current process generally should be included and set out within the Constitution rather than, as it is now, contained within a process protocol agreed by the Standards Committee.
6. For the avoidance of doubt, the role of the Standards Committee in reviewing the Code of Conduct is confined to the Code itself, whilst the provisions relating to the arrangements for assessing complaints sits with the Audit and Governance Committee.
7. The Working Group were in support of the proposal presented as well as the inclusion of the whole process of complaints determination within the Constitution and there was agreement that this should be recommended to Audit and

Governance Committee. A copy of the revised arrangements are appended to this report as Appendix 1.

- 8. The Working Group recommended 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 this report, be approved and that the whole process be set out within the Constitution.**

Procedural – Public Statements to Committees

9. The Working Group considered a suggestion that the maximum number of words permitted within a formal question submitted by the public should be increased from the existing 100 word limit.
- 10. The Working Group recommended that the current 100 word limit on public Statements be retained.**

Welfare payments for Councillors

11. There is no provision to compensate Councillors (whether or not they are in receipt of Special Responsibility Allowances) for absence from their roles, due, for example, to sickness or maternity. It was confirmed that Councillors were not employees and therefore not covered by employment protection legislation and that the allowances paid to councillors was compensation for loss of earnings and for expenses.
12. It was, however confirmed, that the BCP Council 'Employee Assistance Programme' ('EAP') was available to Councillors in the same way that it was to employees. This was not something that all Councils were able to make available to Councillors and there was support for advertising this more widely.
- 13. The Working Group recommended that the current Member Allowances be retained, confirming no provision for sick pay or maternity pay for Councillors, but that availability of the BCP Employment Assistance Programme be advertised more actively to entitled Councillors.**

Covid-19 Response Period – Constitution Article 15

14. The Working Group considered suggestions from the Monitoring Officer for consolidation of the governance issues necessitated in response to the COVID-19 pandemic situation and contained within Article 15. This Article of the Constitution would be retitled 'Covid-19 Response Period Arrangements'.
15. The Working Group agreed that the amendments to Article 15 as proposed be submitted to the Audit and Governance Committee on 11 March 2021 and that, if adopted, should subsequently go straight to consideration at the following meeting of the full Council.
16. The key changes to the Article were revising references to the Covid-19 'Interim Period' to 'Response Period'; the inclusion of a new Procedure Rule and appendix for the operation of virtual meetings; the removal of urgent decision making provisions; and provisions to respond to changes in legislation for virtual meetings.
- 17. The Working Group recommended that:-**
 - (a) the revised Article 15 (Covid-19 Response Period Decision Making Arrangements), as set out at Appendix 2 to this report be approved;**

- (b) 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”. A copy of the proposed protocol is set out in Appendix 3 to this report.

Councillor involvement through the Appeals Committee in hearing appeals by staff against dismissal.

18. A discussion report was presented to the Working Group by the Head of Democratic Services and the Director of Organisational Development outlining existing provisions within the Constitution. Comparative information with other SW Regional Authorities was presented. It appeared that of ten SW Councils questioned, one had Councillor involvement in staff grievance appeals; four in disciplinary appeals and five in capability based appeals.
19. It was agreed that the separate arrangements in place in respect of the Chief Executive and other Statutory Officer roles were excluded from this review which meant that the main focus was upon the level of Councillor involvement in Staff Appeals through the Appeals Committee. The Terms of Reference of the Appeals Committee were set out and the comments of the Chief Executive reported.
20. Since April 2019 the Appeals Committee had met six times and there were currently two appeals in progress. It was noted however that the number of appeals could increase.
21. The Director of HR explained that the nature and level of Councillor involvement in staff appeals was not prescribed by legislation but remained a matter for local choice. Advantages of councillor involvement included a ‘fresh pair of eyes’ on a particular case. By contrast, however, participation in these appeals by Councillors involved a significantly amount of work for them and particularly in the level of preparation required. Appeal Committee members would also need to have a role in any subsequent Tribunal Hearing that might result. These were often complex and emotional matters and Councillors involved would need to have significant training.
22. In the wider arena of staff terms and conditions, the Director of Organisational Development explained that a new draft policy was currently in the course of preparation as part of the process of harmonisation of terms and conditions across BCP Council. This was particularly necessary whilst staff from each of the different legacy Councils remained subject to different rules about staffing appeals. It was clear that the Constitution Review Working Group would need to have an input into development of this policy.
23. The views of the Working Group were varied and mixed with expressions of support for continuing and discontinuing Councillor involvement. There was support for the role of Councillors in bringing an additional dimension and ‘fresh eyes’ to the process. By contrast there was a view that employment was a matter for the Chief Executive as Head of Paid Service and not something that members should be involved in.
24. During the discussion the Working Group particularly noted the potential for conflict in timetable terms between the role of the Working Group and the work being undertaken at Officer level for harmonisation of staff terms and conditions and in this case particularly, harmonisation of terms and conditions relating to rights of appeal for staff.

- 25. Members of the Audit and Governance Committee may therefore wish to defer making a recommendation to Council on this matter whilst the harmonisation of terms and conditions process is underway.**

Update on future activity

26. In addition to the specific issues that it has been asked to consider, the Working Group has developed a forward plan of wider review work. These are set out below for the information of the Committee.

Monitoring Officer review

27. The Working Group received from the Monitoring Officer the Action Plan for the process of the wider review of the BCP Constitution with areas suggested for the scope of the Review. Members welcomed the submitted timetable.
28. Consideration was given to the most appropriate process for conducting the review to ensure that it was undertaken in a manageable format.
29. The Working Group agreed that the review be presented to the Audit and Governance Committee in sections but brought together as a composite report to Council. The target date for the report to Council to be 14 September 2021. The Working Group agreed that the Financial Regulations (recently reviewed through a parallel process) would be excluded from this review. The Working Group also approved the priority for the wider review which would include Article 15 – Covid-19 Response Period Decision Making; Meeting Procedure Rules; Principles of Decision-making; Codes of Conduct for both Members and Officers; and Delegations.
30. There was recognised need for constructive engagement with all Councillors and Officers who had particular interests would have the opportunity to come forward to the Audit and Governance Committee at the appropriate point. There was also potential for discussion between the Monitoring Officer and the Political Group Leaders about the process.

Chairman of Audit and Governance Request for Items

31. The Working Group considered the list of items submitted by Councillors in response to the email from the Chairman of the Audit and Governance Committee. It was apparent that the majority of the items submitted would be incorporated into the wider Constitution Review. Individual Councillors who had submitted items would be kept updated on progress. Exceptions to this were the suggested need to review the procedure for Declarations of Interest; the promotion of on-line voting and the operation of the Standards Committee. The need for involvement from the Chairman of the Standards Committee was recognised.

Electronic voting

32. There was discussion about progress with implementation of electronic voting at meetings particularly at full Council where the currently required roll-call process was causing delay and increasingly unsatisfactory. This facility would be provided through the secure 'Modern Gov' app currently in the course of being rolled out to councillors. All councillors would be provided with training followed by opportunities to practice within a test environment.

Summary of financial implications

33. There are no financial implications arising from the recommendations in this report.

Summary of legal implications

34. The Constitution of the BCP Council complies with relevant legislation.

Summary of human resources implications

35. There are no human resource implications arising from this report.

Summary of sustainability impact

36. There are no sustainability implications arising from this report.

Summary of public health implications

37. here are no public health implications arising from this report.

Summary of equality implications

38. The Constitution of the BCP Council sets out the rights of public access to the democratic process. Where appropriate the Equality Officer was engaged on relevant issues.

Summary of risk assessment

39. The Constitution is a legally required document which prescribes the procedural and democratic arrangements for the proper governance of the Council.

Background papers

None

Appendices

Appendix 1 – Arrangements for Initial Assessment of Allegations of Breach of the Code of Conduct for Councillors

Appendix 2 - Revised Article 15 (Covid-19 Response Period Decision Making Arrangements)

Appendix 3 - Protocol for the establishment and running of virtual meetings during the Covid-19 Response Period

ARRANGEMENTS FOR DEALING WITH ALLEGATIONS OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS

1. INTRODUCTION

- 1.1. The Council is required to adopt arrangements to deal with complaints that Councillors have breached the Code of Conduct.

2. PROCESS

- Complaint received by Monitoring Officer.
- Upon receipt of a complaint under the Code of Conduct the Monitoring Officer (or their nominee) should, where considered appropriate, enter into an early preliminary and informal dialogue with the complainant and the Councillor complained of with a view to providing early mediation which, with agreement of both parties, can promote a speedy resolution of the complaint.
- Types of informal resolution following mediation might include:
 - (a) An explanation by the subject Councillor of the circumstances surrounding the complaint;
 - (b) An apology from the subject Councillor;
 - (c) Agreement from the subject Councillor to attend relevant training or to take part in a mentoring process or, where the complainant is also a Councillor, an agreement to participate in mediation involving the appropriate Political Group Leaders;
 - (d) Offering to engage in a process of mediation or conciliation between the subject Councillor and the complainant;
 - (e) Correcting an entry in a register;
 - (f) Any other action capable of resolving the complaint.

Where, in the opinion of the Monitoring Officer, the subject Councillor has appropriately addressed the matters raised there will be no further action taken in respect of the complaint and the Monitoring Officer will notify both the complainant and the subject Councillor of this decision.

- If mediation is unsuccessful, the Monitoring Officer will provide details of the complaint formally to the Councillor and seek an initial response. The Councillor will be advised of the right to speak to the Independent Person (IP).

- The Councillor, within five working days or longer at the discretion of the Monitoring Officer, should then provide an initial response to the complaint.
- The Chair of the Standards Committee in consultation with Councillors of the Standards Committee and the Monitoring Officer will then decide whether:
 - There is no breach of the Code and no further action should be taken; or
 - There is a potential breach of the Code and informal resolution is appropriate, to include for example mediation, training, apology, advice; or
 - There is a potential breach of the Code and the Monitoring Officer should undertake or commission an investigation into the complaint with a view to a report then being considered by the Standards Committee.
- The Councillor and complainant will be kept informed and will be notified of the outcome of the initial consideration by the Chair and members of the Committee.
- Where there is no further action to be taken, or the matter is dealt with by informal resolution, the Monitoring Officer shall report on such outcomes by way of an update report to the Standards Committee which will retain oversight of the arrangements.
- Where the matter is considered at a meeting of the Standards Committee further to an investigation, this will be at a formal meeting of the Committee subject to the relevant Procedure Rules contained in Part 4 of this Constitution.

Article 15 – Covid-19 Response Period Decision Making Arrangements

1. Introduction

- 1.1. This Article shall apply until 7 May 2021 or such earlier time as the Council shall consider is necessary.
- 1.2. The arrangements within this Article are made pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“the Regulations”) made by the Secretary of State on 1 April 2020 and which came into force on 4 April 2020 and any other Covid-19 related legislation that may be in force throughout the Covid-19 Response Period.
- 1.3. In the event that further legislation or guidance is issued, Council will review this Article immediately in order to be compliant with such legislation.

2. Definitions

- 2.1. In this Article:
 - (a) “Clear working days” shall not include the day of the meeting, the day of the notice, weekends, public holidays, or any other days the Council determines to be non-working days.
 - (b) “Covid-19 Response Period” is the period during which time this Article remains in place.

3. Covid-19 Response Period Arrangements

- 3.1. During the Covid-19 Response Period the other provisions of this Constitution will be modified by the arrangements in this Article to the extent that they are not disapplied by the Regulations.
- 3.2. If there is any uncertainty about the interpretation or application of this Article, the decision of the Monitoring Officer shall be final.
- 3.3. Detailed procedures setting out a protocol in respect of the establishment and running of virtual meetings during the Covid-19 Response Period will be set out as an Appendix to Procedure Rule 40 of Part 4 Procedure Rules in the Constitution and shall be read in conjunction with the requirements of this Article.

4. Meetings in Public

- 4.1. During the Covid-19 Response Period, it will not be possible to convene physical meetings of the Council and comply with requirements on social distancing, the Council’s guidance on working in council buildings and related

public health measures. Consequently, this Article seeks to put in place alternative and appropriate measures to safeguard the Council's underlying principles of open and transparent decision making, whilst balancing this with the interests of public health protection.

- 4.2. The Regulations require the live streaming of meetings to the extent necessary to enable the public to view and/or hear the proceedings as they take place. These services will be made available using appropriate video conferencing and live streaming technologies.
- 4.3. During this period, the provisions of Appendix 7 will apply allowing the Council, its committees and Sub-Committees to hold meetings using remote technology.
- 4.4. During this period that Appendix 7 applies, the BCP Council Constitution, including these procedure Rules, is to be interpreted in a manner which gives effect to Appendix 7.
- 4.5. On 7 May 2021, or such other time as the Regulations cease to apply or are amended, the provision of Appendix 7 will either cease to apply or be so amended as to comply with the new legislation.

5. Access to Information Provisions

- 5.1. Subject to the general provisions of this Article, the Council's Access to Information provisions as set out in the Constitution shall continue to apply, with the exception of the following specific provisions during this Covid-19 Response Period :-
 - Any references to copies of documents being made available for public inspection at the offices of the Council shall not apply. All such documents shall be published online for public inspection or sent electronically upon request.
 - Any references and required provisions relating to meetings of the Cabinet in private shall not apply to ordinary meetings of the Cabinet which cannot be held in public during this interim period.
 - Notices of meetings shall only be served electronically to members of the relevant meeting. Councillors requiring a printed copy will do so using their own personal facilities and at their own cost.

6. Voting Arrangements

- 6.1. Unless secure arrangements are in place to capture electronic votes and subject to paragraph 6.2 below, voting at all virtual meetings shall be by rollcall where each voting member present is requested by the Chairman to indicate whether they are for or against the motion, or if they wish to abstain.
- 6.2. Where, in the opinion of the person presiding, there is consensus for the motion during a debate, the person presiding may seek to secure such agreement whilst providing an opportunity for any dissenting or abstaining members to be heard.

7. Decision Making

- 7.1. This Article draws together the existing decision-making procedures available to the Council with necessary adjustments. *Inclusion of each procedure does not require or imply that the decision method will be exercised.*
- 7.2. Article 12 of the Constitution sets out the Principles of Decision Making. These principles shall continue to apply requiring that when the Council takes a decision it will do so in accordance with the following:-
- (a) Be clear about what the Council wants to happen and how it will be achieved;
 - (b) Ensure that the decision and the decision-making processes are lawful;
 - (c) Consider the Public Sector Equality Duty and its obligations under the Human Rights Act;
 - (d) Consult properly and take professional advice from Officers;
 - (e) Have due regard to appropriate national, strategic, local policy and guidance;
 - (f) Ensure the action is proportionate to what the Council wants to happen;
 - (g) Ensure the decisions are not unreasonably delayed;
 - (h) Explain what options were considered and give the reasons for the decision;
 - (i) Make the decision public unless there are good reasons for it not to be.
- 7.3. This Article shall further:-
- (a) Enable decisions to be taken transparently, efficiently and effectively.
 - (b) Provide appropriate opportunities for an effective overview and scrutiny function to continue.
 - (c) Ensure that a decision will not be reviewed or scrutinised by anyone who was directly involved in making a decision.
 - (d) Ensure that those responsible for decision making can be clearly identified and that they can explain the reasons for their decisions.

Key Decisions

- 7.4. A Key Decision, which must be included in the Leader's Forward Plan, is a Cabinet or Leader decision which is likely to meet one or more of the following criteria:-
- (a) It will result in the Council on its own or in partnership with other organisations spending or saving £500,000 or more, with the exception of operational expenditure or savings identified within the agreed Service Plan and Budget;
 - (b) It is likely to have a significant impact or effect on two or more electoral wards.

7.5. Subject to the general provisions of this Article, a Key Decision shall continue to be made in accordance with the Cabinet Procedure Rules, with the exception of the following specific provisions during this Covid-19 Response Period:-

- The forward plan shall only be made available online. Any reference to copies of documents being made available to the public at the offices of the council shall not apply.

Individual Cabinet Member Decisions

7.6. Subject to the general provisions of this Article, individual Cabinet Member Decisions will be made in accordance with the Procedures set out in the Constitution, with the exception of the following specific provisions during this Covid-19 Response Period:-

- Individual cabinet member decisions shall be published on the web site at least five clear working days before the intended date of the decision. This period shall allow relevant members of the council, ward members and other interested parties to make representations to the cabinet member.

Major Operational Decisions taken by Officers

7.7. A Major Operational Decision is an officer decision which is not a Key Decision and which is likely to meet one of the following criteria:

- (a) It will result in the Council incurring expenditure - including the loss of income – in excess of £100,000, with the exception of operational expenditure identified within the agreed Service Plan and Service Budget
- (b) It is a decision which has been specifically delegated to Officers – for example to conclude an agreement or contract within the outline terms agreed by the Cabinet
- (c) It is a decision which is controversial and/or politically sensitive in nature or is, in the opinion of the Director, of such significance that a published record of the decision would ensure transparency and accountability in relation to decision making within the Council.

7.8. Subject to the general provisions of this Article, major operational decisions taken by officers will be made in accordance with the Procedures set out in the Constitution.

Day to day Operational Decisions taken by Officers

7.9. A day to day operational decision is an Officer decision which is not a Key or Major Operational Decision and meets all of the following criteria:

- (a) It is within an agreed Service Plan and Service Budget
- (b) It is not in conflict with the Budget and Policy Framework or other approved policies of the Council
- (c) It does not raise new issues of policy.

- 7.10. Subject to the general provisions of this Article, day to day operational decisions taken by officers will be made in accordance with the Procedures set out in the Constitution.

8. Overview and Scrutiny Function

- 8.1. During the Covid-19 Response Period, the Council will continue to operate with the three Overview and Scrutiny Boards and Committees and the Chairmen of the three Committees will liaise with each other with a view to ensuring effective and efficient methods of undertaking Scrutiny during the Interim Period. This will take into account the need for effective and focused scrutiny during the emergency period and impact on officer resource.
- 8.2. The Overview and Scrutiny Board as the body responsible for overall co-ordination of the Council's scrutiny function will co-ordinate the scrutiny of the Council's response to Covid-19 to ensure that this is done in a way that takes account of issues that may be cross-cutting across both the Overview and Scrutiny Committees and the Overview and Scrutiny Board. This will be done in full consultation with the Chairmen of the other two Committees and does not prevent the other Committees exercising their statutory functions as set out in the Constitution should this be necessary during the Covid-19 Response Interim Period.
- 8.3. To ensure scrutiny engagement in decision making is timely, the Overview and Scrutiny Board may consider any matter within the remit of other Overview and Scrutiny Committees where there is an urgent need for scrutiny and/or to ensure efficiency and avoid duplication where there are cross-cutting issues arising from the current situation. Where an item will be included on an Overview and Scrutiny Board agenda that would ordinarily be within the remit of another Overview and Scrutiny Committee, the Chairman of that Committee will be invited to attend the meeting and participate in debate.
- 8.4. The Chairman of the relevant meeting shall permit other parties to address a virtual meeting if they consider it necessary and conducive to effective decision-making. The decision of the Chairman shall be final.
- 8.5. Subject to the general provisions of this article, the Overview and Scrutiny procedure rules as set out in the Constitution shall continue to apply, with the exception of the following specific provisions during this Covid-19 Response Period:-
- Where it is not conducive to convene a meeting of the relevant Overview and Scrutiny Board or Committee, the Chairman or Vice-Chairman of the relevant Board or Committee shall seek the views of the members and present these to Cabinet in place of recommendations from a formal meeting. Views submitted to Cabinet in this way may be varied and do not have to be based on consensus.

9. Other Committees

- 9.1. During the Covid-19 Response Period, other committees and sub-committee appointed by the Council shall continue to be convened. When a Committee or

sub-committee is convened in accordance with this provision it shall continue to operate in accordance with the Constitution, subject to the general provisions of this Article.

10. Public Participation

10.1. Subject to the general provisions of this Article, the Public Questions, Statements and Petitions Meeting Procedure Rules, and the Protocols for Licensing Committee/Sub-Committee and the Appeals Committee, shall continue to apply, with the exception of the following specific provisions during this Covid-19 Response Period:-

- (a) Any references to requiring attendance at a meeting shall not apply.
- (b) Questions, Statements, Petitions and representations validly made in accordance with the provisions of the Constitution will be published on the Council's website the day before the date of the relevant meeting. A link to the Question/Statement/Petition will be sent by email to all members of the relevant Committee.
- (c) Where a response to a question is available before the meeting this shall also be published on the Council's website before the meeting commences. If this is not possible the response shall be read out at the meeting.
- (d) The Chairman will make a statement at the relevant part of the meeting referring to the submissions received, that they have been published on the website and, where appropriate, what action is to be taken.
- (e) The reference in paragraph 12 of the Protocol for Public Speaking at Licensing Committee and Sub-Committees shall be amended for this interim period by the removal of the words *"and that decision delivered by the Chair to all parties at the conclusion of the hearing as appropriate"*. Participants will be notified in writing following the decision.

10.2. The Planning Committee Protocol for Public Speaking shall not apply during the Covid-19 Response Period and the provisions of this Article shall apply to statements and representations to be made at Planning Committee. It is recognised that due to its quasi-judicial role in determining planning applications the Planning Committee will need to have particular regard to representations made by members of the public, applicants and ward councillors. The Planning Committee, at the meeting held on 21 May 2020, approved an interim protocol for public statements at virtual meetings of the Committee. The Committee shall have authority to agree further specific procedures in due course to supplement those provided for in this Article. For the avoidance of doubt the deadline for submission of statements and representations in respect of matters before the Planning Committee is 12:00 noon the day before the meeting. This deadline may be changed should the Planning Committee agree further specific procedures as referenced in this paragraph.

Appendix 7 – Meeting Procedure Rule 40 and Article 15 – Protocol for the establishment and running of virtual meetings during the Covid-19 Response Period

1. Introduction

- 1.1. These Procedure Rules provide the means and guidance for the conduct of remote meetings of the Council and its committees, held under the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations').
- 1.2. The Procedure Rules should be read in conjunction with the Standing Orders and Procedure Rules within the Council's Constitution. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Council governing meetings and remain valid until 7 May 2021. This means that, wherever there is a conflict, these Remote Meetings Procedure Rules take precedence in relation to any remote meeting.
- 1.3. The effect of the Regulations on the Council's Constitution is to insert what are, in effect, mandatory standing orders for those authorities that wish to hold meetings remotely, either wholly or partially.

2. Notice of Meetings

- 2.1. The Proper Officer will give the requisite notice to the public of the time of the meeting, and the Agenda, together with details of how to view the meeting via the following web site (<https://democracy.bcpccouncil.gov.uk/>)
- 2.2. Councillors will be notified of a remote meeting by email and all agenda papers will be available on the Council's website.
- 2.3. The 'place' at which the meeting is held may be a Council building or may be where the organiser of the meeting is located or may be an electronic or a digital or virtual location, a web address or a conference call telephone number; or could be a number of these combined. The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.

3. Access to Meetings

- 3.1. Councillors will be encouraged to use any video conferencing facilities provided by the Council to attend a meeting remotely. If this is not possible, attendance may be through an audio link or by electronic means as referred to in Regulation 5(6)(c) of the Regulations.

- 3.2. Remote access for members of the public and members who are not attending to participate in the meeting together with press facilities, will be provided through webcasting.
- 3.3. It is important to note that the public accessing the meeting by remote means, as described in 3.2, is different from the public attending to exercise a right to speak. A technological failure removing the ability for the public to access the meeting by remote means may render the meeting incapable of proceeding.

4. Management of Remote Participation

- 4.1. Any Councillor participating in a meeting remotely must, when they are speaking, be able to be heard (and ideally seen) by all other Councillors in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Councillors participating.
- 4.2. In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.
- 4.3. The Chair will normally confirm at the outset and at any reconvening of a meeting that they can see and hear all participating members (this is unlikely to be practical for a meeting of the full council). Any Councillor participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants.
- 4.4. The attendance of those Councillors at the meeting will be recorded by the Democratic Services Officer.
- 4.5. The normal quorum requirements for meetings as set out in the Constitution will also apply to a remote meeting.
- 4.6. In the event of any apparent failure of the video, telephone or conferencing connection, the Chair should immediately determine if the meeting is still quorate:
 - if it is, then the business of the meeting will continue; or
 - if there is no quorum, then the meeting shall adjourn for a period specified by the Chair to allow the connection to be re-established.
- 4.7. If the meeting was due to determine an urgent matter or one which is time limited and it has not been possible to continue because of technical difficulties, the Chief Executive, in consultation with the Monitoring Officer and where appropriate/possible the relevant cabinet member, shall explore such other means of taking the decision as may be permitted by the Council's constitution.
- 4.8. Should any aspect of an individual's remote participation fail, the Chair may call a short adjournment of up to five minutes to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative (this is unlikely to be practical for a meeting of the full council). If the

connection is not restored within that time, the meeting shall continue to deal with the business whilst this happens providing the meeting remains quorate and the public are able to hear.

- 4.9. In the event of connection failure, the Councillor(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Councillor(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item(s) of business. If the connection is successfully re-established, then the Councillor(s) will be deemed to have returned at the point of re-establishment.
- 4.10. Etiquette at the meeting is referred to further below.

5. Remote Attendance by the Public

- 5.1. Any member of the public who has been given permission by the Chair to address a meeting in accordance with the Constitution Rules of Procedure must meet the same criteria as Councillors. Members of the public attending a meeting remotely must, when they are speaking, be able to be heard (and ideally seen) by Councillors in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other members participating.
- 5.2. Access to the meeting will be determined in accordance with the Meeting Procedure Rules set out elsewhere in this constitution. In such instances, an invitation to participate in the remote technology will be sent out.
- 5.3. Members of the public who have been given permission by the Chair to address a meeting may read out their question or written statement, of which prior notice will have been given, when invited to do so by the Chair.
- 5.4. As an alternative, members of the public who wish to address the meeting may submit a written statement that can be read out by the Chair at the appropriate time.
- 5.5. The Democratic Services Officer or meeting facilitator (see below) should be able to mute the member of the public once they have spoken, and remove them from the remote meeting on the instruction of the Chair, in order to maintain the good administration of the meeting or to retain order.
- 5.6. A breakdown of the technology should not disadvantage the member of the public in remote attendance wherever possible.

6. Meeting Procedures

- 6.1. A meeting facilitator, who may be the Democratic Services Officer but preferably in addition to, will control the video, telephone or conferencing technology employed for remote access and attendance and to administer the public and member interaction, engagement and connections on the instruction of the Chair.

- 6.2. The Council will endeavour to put in place a technological solution that will enable Councillors participating in meetings remotely to indicate their wish to speak via this solution, replacing the physical practices or rules concerning raising one's hand or standing to be recognised or expressing a desire to speak.
- 6.3. It will greatly assist the meeting if those Councillors who wish to speak on a particular item could indicate their wish to speak to the Chair and to the Democratic Services Officer in advance of the start of the meeting where possible. Political groups are encouraged to co-ordinate this activity where possible, particularly in respect of Council and other meetings likely to result in a high number of requests to speak. This is particularly important if Councillors are unable to participate via video conference.
- 6.4. The Chair will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches.
- 6.5. At the beginning of the meeting, the Chair will explain the protocol for Councillor and public participation and the rules of debate. The Chair's ruling during the debate will be final.
- 6.6. Councillors are asked to adhere to the following etiquette during remote attendance at a meeting:
- Members of the committee or body in question are asked to join the meeting no later than fifteen minutes before the start to allow themselves and Democratic Services the opportunity to test the equipment and verify identity.
 - Any camera (video feed) should show a non-descript background or a virtual background and Councillors should be careful to not allow exempt or confidential papers to be seen in the video-feed.
 - Councillors must take care to type their name on joining the meeting in full, i.e. "Cllr Joanne Smith" (where the technological solution employed by the authority enables this).
 - All Councillors must have their microphones muted when not talking.
 - Rather than raising one's hand or rising to be recognised or to speak, Councillors should avail themselves of the remote process for requesting to be heard.
 - Councillors will only speak when invited to by the Chair.
 - Only one person may speak at any one time.
 - Councillors should turn on the microphone and also the video-feed (if available) then state their name before speaking.

- When referring to a specific report, page, or slide, mention the report, page, or slide so that all Councillors have a clear understanding of what is being discussed at all times.
- 6.7. Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chair will, as part of their introduction, explain the procedure for their participation. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.
- 6.8. When the Chair is satisfied that there has been sufficient debate and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed the Chair will progress to a decision. Unless a Recorded Vote is called, the method of voting will be at the Chair's discretion and will be by one of the following methods:
- a vote by electronic means; or
 - an officer calling out the name of each Councillor present with:
 - Councillors stating 'for', 'against', or 'abstain' to indicate their vote when their name is called
 - the Democratic Services Officer clearly stating the result of the vote and the Chair then moving onto the next agenda item
 - by the general assent of the meeting.
- 6.9. Details of how Councillors voted will not be minuted unless a Recorded Vote is called. Where a Recorded Vote is requested the Chair will ask Councillors in turn to signify verbally whether or not they support that request.

7. Declarations of Interest

- 7.1. Any Councillor participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Democratic Services Officer who will invite the relevant Councillor by link, email or telephone, to re-join the meeting at the appropriate time.

8. Exclusion of Public and Press

- 8.1. There are times when council meetings are not open to the public, when confidential, or "exempt" issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. Where the technology is available, the Democratic Services Officer or meeting facilitator will ensure that there are no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

8.2. Each Councillor in remote attendance must ensure and confirm that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.


8.3. Any Councillor in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be in breach of the Authority's Code of Conduct.

9. Public Access to Meeting Documentation following the meeting

9.1. Members of the public may access minutes, decisions and other relevant documents through the following website <https://democracy.bcpccouncil.gov.uk>. Requests for access to the list of background papers and other relevant documents should be by email to the relevant officers.

AUDIT AND GOVERNANCE COMMITTEE



Report subject	Financial Regulations - Annual Evolution for the financial year 2021/22
Meeting date	11 March 2021
Status	Public Report
Executive summary	<p>Evolutionary changes to the Council's Financial Regulations are summarised in this report and shown in red text throughout the document at Appendix A.</p> <p>Several minor editing changes have been made to take account of the EU transition period ending. Any mention of specific EU legislation has been replaced by UK legislation. In practice this is just a legislative terminology change; there are currently no changes to requirements.</p> <p>Part G Procurement and contract procedures is shown in red text throughout. Whilst much of the wording of each specific regulation has remained the same or similar, the numbering and ordering has been significantly changed to more intuitively follow a procurement cycle. This ordering change has been based on feedback from officers.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>The Financial Regulations as shown in Appendix A be approved and referred to Council for adoption.</p>
Reason for recommendations	The Council's Financial Regulations are subject to annual evolution to align to the start of each financial year.
Portfolio Holder(s):	Cllr Drew Mellor, Leader of the Council
Corporate Director	Graham Farrant, Chief Executive
Report Authors	<p>Nigel Stannard Head of Audit & Management Assurance  nigel.stannard@bcpcouncil.gov.uk</p>
Wards	Council-wide
Classification	For Recommendation Approval

Background

1. BCP Council's Financial Regulations currently form Part 5 of The Constitution.

2. Council agreed that the Financial Regulations (the Regulations) will be subject to a business as usual 'annual evolution' so they remain up-to-date and receptive to the rapidly changing internal and external environment in which the council operates. Such 'annual evolution' will normally be approved by Council.
3. As far as is practical the evolution of the Regulations will align to the start of the financial year.
4. Evolutionary changes are show in red text; this method transparently highlights the changes and negates the need for a page turn comparison to find out what has changed. Only the latest evolution is shown in red text, changes from previous year revert to standard black text.
5. The Chief Finance Officer (CFO), is responsible for maintaining and updating the Regulations and the Corporate Schedule of Financial Delegations, which is appendix 1 of the Regulations. The CFO had delegated authority from Council to make in-year amendments and editing changes which may be occasionally necessary, such as in cases of new or revised legislation or UK law or to correct errors, ambiguity or where unintended interpretation matters arise.
6. This annual evolution is formally known as BCP Financial Regulations EVO21.v1, where 21 stands for the financial year and v1 stands for the version agreed by Council. If the CFO makes any delegated amendments as per paragraph 5 above then this will be shown as v2, v3 and so on, as required.

Changes in BCP Financial Regulations EVO21.v1

7. The list below summarises the main changes to Part G Procurement and Contract Procedures.
 - Several minor editing changes have been made to take account of the EU transition period ending. Any mention of specific EU legislation has been replaced by UK legislation. In practice this is just a legislative terminology change, there are currently no changes to requirements
 - Significant numbering, reordering and formatting to more intuitively follow a procurement cycle. This ordering change has been based on feedback from officers
 - Replace text and sentences with more intuitive user-friendly tables
 - Clarification of some roles and responsibilities (shown in tables)
 - Clarification requirements of Procurement Decision Records (PDR's) and waivers
8. There are no material changes in any other sections of the Regulations; some very minor acronym changes are explained in that section.

Options Appraisal

9. The Council could choose to update, refresh, evolve the Financial Regulations on a less frequent basis than annually. There is an inherent and obvious risk with such an approach that the Financial Regulations could become out of date and fail to keep pace with the rapidly changing internal and external environment in which the Council operates.

Summary of financial implications

10. The Financial Regulations provide the governance framework for managing the Council's financial affairs. 'How to' guidance and procedures are in place to compliment the specific requirements of the Regulations.

Summary of legal implications

11. The Financial Regulations are Part 5 of the Council's Constitution and apply to every councillor and officer acting behalf of the Council.
12. The Local Government Act 1972 (Section 151) makes the Chief Finance Officer responsible for the proper administration of the Council's financial affairs. The Regulations are issued pursuant to these responsibilities.

Summary of human resources implications

13. The Financial Regulations apply to every councillor and officer acting behalf of the Council.

Summary of sustainability impact

14. Part G of the Financial Regulations includes requirements for commissioning officers and the Strategic Procurement Team (SPT) to follow to ensure the Council considers environmental sustainability when procuring works, goods and services.
15. A requirement to obtain local supplier quotes (BH, DT and SO postcodes) is included for purchases which are less than £25,000.
16. In the case where open tendering is required (purchases over £25,000), a minimum 10% sustainable evaluation criteria must be included within the quality element of the tender evaluation process (and thus also factored into tender specifications).

Summary of public health implications

17. There are no direct public health implications from this report.

Summary of equality implications

18. There are no direct equality implications from this report.

Summary of risk assessment

19. Lack of compliance and awareness is the most significant and impactful risk in a Financial Regulations context. A continuous and evolving training, supporting and promoting programme exist utilising a range of activities including formal training, one-off bespoke awareness sessions, blogs and staff communications

Background papers

None

Appendices

Appendix A - BCP Financial Regulations EVO21.v1

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PART 5

FINANCIAL REGULATIONS

BOURNEMOUTH, CHRISTCHURCH AND POOLE (BCP) COUNCIL



FINANCIAL REGULATIONS

live from 01-04-2021 (EVO21v1)

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Within these Regulations **Chief Finance Officer (CFO)** means:

- Officer with statutory responsibility for the proper administration of the Council's financial affairs in accordance with S151 of the Local Government Act 1972, i.e. Chief Operating Officer.
- Or those officers authorised to act on his/her behalf. (in accordance with Financial Services Scheme of Delegation)

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PART A STATUS OF FINANCIAL REGULATIONS

PURPOSE

- 1 These Financial Regulations (Regulations) provide the governance framework for managing the Council's financial affairs.

STATUTE

- 2 The Local Government Act 1972 (Section 151) makes the Chief Finance Officer (CFO) responsible for the proper administration of the Council's financial affairs. These Regulations are issued pursuant to these responsibilities and form part of the Council's Constitution (part 5).

SCOPE

- 3 The Regulations set out the Council's requirements in respect of:
 - Financial management roles and responsibilities
 - Financial planning and budgeting
 - Financial monitoring and control
 - Internal control, audit and risk
 - Financial systems and procedures
 - Procurement activity
 - External arrangements
- 4 The Regulations apply to the control of both the General Fund finances (including BCP maintained schools) and the Housing Revenue Account (including any neighbourhood accounts therein). Wholly owned companies of BCP Council will adhere to the Regulations unless exceptions are agreed by their respective Boards. For the avoidance of doubt the Regulations apply to Poole Housing Partnership (PHP) where projects, programmes and resources are charged directly to the BCP Housing Revenue Account (Poole neighbourhood account).
- 5 Appendix 1 to the Regulations comprises the 'Corporate Schedule of Financial Delegations' which sets out the approved financial limits within which officers and councillors may conduct the Council's business. This schedule does not apply to BCP maintained schools who will operate their own schemes of delegation.
- 6 The Regulations are supported by a series of financial procedures and strategies which provide more detailed direction on the arrangements in respect of:
 - Anti-fraud and corruption policy (including money laundering guidance and reporting)
 - Risk management strategy
 - Financial document retention
 - Income collection and local debt recovery systems
 - Asset management including disposals and acquisitions
 - Procurement strategy and code

COMPLIANCE

- 7 These Regulations, and the appendices, apply to every councillor and officer of the Council and to anyone acting on its behalf, including agencies and partnerships with whom the Council does business and for whom the Council is the relevant accounting body.
- 8 All councillors and officers have a general responsibility for taking reasonable action to provide for the security of assets under their control and for ensuring that the use of

these resources is undertaken in accordance with the law, properly authorised, and achieves value for money. In doing so, proper consideration must be given at all times to matters of probity and propriety in managing the assets, income and expenditure of the Council.

- 9 Failure to comply with any part of these Regulations may constitute misconduct and lead to formal disciplinary action.
- 10 The term 'Manager' used throughout the Regulations refers to members of the Council's extended management team including the Chief Executive, Corporate Directors, Service Directors, Heads of Service and Team Managers as appropriate and as they relate to the specific matters set out within these Regulations. For maintained schools the Governing Body is defined as the 'Manager' for the purposes of these Regulations.
- 11 If decisions have been formally delegated to others, such as to The Head Teacher or to individuals as specified in Service Schemes of Delegation, reference to the term 'manager' in these Regulations should be read as referring to them.

MAINTAINING AND UPHOLDING THE REGULATIONS

- 12 The CFO is responsible for:
 - a. Maintaining and updating these Regulations and the Corporate Schedule of Financial Delegations. Minor amendments and editing changes, including in year changes necessary to align with new or revised legislation or UK law, are logged on page 61.
 - b. Ensuring that any revisions affecting the powers of councillors are approved by Council on the recommendation of the Council Leader and in consultation with the Monitoring Officer (MO).
 - c. Reviewing and reissuing the financial procedures as necessary to support the effective operation of these Regulations.
 - d. Reporting, where appropriate, any breaches of these Regulations to councillors on at least an annual basis.
 - e. Reporting to councillors all waivers and exemptions of Regulations, requested by Services and approved by him/her during the course of any financial year which he/she has delegated authority to determine.
 - f. Interpreting and/or arbitrating should any uncertainty or dispute arise pursuant to these Regulations in consultation with the MO.
- 13 The Regulations are subject to an annual 'evolution' which will be approved by Council and will incorporate:
 - a. Minor amendments and editing changes, described at 12a above, into the relevant section of the Regulations.
 - b. Changes of a more fundamental nature, as identified by a proportionate officer working group made up from representatives of Services and Schools.
- 14 For transparency purposes all changes in the annual 'evolution' will be flagged using red text, this will enable both experienced and inexperienced users of the Regulations to clearly identify where changes have occurred year on year. Changes from previous years 'evolution' will be incorporated into standard colour text, only the latest 'evolution' is shown in red text.

PART B FINANCIAL MANAGEMENT ROLES & RESPONSIBILITIES

PRINCIPLES

- 1 A transparent framework of financial management responsibilities and decision making is essential to the effective management of the Council's financial affairs.
- 2 All councillors and officers have a common duty to abide by the highest standards of integrity and propriety when making decisions about the use of public monies.

COUNCILLORS

- 3 Councillors' responsibilities for the overall management of the Council's financial affairs are exercised through:
 - **Council**, which is responsible for approving the Council's Key Policy Framework as defined within the Constitution and for setting the budget.
 - **The Leader and Cabinet – “the Executive”**, which is responsible for recommending the key policy framework and budget to Council; making decisions in respect of the executive functions of the Council in accordance with the Key Policy Framework and Budget approved by Council. Executive decision making can be delegated to a formally constituted committee of the Cabinet, an individual cabinet member, an officer or a joint committee in accordance with the Scheme of Delegation as set out in the Council's Constitution.
 - **The Audit & Governance Committee**, which is responsible for maintaining a continuous review of the Council's regulatory framework, approving the Annual Statement of Accounts for publication, oversight of audit, governance, counter fraud and corruption, risk management and treasury management activity. This Committee's full functions and responsibilities are set out in Appendix 2.
 - **The Standards Committee**, which is responsible for promoting and maintaining high standards of conduct amongst councillors. In particular, it is responsible for advising the Council on the adoption and revision of the Councillors' Code of Conduct, and for monitoring the operation of the Code.

OFFICERS

- 4 Officer responsibilities for the overall management of the Council's financial affairs are variously set out by legislation, the provisions of the Council's Constitution and the Council's Corporate and Service Schemes of Delegation.
- 5 Certain legislation requires the Council to designate particular officers as the 'appropriate officer' for the performance of certain functions. 'Appropriate Officer' functions include the responsibilities of the Head of Paid Service (HPS), the Monitoring Officer (MO) and Chief Finance Officer (CFO) in managing the overall financial affairs of the Council. Formal recognition is also given to the particular responsibilities and functions of the Council's Chief Internal Auditor (CIA) in accordance with best practice advice and guidance. The role of the CIA is set out in CIPFA's 'The Role of The Head of Internal Audit'.

THE HEAD OF PAID SERVICE (HPS)

- 6 The HPS is designated as the Chief Executive and is responsible for the corporate and strategic management of the Council. He/she is responsible for establishing the management style, direction and leadership of the organisation including overall staff management arrangements, monitoring performance and achievement. The HPS is responsible, together with the MO, for the system of record keeping in relation to Councils' decisions.

THE MONITORING OFFICER (MO)

- 7 The MO is responsible for promoting and maintaining high standards of financial conduct and provides support to the Standards Committee. The MO is also specifically responsible for:
- Reporting any actual or potential breaches of the law or maladministration to Council and/or to Cabinet.
 - Ensuring that procedures for recording and reporting key decisions are operating effectively.
 - Ensuring that Cabinet decisions and the reasons for them are made public.
 - Ensuring that all councillors are aware of decisions made by the Cabinet and of those made by cabinet member, officers, or a joint committee which has delegated Cabinet responsibility.
 - Advising all councillors and officers about who has authority to take a particular decision.
 - Maintaining an up-to-date Constitution and reporting any proposed changes to Council for approval.

THE CHIEF FINANCE OFFICER (CFO)

- 8 The CFO has statutory and delegated duties in relation to the financial administration and stewardship of the Council. The statutory responsibilities cannot be overridden and arise from:
- Section 151 of the Local Government Act 1972
 - The Local Government Finance Act 1988
 - The Local Government and Housing Act 1989
 - The Accounts and Audit Regulations 2015 (and as amended)
 - The Local Authorities Goods and Services Act 1970
 - The Local Government Acts 2000 and 2003
 - The Localism Act 2011
- 9 The CFO's responsibilities include:
- The proper administration of the Council's financial affairs including all arrangements concerning financial planning, financial control, accounting, taxation, income, debt management, insurances, investments, banking, bonds, loans, leasing, borrowing, trust and pension funds, and the payment of creditors, salaries, wages and pensions.
 - Determining the contents of Financial Procedures and ensuring compliance with these and Financial Regulations.
 - Preparing the Revenue Budget and reporting to the Council on the robustness of the estimates and the adequacy of reserves.

- d. Preparing the Capital Programme, ensuring effective forward planning and sound financial management in its compilation.
 - e. Ensuring that accurate and timely financial information is available to enable effective budget monitoring and reporting and taking action if overspends or shortfalls in income emerge.
 - f. Reporting to Council if it is likely that any proposed action or decision will lead to unbudgeted or unlawful expenditure or activity.
 - g. Advising on the systems of internal control necessary for sound financial management and decision making, and to ensure that public funds are properly safeguarded and used economically, efficiently, and effectively.
 - h. Maintaining an adequate and effective internal audit function and effective counter theft, fraud and corruption arrangements.
 - i. Preparing the Council's risk management strategy and advising on the management of strategic, financial and operational risks.
 - j. Determining the accounting procedures and records for the Council and ensuring that they are applied consistently.
 - k. Preparing and publishing the Council's annual statement of accounts and governance statement for approval by Audit & Governance Committee in accordance with all applicable codes of practice on local authority accounting.
 - l. Making proper arrangements for the audit of the Council's accounts in accordance with statutory and legislative provisions.
 - m. Preparing and implementing an effective treasury management strategy and effecting all investments and borrowings within the limits imposed by the Council.
 - n. Advising on, monitoring and reporting on performance in relation to Prudential Indicators set by the Council for capital expenditure, external debt and treasury management.
 - o. Ensuring that effective asset management arrangements are in place.
 - p. Advising on the risks and financial implications associated with joint working, external funding and trading opportunities.
- 10 The CFO may allocate his/her day-to-day responsibilities to an appropriate representative in accordance with the Financial Services Scheme of Delegated Authority to Officers and/or the Corporate Schedule of Financial Delegations.

THE CHIEF INTERNAL AUDITOR (CIA)

- 11 The CIA is designated by the CFO as part of his/her Service Scheme of Delegation further to Part 3 (Schedule 1) of the Council's Constitution and plays a key role in providing assurance to the councillors, the CFO, the HPS and corporate Management Team about the probity, practical deployment and effectiveness of financial management at the Council.
- 12 The CIA has rights of access to information and data held by officers or councillors of the Council at all reasonable times and is responsible for the overall co-ordination and deployment of external and internal audit resources at the Council. He/she also has the right to report on any relevant matter of concern to senior management and councillors outside normal line management arrangements should he/she deem this necessary in protecting the interests of the Council and/or local tax payers.

MANAGERS

- 13 Whilst the CFO has overall responsibility for the finances of the Council, managers are responsible for the day-to-day management of their respective Unit's finances. Their responsibilities in relation to financial management include:
- a. Promoting and ensuring compliance with these Regulations and associated Financial Procedures and taking corrective action in the event of any non-compliance.
 - b. Preparing annual Revenue Budget estimates and Capital Programme estimates in accordance with the guidance issued by the CFO.
 - c. Ensuring that the financial implications of all proposals, or any matter which is liable to materially affect the resources of the Council, are agreed with the CFO or his/her nominated representative in advance of any decision making report to councillors.
 - d. Managing service delivery and containing expenditure within the agreed revenue and capital budgets.
 - e. Maintaining sound systems of internal control and implementing agreed internal and external audit recommendations.
 - f. Complying with the Council's counter theft, fraud and corruption policy and reporting suspected fraud and financial irregularities immediately to internal audit for investigation.
 - g. Complying with the Council's risk management strategy and notifying the CFO immediately of significant risks to the Council's financial position.
 - h. Ensuring that all financial transactions are recorded through the main accounting system.
 - i. Assisting cash flow through timely billing of income due and minimising advance payments wherever possible.
 - j. Ensuring that all expenditure incurred complies with the requirements of these Regulations, the procurement code and has the necessary budgetary approval.
 - k. Controlling resources and containing staff numbers within approved establishment and budget levels and ensuring that all employee appointments and payments are properly authorised in compliance with the Council's policies.
 - l. Ensuring that all claims for funds, including grants, are compiled and submitted by the due dates.
 - m. Ensuring the proper security and safe custody of all assets under their control.
 - n. Ensuring that the risks and financial implications associated with joint working, external funding and trading opportunities are properly evaluated, and that no such arrangements are entered into without the prior approval of the CFO.
 - o. Ensuring that financial authorities are operated in accordance with the limits contained within the Corporate Schedule of Financial Delegations (Appendix 1), and that a written record of authorised officers is maintained.

ALL EMPLOYEES

- 14 In addition to the specific responsibilities set out above the Council expects all employees to:
- a. Act in good faith, adopting the highest standards of integrity, propriety and impartiality in accordance with the 'Nolan principles' (7 principles of public life which apply to all people appointed to work in local government).

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office 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.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office 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.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behavior. They should actively promote and robustly support the principles and be willing to challenge poor behavior wherever it occurs.

- b. Exercise due care in relation to all resources, assets, income and expenditure within their care or control.
- c. Ensure that proper records and documentation are maintained of the Council's assets and financial transactions in accordance with advice and requirements of the CFO.
- d. Comply with these Regulations, the associated financial procedures and any additional guidance issued to ensure the effective control of the Council's resources.
- e. Co-operate in audits of the Council's financial systems.
- f. Report any suspected financial irregularities for investigation to the Chief Internal Auditor.

PRINCIPLES

- 1 The purpose of financial planning and budgeting is to set out and communicate the Council's objectives, resource allocations and related performance targets, and to provide an agreed basis for subsequent management control, accountability and reporting.
- 2 Budgets are needed so that the Council can plan, authorise, monitor and control the way money is allocated and spent. The Budget is the financial expression of the Council's ambitions and priorities. The budget process must ensure that resources are:
 - Required in accordance with the law and properly authorised.
 - Used only for the purpose of achieving approved policies, objectives and service priorities.
 - Held securely for use when required.
 - Used appropriately to avoid waste, inefficiency and/or loss.

It is unlawful for the Council to budget for a deficit.

- 3 As such the Budget sets agreed parameters around the annual resource allocations, activities and functions of Services and is constructed within the context of a medium term financial plan (MTFP). The MTFP represents a multi-year forecast (usually 3 or more years) to identify and address those issues which have medium to long term implications for the Council.
- 4 The Capital Programme sets out the resource allocations to be made to capital schemes. Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the organisation, such as land, buildings, and major items of plant, equipment and vehicles.
- 5 To enable councillors to make informed decisions, all Council, Cabinet and Committee reports must incorporate a separate section on 'financial implications'. Reports must show the costs or savings of proposals together with any approved budget provision, future commitments, potential risks, tax implications, and any other financial consequences which may arise from the options and recommendations and must be produced in consultation with the CFO or his/her nominated representative.

COUNCILLORS

- 6 Councillors' responsibilities for financial planning and budgeting are exercised through:
 - **Council**, which is responsible for approving the Council's key policy framework and for setting the Budget. This approval encompasses:
 - All the plans and strategies making up the Policy Framework, including the Council's corporate plan/strategy.
 - The MTFP.
 - The revenue budget (The Budget), proposed by the Cabinet to Council for approval on the advice of the CFO. The Budget will include details of proposals for local taxation levels, contingency funds and use of and levels of all reserves.
 - The capital budget (The Capital Programme).

Council may amend the Budget and the Capital Programme or ask the Cabinet to reconsider it before approving in exceptional circumstances in consultation with the CFO. Any councillor or group of councillors who wish to submit alternative budget proposals must do so no less than 3 clear working days before the Budget setting meeting. The CFO will only support alternative proposals which deliver a balanced budget to be taken forward to the Council for consideration.

- **The Cabinet** is responsible for proposing the key policy framework and budget to Council. Cabinet is also responsible for monitoring performance against revenue and capital budgets and taking executive decisions to deliver priorities, within the Budget and key policy framework agreed by the Council. It is responsible for issuing guidance on the detail of the Budget in consultation with the CFO as soon as possible following the Budget's approval by Council.

REVENUE BUDGET (THE BUDGET)

7 The CFO is responsible for:

- a. Advising the Council on the Cabinet's budget proposals in accordance with his/her responsibilities under S151 of the Local Government Act 1972. (Council may amend the Revenue Budget or ask the Cabinet, in consultation with the CFO, to reconsider it before approving)
- b. Ensuring that an annual Revenue Budget and Council Tax Report are prepared in the context of a medium term financial plan for consideration by Cabinet and approval by Council.
- c. Maintaining a resource allocation process that properly reflects the Council's policy framework, ambitions and priorities.
- d. Advising the Cabinet on the format of the budget and its responsibility for issuing guidance on budget preparation taking due account of:
 - legal requirements
 - medium-term planning prospects and known issues
 - the corporate strategy and Council priorities
 - available resources
 - spending pressures
 - government initiatives and public policy requirements
 - internal policy directives
- e. Advising the Cabinet and Council on a prudent level of reserves and any appropriate contingency provisions.
- f. Undertaking the statutory consultation with NDR payers.
- g. Issuing detailed procedures to managers on the preparation of Revenue Budget estimates.

8 Managers are responsible for:

- a. Preparing annual Revenue Budget estimates in accordance with the guidance issued by Cabinet and the detailed procedures issued by the CFO, ensuring that these are a realistic reflection of agreed priorities, and advising cabinet members on service implications. (see d. above)
- b. Establishing detailed budgets for each service area in advance of the financial year (along with indicative estimates for the two years thereafter) and requiring such budgets to be properly managed by responsible named budget holders.
- c. Integrating financial and budget plans with service planning.
- d. Ensuring that any earmarked reserves held are applied to their intended purposes.
- e. Giving due and proper regard to the asset management concerns of the wider organisation in planning service delivery, consulting in advance with the Corporate

Property Officer (CPO) in any financial planning or budgeting decision to be made relating to the use of Council land and property.

CAPITAL BUDGET (THE CAPITAL PROGRAMME)

9 The CFO is responsible for:

- a. Ensuring that a multi-year rolling Capital Programme (usually 3,4 or 5 years) is prepared for consideration by the Cabinet for recommendation to Council for approval as part of the MTFP and annual budget setting process.
- b. Issuing strategic guidance on capital schemes and controls and defining what will be regarded as capital having proper regard to Government regulations and accounting conventions.
- c. Issuing detailed guidelines which take account of legal, regulatory and code of practice requirements, medium-term planning prospects, affordability and whole life costing.
- d. Ensuring that the revenue implications of the Capital Programme are contained within the Revenue Budget and MTFP.
- e. Ensuring that all schemes relying on the use of prudential borrowing powers are properly appraised and provide value for money.
- f. Reporting to Cabinet on the overall position and the availability of resources to support the Capital Programme.
- g. Issuing detailed procedures to managers on the preparation of capital budget estimates.
- h. Ensuring that sources of funding (general fund, capital grants, self-financing, etc.) are identified for the entire Capital Programme.

10 Managers are responsible for:

- a. Complying with the guidance issued by the CFO regarding capital schemes and controls and in the preparation of the Capital Programme.
- b. Ensuring that all capital schemes put forward for consideration have been properly appraised and that each scheme and estimate includes a project plan, progress targets, and sets out the funding sources including all associated revenue expenditure.
- c. Undertaking a comprehensive annual review of the Capital Programme and consequential revenue expenditure, for inclusion in the MTFP.

FINANCIAL IMPLICATIONS OF DECISIONS

11 The CFO is responsible for:

- a. Issuing guidance in relation to the presentation of financial implications within the Council's decision making processes.
- b. Ensuring the adequacy of the financial implications information presented within individual decision making reports and for appropriate sign-off.

12 Managers are responsible for:

- a. Ensuring that all decision making reports properly set out the financial implications of the proposed actions in accordance with guidance issued by the CFO.
- b. Arranging for all financial implications to be validated and formally signed-off by the CFO, or his/her nominated representative, prior to their progression through the approval process.
- c. Consulting with relevant parties where there may be financial implications for other cabinet members, committees or services.

PRINCIPLES

- 1 To ensure the Council does not exceed its overall budget, Services (and appropriate corporate projects and programmes where relevant) are required to manage their own income and expenditure within the cash limited budgets allocated to them to be spent on agreed service activities and functions.
- 2 Any forecasted revenue overspends or income shortfalls should be mitigated through a compensating underspend or over-achievement of income elsewhere. Any under-spending or over-achievement of income cannot be carried forward from one year to the next without the approval of the CFO and should generally be restricted to specific items of a 'one off' nature where monies will be spent for an identified purpose in the following financial year.
- 3 No expenditure may be incurred on a capital project unless the project has been approved in accordance with the Corporate Schedule of Financial Delegations (Appendix 1) or as part of the annual Council approval of the Capital Programme. Any forecast overspending must be contained within the overall Capital Programme and reported to the approved senior officer Capital Programme Board. Similarly, variations to the approved budgets for capital schemes and re-phasing or slippage between years must be reported to the approved senior officer Capital Programme Board and approved in accordance with the limits set out in the Corporate Schedule of Financial Delegations (Appendix 1).
- 4 The term virement refers to transfers of budgets between or within cost centres. Virement may only be used in the very specific circumstances set out in the Regulations and the Corporate Schedule of Financial Delegations (Appendix 1).

CONTROL OF REVENUE BUDGETS

- 5 The CFO is responsible for:
 - a. Establishing and maintaining a robust framework of budget management and control which ensures that:
 - Budget management is exercised within annual cash limits and the MTFP.
 - Appropriate, accurate and timely information is available to corporate Management Team, managers and budget holders that enable budgets to be monitored and controlled effectively.
 - Revenue expenditure is recorded on the Council's financial systems and is committed only against approved budget headings and associated structure of detailed cost centres.
 - All officers responsible for committing expenditure comply with these Regulations.
 - Each cost centre is allocated to a named budget holder determined by the relevant manager.
 - Significant variances from budget are investigated and reported by budget holders on a regular basis.
 - b. Monitoring and controlling the quantum of income and expenditure against budget allocations overall. He/she must ensure monitoring reports are prepared for corporate Management Team and councillors' consideration on a regular basis

throughout the financial year (to be determined and advised by the CFO) and a report after the year end setting out the revenue outturn.

- c. Ensuring that budget monitoring reports include:
- Sufficient information and explanatory notes to allow cabinet members to fully exercise their duties in respect of the resources for which they have portfolio responsibilities.
 - Explanations of all variations to cost centres which are projected to be in excess of £100,000.
 - Information which summarises the delivery of any savings programmes.
 - Information which summarises available contingencies, balances and reserves.

6 Managers are responsible for:

- Ensuring that effective budgetary control arrangements exist and are observed within their respective Service, or in respect of any projects or programmes for which they are responsible in accordance with these Regulations.
- Ensuring spending remains within the relevant cash limits by controlling income and expenditure, monitoring performance and taking corrective action where variations from budget are forecast.
- Ensuring that expenditure is coded correctly and committed only against approved budget headings.
- Supporting the regular reporting of financial performance, variances, and forecasts within the areas of their responsibility to Cabinet by the CFO.
- Reporting to Cabinet and Council as necessary the financial implications of any new in-year proposal or amendment that will:
 - Create financial commitments in future years;
 - Change existing policies, initiate new policies or result in existing policies ceasing to operate;
 - Materially extend or reduce the Council's services.

CONTROL OF CAPITAL BUDGETS

7 The CFO is responsible for:

- Ensuring that governance arrangements are in place to regularly review progress against the Capital Programme.
- Maintaining a record of the current capital budget and expenditure on the Council's financial systems and ensuring compliance with financial reporting standards.
- Reporting to Cabinet the financial position against the approved Capital Programme.
- Ensuring that governance arrangements are in place, via an approved senior officer Capital Programme Board, to review proposed changes to the Capital Programme before subsequent approval by Cabinet.

8 Managers are responsible for:

- Ensuring that no expenditure is incurred on a capital project prior to its agreed inclusion within the Capital Programme and until a financial report has been approved by Cabinet. Equally, no scheme requiring Government or other body sanction and/or funding either in full or part may begin until the sanction and/or funding has been officially confirmed.
- Support the monitoring and reporting of capital expenditure and receipts against approved capital budgets, on project slippage and variations, and on any changes in projected expenditure.

- c. Reporting to Cabinet if proposed sources of funding are not secured.
- d. Ensuring that adequate records and audit trails are maintained in respect of all capital contracts.

VIREMENT

- 9 The term virement refers to transfers of resources between or within approved cost centres or budget headings and Service/Business Plans for both revenue and capital purposes. A virement does not create any net additional budget. Instead the virement mechanism exists to enable the Cabinet, Managers and their staff to manage their budgets with a degree of flexibility within the overall Policy Framework and Budget set by Council, thereby optimising the use of resources throughout the financial year. The virement schemes for revenue and capital do not exist as a means of remedying poor budgetary control or financial planning for known commitments and service priorities, or otherwise excuse Managers and budget holders from the need to manage their budgets prudently and responsibly. Nor may virements be affected after the year end to retrospectively fund over or under spending unless approved in advance by the CFO.
- 10 The CFO is responsible for:
 - a. Controlling and administering the virement mechanism in accordance with guidance and limits set out in the Corporate Schedule of Financial Delegations, Appendix 1.
 - b. Recording approved virements in the Council's financial systems and reflecting the impact of these in budget monitoring reports to the Cabinet.
- 11 Managers are responsible for:
 - a. Ensuring all proposed virements complies with the limits and approval requirements set out in the Corporate Schedule of Financial Delegations, Appendix 1.
 - b. Notifying all proposed virements in writing to the CFO or his/her representative.
- 12 Council shall approve allocations of resources from approved contingencies and reserves in excess of the approved contingencies and reserves recommended by Cabinet.
- 13 Cabinet shall approve allocations of resources from approved contingencies and reserves.

REVENUE CARRY FORWARDS (VIREMENTS) BETWEEN YEARS

- 14 Medium term financial planning (usually between 3 to 5 years) allows the Council to think beyond the constraints of any given financial year and annual budget and prepare for future events. In doing so it is important to ensure a suitable mechanism to allow for the carry forward of in-year budget under or overspends - in effect a virement of resources between accounting years – as deemed necessary by the CFO for MTFP purposes. The ability to choose to do so can serve to:
 - Empower budget holders to think beyond immediate service needs and plan over longer time frames to achieve significant changes and improvements and make best use of resources.
 - Hold budget holders to account for their budget management performance in so far as budget overspends will not be written down at the end of each financial year but will have to be dealt with on an on-going basis.

- 15 Carry forwards (virements) between years are not 'automatic' and will not be routinely determined. Where they are determined to be necessary by the CFO, in the context of the MTFP, and are subsequently approved by the Cabinet:
- Carry forward (previous year) overspending will constitute a first call on in year service budgets.
 - Carry forward (previous year) underspending must normally be spent in year on one-off proposals/projects usually of an 'invest to save' nature aimed at reducing on-going service pressures in future.
- 16 All internal surpluses arising from in-house trading activities/business units shall be retained for the benefit of the Council subject to any provision to do otherwise set out in the MTFP.
- 17 BCP maintained schools' balances will be treated in accordance with the provisions set out in the agreed LMS Framework.

PART E INTERNAL CONTROL, AUDIT AND RISK MANAGEMENT (including prevention of theft, fraud and corruption)

PRINCIPLES

- 1 Sound systems of internal control are essential to the proper economic, efficient and effective use of resources, the achievement of objectives, and the safeguarding of public funds.
- 2 Audit is a key management tool that councillors and senior officers should rely on to provide an independent and objective assessment of the probity, legality and value for money of Council arrangements.
- 3 Legislation requires that the Council provides for both internal and external audit.

External audit provides an independent assessment of the Council's financial statements and the adequacy of its arrangements for securing value for money.

Internal audit evaluates and reports on the adequacy of the Council's control systems in securing the proper, economic, efficient and effective use of resources.

- 4 There is a basic expectation that councillors and all officers will act with integrity and with due regard to matters of probity and propriety, and comply with all relevant rules, regulations, procedures and codes of conduct, including those in relation to receipt of gifts and hospitality and declaration of conflicts of interest.
- 5 The Council will not tolerate fraud or corruption in the administration of its responsibilities, whether perpetrated by councillors, employees, customers of its services, third party organisations contracting with it, or other agencies or individuals with which it has any business dealings.
- 6 Risk management is an integral part of effective management and planning. It is concerned with identifying and managing key obstacles to the achievement of objectives.

COUNCILLORS

- 7 Councillors' responsibilities for internal control, audit and risk management are exercised through:
 - **Council**, which has formal responsibility for upholding proper practice and the good governance of the Council as a whole.
 - **The Cabinet**, which is responsible for ensuring effective systems of management and financial control are exercised across the organisation.
 - **The Audit & Governance Committee**, which is responsible for keeping under review all aspects of the Council's audit and governance arrangements, risk management framework and internal control environment. A full list of the Audit & Governance Committee's responsibilities can be found at Appendix 2.
- 8 Councillors have a role to support and promote a zero-tolerance culture towards theft, fraud and corruption.

INTERNAL CONTROL

- 9 The CFO is responsible for:
- Advising on effective systems of internal control to ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with statutes, regulations and other relevant statements of best practice.
 - Conducting an annual review of the effectiveness of the system of internal control and publishing the results of this within the Annual Governance Statement (AGS) for inclusion in the Council's Annual Statement of Accounts.
- 10 Managers are responsible for:
- Implementing effective systems of internal control including adequate separation of duties, clear authorisation levels, and appropriate arrangements for supervision and performance monitoring.
 - Complying with the controls set down in these Regulations and any financial procedures.
 - Taking corrective action in respect of any non-compliance by staff with relevant rules, regulations, procedures and codes of conduct.
 - Planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their objectives, standards and targets.

INTERNAL AND EXTERNAL AUDIT (and other inspections)

- 11 The CFO is responsible for:
- Maintaining an adequate and effective internal audit service in accordance with the Accounts and Audit Regulations Act 2015 and further to Section 151 of the Local Government Act 1972.
 - Ensuring that the rights and powers of internal and external auditors and fraud investigators are upheld at all times across the organisation.
 - Ensuring that the statutory requirements for external audit are complied with and that the external auditor is able to effectively scrutinise the Council's records.
 - Ensuring that audit plans and resulting activities are reported to the Audit & Governance Committee.
- 12 The CIA is responsible for:
- Notifying the External Auditors of any matter that they would rightly expect to be informed of in order to support the function of an effective and robust external audit service.
 - Ensuring effective liaison between internal and external audit functions.
 - Overseeing the management, planning, reporting and conduct of all internal audits and counter fraud work.
 - Preparing an Annual report and opinion for councillors' consideration.
- 13 Managers are responsible for:
- Ensuring that auditors (internal and external) have access to all documents and records for the purposes of the audit and are afforded all facilities, co-operation and explanation deemed necessary.

- b. Cooperating in the production of annual audit plans by highlighting any areas of risk that may benefit from audit review.
 - c. Implementing audit recommendations within agreed timescales.
- 14 The Council may be subject to audit, inspection or investigation by external bodies such as HM Revenues & Customs, and various other Inspectors of service at any time, all councillors and officers of the Council will cooperate fully with such inspections as necessary.

PREVENTION OF THEFT, FRAUD AND CORRUPTION (including Bribery)

- 15 The CFO is responsible for:
- a. Developing, maintaining and implementing an Anti-Fraud & Corruption Policy (and in conjunction with Human Resources a Whistleblowing Policy) that stipulates the arrangements to be followed for preventing, detecting, reporting and investigating suspected fraud and irregularity.
 - b. Advising on the controls required for fraud prevention and detection.
 - c. Appointing a Money Laundering Reporting Officer and Deputy to ensure that systems are in place to counter opportunities for money laundering and that appropriate reports are made.
 - d. Ensuring that effective preventative measures are in place to reduce the opportunity for bribery occurring in accordance with statutory requirements of the Bribery Act 2010. *(or as updated)*
- 16 The Chief Internal Auditor (CIA) has the right to:
- a. Determine the nature of any investigation work required in respect of any allegation of wrong doing, and/or any other action required.
 - b. Require any councillor or staff of the Council to provide any information or explanation needed in the course of an investigation subject to the lawful limits set out in relevant legislation.
 - c. Refer investigations to the Police in consultation with the CFO and MO; under normal circumstances the relevant service manager would also be consulted.
 - d. Access all Council premises and property, all data, records, documents, and correspondence relating to any financial matter or any other activity of the Council.
 - e. Refer cases directly to the Police, in consultation with the CFO and MO, if it is believed an internal enquiry would compromise the integrity of the investigation and /or otherwise prejudice the interests of the Council or the general public.
- 17 Managers are responsible for:
- a. Complying with the Council's Anti-Fraud & Corruption Policy.
 - b. Ensuring that there are sound systems of internal control within their respective service areas for fraud prevention and detection.
 - c. Reporting cases of suspected theft, fraud or irregularity to the Chief Internal Auditor immediately for investigation and complying with the Council's Whistleblowing Policy.
 - d. Reporting any vulnerabilities or suspicions of money laundering in accordance with guidance issued by the Money Laundering Reporting Officer.
 - e. Maintaining local staff registers of interest, gifts and hospitality within their service areas.

- 18 All employees are responsible for:
- a. Complying with the Council's Anti-Fraud & Corruption Policy.
 - b. Reporting cases of suspected theft, fraud or irregularity immediately for investigation, if needs be via the Council's Whistleblowing Policy.
 - c. Reporting any vulnerabilities or suspicions of money laundering in accordance with guidance issued by the Money Laundering Reporting Officer.
 - d. Ensuring that they are familiar with the Employee Code of Conduct or Code of Conduct for School Employees and requirements to declare personal interests and record offers of gifts and hospitality.

RISK MANAGEMENT

- 19 The CFO is responsible for preparing the Council's Risk Management Strategy and its promotion throughout the Council and for advising on the management of strategic, financial and operational risks.
- 20 Managers are responsible for:
- a. Implementing the Council's Risk Management Strategy.
 - b. Integrating risk management within business planning and performance management arrangements.
 - c. Mitigating, monitoring and reporting on risks.
 - d. Maintaining and testing business continuity plans.
 - e. Giving due regard to specialist advice in areas such as health and safety, insurance, crime and fire prevention.

PRINCIPLES

- 1 Good systems and procedures are essential to the effective management and administration of the Council's financial affairs. A financial system is defined as any system (computerised or not) and associated procedures used for making and recording the financial transactions of the Council. This includes:
 - **Accounting**-The main accounting system provides the prime source of financial data for management accounts, statutory accounts and government returns. It is essential that this system complies with legislation and proper accounting practice and that all information is recorded accurately, completely and in a timely manner, and that any errors are detected promptly and rectified. Financial information recorded in the main accounting system should require a minimum amount of manipulation in order to create management accounts, returns and budget reports.
 - **Income**-Effective systems are necessary to ensure that all income due is collected, receipted, recorded and banked properly. Where possible income should be collected in advance to improve cash flow and avoid costs of debt collection. All reasonable efforts will be made to collect monies owed to the Council and debts will only be written off once all reasonable actions to pursue the debt have been exhausted or where it would prove uneconomical to pursue. The CFO agreed corporate system must be used unless agreed.
 - **Expenditure on works, goods and services**-Expenditure may only be incurred where budgetary provision is available. Payment should be made through the corporate ordering and invoicing process, using a corporately approved purchasing card, by entering into a formal contract arrangement or through raising a purchase order. Exceptionally a payment requisition may be raised.
 - **Expenditure on salaries, wages, allowances and expenses**-Expenditure may be incurred where budgetary provision is available and where payment is made through the Council's combined human resource and payroll system.
 - **Banking**-All transactions through the Council's bank accounts must be properly processed, recorded and reconciled. Reconciliations must be subject to management review and sign off in a timely manner.
 - **Treasury management, financing and leasing**-Decisions relating to the management of the Council's investments, cash flows, borrowing and leasing must be in accordance with the annual Treasury Management Strategy Statement.
 - **Taxation**-Effective systems must be in place to ensure that all tax liabilities and obligations are properly reported and accounted for and that losses, fines and penalties are avoided. Procedures must be in place to ensure that taxation issues are properly considered during the options appraisal stage of projects.
 - **Asset management**-The Council's assets must be properly recorded, safeguarded from loss/harm and utilised effectively, and any acquisitions/disposals undertaken in accordance with the Corporate Schedule of Financial Delegations, Appendix 1.
 - **Insurance**-Appropriate insurance cover is necessary to indemnify the Council against the possibility of financial costs which may arise from certain unplanned events and claims such as damage to its property, injury to employees or to the public.
 - **Recharges and internal trading accounts**-Where required for financial reporting purposes, back office costs should be allocated to services using a relevant basis of apportionment and in accordance with accounting codes of practice. Where

relevant and strictly necessary, internal charges between services should be accounted for on a timely basis using CFO agreed recharge mechanisms.

ACCOUNTING

2 The CFO is responsible for:

- a. Determining the Council's main accounting (and budgeting) system for the preparation of the Council's accounts and for monitoring all income and expenditure.
- b. Determining any other financial systems which may sit outside of the main accounting system and ensuring that these are sound and properly integrated and interfaced. It is a requirement that the options appraisal for new systems should include ease of integration and interfacing with the main accounting system. Any such interface must require little or no manual intervention.
- c. Issuing guidance on the use and maintenance of the main accounting system and related financial systems and ensuring that supporting records and documents are retained.
- d. Ensuring that regular balance sheet and holding account reconciliations are undertaken.
- e. Preparing the Council's consolidated accounts, balance sheet and Annual Governance Statement (AGS) for audit and publication and issuing guidance (including a detailed timetable and plan) to ensure achievement of the statutory deadline.
- f. Ensuring all relevant staff are trained and competent in the use of the main accounting system and any subsidiary finance systems managed under the CFO's control.
- g. Ensuring there is a documented and tested disaster recovery plan as part of an agreed business resilience strategy for the Council's main accounting system and any subsidiary finance systems.

3 Managers are responsible for:

- a. The financial management of services, cost centres, projects or programmes for which they are responsible, further ensuring that proper accounting and financial systems exist incorporating adequate internal controls to safeguard against waste, loss or fraud.
- b. Ensuring that the main accounting system is used to accurately record financial transactions in accordance with guidance issued by the CFO.
- c. Ensuring an adequate audit trail of financial information and compliance with the Council's policies in respect of the retention of documents.
- d. Ensuring that the use of any service specific financial system (and changes to existing, including upgrades/new versions) has the express approval of the CFO, and is adequately documented, tested and interfaced with the main accounting system and all relevant staff have been properly trained in its use. It is a requirement that the option appraisal for new systems should include ease of integration and interfacing with the main accounting system, and that automatic interfaces that require no manual intervention are required.
- e. Complying with the timetables required by the CFO to enable the production of consolidated accounts, budgets and statutory information.
- f. Ensuring staff are aware of and have access to these Regulations and any supplementary advice and guidance issued by the CFO.
- g. Ensuring there is a documented and tested disaster recovery plan as part of an agreed business resilience strategy for any service specific financial system.

4 The CFO is responsible for:

- a. Providing all necessary corporate systems for the administering of invoicing, credit notes, income collection and debt recovery.
- b. Approving any local Service specific procedures, systems and documentation used where for whatever good reason corporate systems cannot be used.
- c. Ensuring that claims for Government grants and other monies are made properly and promptly.
- d. Ensuring that all monies received are properly receipted and recorded and banked promptly.
- e. Administering the process for writing off irrecoverable debts and monitoring and reporting on write off levels.
- f. Issuing advice and guidance on the detailed procedures to be followed in writing off bad debts from the accounts.
- g. Recommending and implementing the Council's debt management policy in consultation with Management Team for approval by Cabinet.

5 Managers are responsible for:

- a. Using the CFO approved corporate systems for invoicing, income collection and debt recovery.
- b. Administering any local systems for invoicing, income collection and debt recovery as approved by the CFO which must properly segregate duties between staff raising accounts and those responsible for income collection. (where the CFO has agreed that compliance with 5a. is not possible or in the Council's best interest).
- c. Ensuring that fees and charges for the supply of goods and services are reviewed at least annually, consulting with the CFO and cabinet member on the financial effect of the review and obtaining Cabinet approval for any proposal to introduce new charges. (For managers in BCP maintained schools consultation/approval is instead required from the Chair of Governors)
- d. Collecting all income from within the budgets for which they are responsible.
- e. Collecting payment at point of sale wherever possible, to improve cash flow, using the system provided by the CFO.
- f. Timely initiation of 'sales invoices' in respect of all fees and charges due using the system provided by the CFO.
- g. Complying with the Corporate Schedule of Financial Delegations, Appendix 1, when writing off debts, when waiving, suspending or refunding fees, charges or contributions and maintaining appropriate records of those decisions.
Once raised on the accounting system, no bona fide debt can be cancelled except by full payment or by being formally written off in the accounts. Cancellations/Credit notes can only be issued to correct a factual inaccuracy or administrative error in the calculation and/or billing of the original debt and must not be used for any other purpose.
- h. Providing operational data and information to ensure that claims for Government grants and other monies due are made properly and promptly.
- i. Issuing official receipts for all cash and cheque income and maintaining all other documentation for income collection purposes and ensuring controlled stationery is securely stored. (except in BCP maintained schools where the Chair of Governors can agree proportionate arrangements)
- j. Keeping all income received in secure storage prior to banking and ensuring cash holdings do not exceed insurance limits.
- k. Ensuring that cash income is never used to cash personal cheques or used to make any other payments.
- l. Ensuring that where post, likely to contain money, is opened locally at least two staff are present to properly identify, record and safeguard. (It is accepted this may not always be practical, in such cases managers must agree alternative arrangements with the CFO).

- m. Ensuring all income received is paid in fully and promptly in the form in which it was received into an approved Council bank account, income kiosk or cash office, also ensuring all details are properly recorded on paying in slips which are retained for audit purposes.
- n. Reporting immediately, to the Money Laundering Reporting Officer (MLRO) (the Chief Internal Auditor), all instances of attempts by customers to pay for works, goods or services in cash:
 - that are in excess of £5,000 but lower than £10,000;
 - that are suspicious in any way such as, but not limited to, multiple use of high denomination notes, multiple and frequent disaggregation of payment of a higher value outstanding debt;

In such instances the Manager must accept the cash and not make any further enquiries into the matter themselves or share the information with anyone except the MLRO and their respective Service Director. Under no circumstance should the customer handing over the cash be told of the reporting to the MLRO nor should a formal record on any personal file of the reporting to the MLRO be made otherwise a criminal offence may be committed.

- o. Any cash payment in excess of £10,000 must be refused.

EXPENDITURE ON WORKS, GOODS AND SERVICES

6 The CFO is responsible for:

- a. Ensuring that an effective overarching Procurement Strategy is in place (Purpose, Principles and Priorities).
- b. Ensuring that effective Procurement Regulations (Part G) are in place and which are supported by detailed procurement guidance on the ordering, certification and payment for all works, goods and services. (The Procurement Code).
- c. Agreeing any exceptions to the normal procurement process outlined in the Procurement Regulations (Part G).
- d. Providing a corporate purchase to pay system for the electronic ordering, receipt and payment for works, goods and services.
- e. Processing all payments due on receipt of a valid invoice or contract certificate which satisfies VAT regulations, and confirmation that works, goods and services have been received.
- f. Agreeing any exceptions to the requirement to raise purchase orders for all works, goods and services outside of the Council's main purchasing/ordering system.
- g. Agreeing the use and administering the issuing of p-cards and processing of resulting payments.
- h. Agreeing the use of all pre-loaded payment cards.
- i. Approving any payment in advance for goods or services exceeding £25,000 or in excess of 6 months if the amount exceeds £1,000.
- j. Approving any payments in advance for works.

7 Managers incurring expenditure on works, goods and services are responsible for:

- a. Complying with the requirements of the Council's Procurement arrangements set out in Part G of these Regulations.
- b. Ensuring that all purchase orders are raised using the Council's corporate purchasing system ¹ prior to any works, goods and services being received or paid for ². The Council has a "No Purchase Order, No Pay Policy" except for the following circumstances where a purchase orders is not required for:
 - payments made on the basis of a formal stage payment contract
 - payments made on the basis of a formal periodic payment contract (the periodic payment may be fixed or variable in value)
 - statutory or legislative charges, levies or fines (including those for taxation, pension fund)
 - purchases appropriately made through p-card (procurement /payment cards) or pre-loaded card

- continuous charges for utilities supply
 - periodic payments such as rents or rates
 - treasury management payments
 - payments to volunteers
 - expenditure incurred on the Poole neighbourhood Housing Revenue Account (Managed by Poole Housing Partnership) (or where the CFO has agreed that Poole Housing Partnership may incur expenditure on the Council's behalf posting directly to the General Fund)
 - payments made from CFO approved interfaced Council database systems (such as Children's and Adult Social Care systems and Libraries)
 - exceptions agreed with the CFO (for BCP maintained schools the Chair of Governors may agree other circumstances where purchase orders are not required)
- c. Ensuring that no purchase orders are placed without the proper approvals and financial authorities set out in the Corporate Schedule of Financial Delegations (Appendix1).
- d. Receipting all works, goods and services on the corporate purchasing system.
- e. Ensuring the proper completion and authorisation of payment certification vouchers, including confirming that the invoice has not previously been paid.

1 BCP maintained schools may use alternative purchase order systems

2 In exceptional circumstances, to be agreed by the CFO, verbal, email or in person orders may need to be raised retrospectively in the Council's corporate purchasing system using the 'Confirmation order' facility

- f. Ensuring that payments are made only where works, goods and services have been received to the correct price, quantity and quality standards.
- g. Gaining CFO approval for any payments in advance for goods or services exceeding £25,000 or in excess of 6 months if the amount exceeds £1,000.
- h. Gaining CFO approval for any payments in advance for works.
- i. Gaining CFO approval for the use of p-cards and pre-loaded cards.
- j. Ensuring that all p-cards and pre-loaded cards are appropriately controlled, that transactions are reviewed and authorised by the relevant line manager, are for proper business purposes and are supported by receipts which must be stored electronically on the 'receipt imaging' function.
- k. Reporting any lost or stolen p-cards or pre-loaded cards immediately to the Chief Internal Auditor.

EXPENDITURE ON SALARIES, WAGES, ALLOWANCES & EXPENSES (including making 'on-payroll' payments for non-salaries as directed in law by HMRC)

- 8 Council is responsible for determining how officer support for executive and non-executive roles within the Council will be organised. The Head of Paid Services/Chief Executive Officer is responsible for overall staff management arrangements including ensuring that proper systems of evaluation are used in determining remuneration.
- 9 The CFO is responsible for ensuring that the Head of Human Resources (HHR) operates sound arrangements for the payment of salaries, pensions and expenses to officers and councillors.
- 10 The HHR is responsible for:
- a. Providing a corporate payroll system for recording all payroll data and generating payments to employees and councillors, including payment of pensions and expenses.
 - b. Ensuring the corporate payroll system properly and efficiently interfaces with the main accounting system and that any chart of accounts held within the payroll system is kept up to date.
 - c. The proper calculation of all pay and allowances, National Insurance and pension contributions, income tax and other deductions.

- d. Completing all HM Revenues & Customs (HMRC) returns regarding PAYE and providing advice and guidance on employment related taxation.
- e. Maintaining an accurate and up to date record of the Council's establishment.
- f. Agreeing with BCP maintained schools the use of any local payroll arrangements having been adequately assured that the alternative system is well controlled, managed and resulting in the correct payments being made to the correct staff.
- g. Agreeing with managers all circumstances where a wage or salary is to be paid outside of the main HR/payroll system.
- h. Agreeing all 'on payroll' arrangements, required by HMRC, for payments to individuals not directly employed by the Council (e.g. IR35 tax).
- i. Agreeing the use of the corporate payroll system for recording payroll data and generating payments to employees of third-party organisations (and where a fee or charge is applied agreeing this with CFO).

11 Managers incurring expenditure on salaries, wages, allowances and expenses are responsible for:

- a. Controlling resources and containing staff numbers within approved establishment and budget levels.
- b. Ensuring that all employee appointments, including temporary staff, are made in compliance with the Council's policies.
- c. Ensuring that the HR/Payroll system is updated promptly of starters and leavers, and all information relating to employees pay and expenses.
- d. Ensuring that all payments made to employees are properly authorised in compliance with the requirements and financial limits set out in the Council's human resources policies.
- e. Ensuring that any overpayment (error) is recovered. Managers do not have delegated authority to write-off any overpayment.
- f. Ensuring that all expenses claims are reviewed and authorised by the relevant line manager prior to payment. Staff subsistence should never be paid or reimbursed using p-cards or pre-loaded cards, the Council's HR/payroll system must be used to reimburse staff expenses in all such cases.
- g. Ensuring that all persons employed by the Council are paid through the Council's corporate payroll system.
- h. Ensuring that any proposal to engage a person via a contract of service* (rather than a contract of employment) is assessed by the HHR for compliance with relevant legislation to determine if payments need to be 'on payroll' or 'off payroll' via invoice. This includes engagements via Employment Agencies and Single Person Companies or Partnerships.
*Where a Contract of Service is proposed see Appendix 1 section EX9 for required approval route
- i. Managers in BCP maintained schools must have the approval of the HHR if they wish to use their own alternative payroll arrangements.

BANKING (including 'Client Cash Floats' and local Bank Accounts)

12 It is the responsibility of Cabinet to approve the banking arrangements of the Council.

13 The CFO is responsible for:

- a. Managing the Cabinet approved banking contract on a day to day basis.
- b. Managing and operating all the Council's bank accounts and ensuring that all payment methods, whether physical or electronic, have the appropriate authorisations, approvals and signatures.
- c. Ensuring that adequate controls are in place for the control of payment methods (including cheques) covering access, ordering, custody, preparation, signing and despatch as appropriate.
- d. Ensuring regular reconciliations are carried out between all bank accounts and the financial records of the Council.

- e. Approving the operation of any 'client cash floats' for disbursement of cash to clients.
- f. The Council will not operate petty cash accounts and therefore no cash payments will be made to purchase works, goods or services.
- g. Approving the operation of any local bank accounts in Services.

14 Managers are responsible for:

- a. Ensuring that no bank accounts are opened in the name of the Council other than with the express written authority of the CFO.
- b. Reporting to the CFO on the nature and state of any bank accounts for which they are responsible. Reconciliations must be subject to management review and sign off in a timely manner.
- c. The proper administration of any 'client cash floats' or local bank accounts including record keeping, document retention, paying in income, reconciliation and control of cheques including ordering, custody and security, preparation, signing and despatch.
- d. Using 'client cash floats' for client cash disbursements only and ensuring such floats are not used to purchase works, goods or services or to reimburse staff expenses.

TREASURY MANAGEMENT, FINANCING AND LEASING

15 The CFO is responsible for:

- a. Preparing and presenting an annual Treasury Management Strategy to Audit & Governance Committee and/or Cabinet prior to submission to Council for approval.
- b. Implementing, reviewing and reporting on the progress and performance of the strategy and recommending any changes to Audit & Governance Committee on a quarterly basis.
- c. Effecting all investments and arranging borrowings within the limits imposed by the Council and reporting on the funding methods used.
- d. Advising on any proposal for leases, borrowings, credit arrangements, and hire purchase arrangements to Council for approval.
- e. Advising on any proposals to set up or acquire interest in a company, joint company, joint venture or partnership to Council for approval.
- f. Ensuring that the use of any financial derivatives is intra vires and properly risk assessed and monitored.
- g. Ensuring compliance with all applicable laws, regulations and codes of practice relating to treasury management and capital finance including the registration of all Council owned stocks, bonds, mortgages and loans.
- h. Ensuring that cash flow forecasting and monitoring systems are in place.

16 Managers are responsible for:

- a. Assisting cash flow through timely billing of income due, due consideration of contracts payment terms and minimising advance payments wherever possible.
- b. Supporting cash flow forecasting and notifying the treasury team in advance of any high value receipts or payments that may impact on investments and borrowings.
- c. Ensuring no loans or guarantees are given to third parties and that interest in companies, joint ventures or other enterprises are not acquired without the approval of Council and following advice from the CFO.
- d. Ensuring that no leases, borrowings, credit arrangements or hire purchase arrangements are entered into without the approval of Council and following advice from the CFO.

- e. Arranging for all trust funds to be held in the name of the Council wherever possible and ensuring that trust funds operate within the law and the specific requirements for each trust. All officers acting as trustees by virtue of their position with the Council shall deposit securities relating to the trust to the custody of the CFO unless the deeds specifically require otherwise;
- f. Arranging the secure administration of funds held on behalf of third parties and ensuring that the systems and controls for administering such funds are approved by the CFO and subject to regular audit.

TAXATION

17 The CFO is responsible for:

- a. Ensuring that transactions comply with relevant statutory requirements and authorities.
- b. Approving the systems for all PAYE returns to HM Revenues & Customs (HMRC).
- c. Completing a monthly return of VAT inputs and outputs to HMRC, ensuring prompt recovery of sums due, and reconciliation of tax records to the main accounting system.
- d. Making monthly Construction Industry Scheme returns to HMRC.
- e. Managing the Council's partial exemption position.
- f. Preparing and submitting Voluntary Disclosure Notices to HMRC and recovery of any revenues due.
- g. Providing advice and guidance on taxation issues.

18 Managers are responsible for:

- a. Ensuring that the correct VAT liability is attached to all income due and that all VAT recoverable on purchases complies with HMRC regulations.
- b. Seeking advice on the potential tax implication of any new initiatives for the delivery of Council activity and services.
- c. Ensuring that the taxation implications of proposed land and building acquisitions and sales and proposed capital schemes are properly identified and considered at the planning stage.
- d. Ensuring that contractors fulfil the necessary construction industry tax deduction scheme requirements where construction and maintenance works are undertaken.
- e. Ensuring that advice and guidance on taxation issued by the CFO is followed and adhered to by staff in their service, project or programme.
- f. Ensuring that all persons employed by the Council are added to the Council's payroll and tax deductions forms part of payments made to them. (with approved exceptions agreed by the CFO and HHR where individuals concerned are bona fide self-employed or are employed by a recognised agency)

ASSET MANAGEMENT

19 The CFO is responsible for:

- a. Ensuring that asset registers are maintained in the appropriate format for accounting purposes for all fixed assets valued in excess of the limit set out in the Schedule of Financial Delegations to Officers, and that valuations are made in accordance with the local authority accounting code of practice.
- b. Establishing an asset management plan that details short, medium and long term use of assets, and establishes arrangements for monitoring and reporting asset performance.
- c. Ensuring that all asset acquisitions and disposals are properly recorded within asset records by the CPO.
- d. Arranging for all assets to be adequately insured.

- e. Prescribing the records to be maintained for any stocks and stores and for inventories of moveable assets.
- f. Approving the write off of deficiencies in any stocks, stores and inventory items subject to the limits set out in the Schedule of Financial Delegation to Officers.

20 The Corporate Property Officer (CPO) is responsible for:

- a. Maintaining up to date records of all land and buildings, including values and plans, for inclusion in the corporate fixed asset register, and of the Council's housing stock in the format prescribed by the CFO and at least on an annual basis.
- b. Arranging for the regular valuation of assets for accounting purposes to meet the requirements specified by the CFO.
- c. Ensuring that all land and buildings are maintained so as to best protect and safeguard the Council's interests.
- d. Arranging the disposal of surplus assets in compliance with any approved asset management strategy/plan(s) that apply and subject to the necessary approvals.
- e. The acquisition of land and buildings on behalf of the Council in accordance with any asset management strategy/plan(s) that apply, Capital Programme and medium term financial plan, and subject to the necessary approvals.
- f. Notifying the CFO of acquisitions and disposals so that the accounting records can be updated.
- g. Ensuring all rents, charges or fees due in respect of investment land and buildings are raised and all income is collected and accounted for in the Council's accounting systems.
- h. Ensuring all lessees and other prospective occupiers of Council land or buildings are not allowed to occupy the property until a lease or agreement in a form approved by the Monitoring Officer has been completed.
- i. Ensuring all title deeds are passed to Legal Services who act as custodian for all title deeds for Council properties and land.

21 The Head of ICT & Customer Support is responsible for:

- a. Maintaining up to date records of all ICT equipment, including values, for inclusion in the corporate fixed asset register in the format prescribed by the CFO.
- b. Purchasing, maintenance and disposal of all ICT equipment.

22 Managers are responsible for:

- a. Providing the Corporate Property Officer (CPO) with all relevant information and documentation for the purposes of maintaining an up to date and complete fixed asset register.
- b. Ensuring the proper security and safe custody of assets under their day to day operational control and reporting any assets that are lost, stolen or destroyed to the insurance team, facilities management and internal audit as appropriate.
- c. Complying with guidance issued by the CFO on the disposal of assets including selling, gifting, swapping or donating the asset subject to the limits set out in the Schedule of Financial Delegations to Officers.
- d. Ensuring all rents, charges or fees due in respect of operational land and buildings, under their day to day service control, are raised and all income is collected and accounted for in the Council's accounting systems.
- e. Complying with guidance issued by the Head of ICT & Customer Support including the purchase, maintenance and security, maintenance of ICT asset register and disposal of ICT equipment.
- f. Maintaining local inventories of moveable assets (non-ICT) for all items with a purchase price exceeding £1,000 (and for determining a lower £ value if deemed appropriate, such as for desirable items e.g. digital cameras).

- g. Ensuring that stocks, stores and inventory items are held securely and kept to a minimum, proportionate to the needs of the service.
- h. Ensuring that any cash holdings are kept to a minimum, within insurance limits and held securely.
- i. Seeking approval to write off deficiencies in any stocks, stores, or inventory items, subject to the limits set out in the Corporate Schedule of Financial Delegations (Appendix 1).
- j. Ensuring that assets are used only in the course of the Council's business unless specific permission has been given otherwise by a designated officer as shown in the Corporate Schedule of Financial Delegations (AM10).

INSURANCE

- 23 The CFO is responsible for:
 - a. Determining the nature and level of insurance cover to be effected.
 - b. Effecting insurance cover and processing and settlement of all claims.
- 24 Managers are responsible for notifying the CFO promptly of:
 - a. All new risks, properties or vehicles which require to be insured.
 - b. Any alterations affecting insurance arrangements.
 - c. Any loss, damage or claim.
- 25 Managers must not effect any local insurance arrangements without the approval of the CFO.

RECHARGES AND INTERNAL TRADING ACCOUNTS

- 26 The CFO is responsible for:
 - a. Maintaining an appropriate system of internal recharges which ensures that the full cost of each service is identified in accordance with reporting requirements.
 - b. Where relevant and strictly necessary all internal charges and recharges should be processed in a regular and timely basis using relevant bases of apportionment, allocation or recharging mechanisms.
 - c. Advising on the operation of internal trading accounts.
- 27 Managers are responsible for:
 - a. Agreeing the basis of internal charges/recharges in advance of the financial year as part of the budget setting process.
 - b. Maintaining appropriate systems to calculate recharges or justify their apportionment.
 - c. Providing data to enable recharges to be processed on a regular and timely basis and responding in the event of any disputed charges.
 - d. Complying with guidance issued by the CFO in relation to the operation of trading accounts.

PART G PROCUREMENT & CONTRACT PROCEDURES

PRINCIPLES

1. Goods, services, works and concessions must be procured in a way that is lawful, ensure transparency and accountability, represents value for money (VFM) and serves to deter fraud and corruption. All procurement and contractual commitments made by the Council must:
 - a. Comply with all relevant statutory provisions including the Public Contracts Regulations 2015 (PCR15) and the Concession Contracts Regulations 2016 (CCR16) (or as amended).
 - b. Ensure goods, services, works and concessions are procured by the most efficient, transparent processes, by sustainable and ethical means, ensuring accountability, achieving value for money and deriving maximum benefit to support BCP Council's corporate strategies.
 - c. Cover the whole life value, from the initial definition of the business need through to the end of the useful life of the asset or service contract including any licensing upgrades, maintenance, parts, recycling, staffing costs and disposals.
 - d. Offer best value and protect the Council from any loss arising from the failure of a contractor to perform the contract.
 - e. Ensure that the Council pays a fair and proper price (or receives a fair and proper price in the case of concessions).
 - f. Follow procurement guidance which provides further advice and support pursuant to these Regulations (found on Financial Services - Procurement intranet pages).

STANDARDS

2. The following standards must be adopted:
 - a. The Strategic Procurement Team (SPT) must be involved in all procurement processes where the whole life contract value is over £25,000.
 - b. The highest standards of probity and ethical governance are always maintained and adhered to.
 - c. All Officers and Councillors must declare any personal interest or conflict of interest in any procurement or contract, failure to do so could be deemed to be either corrupt practice or maladministration or could not withstand public scrutiny.
 - d. All suppliers are treated equally, and procurement takes place in an open and transparent manner which does not favour unfairly one supplier over another.
 - e. Legal, Finance, IT, Human Resources, Property, Sustainability Team, Insurance and other professional advice appropriate to the individual procurement exercise will be obtained.
 - f. The tender and procurement processes are as accessible as possible to SME/VCSE suppliers.
 - g. For contracts over £25,000, standard tender processes or documentation cannot be changed without the approval of the Head of Strategic Procurement.
 - h. After a tender or quotation has been accepted in writing (via BCP Councils e-tendering system if over £25,000) it must have a written contract and/or proper Council purchase order^❶ completed before goods are supplied, services delivered or works begin.

❶ In accordance with Part F (7)

THRESHOLDS AND PROCESS

3. Pre-Procurement Planning Process over £25,000

The commissioning officer in consultation with the SPT must ensure:

- a. Adequate timescales (including pre-market engagement) are applied depending on the scale and complexity of the requirement, unless where minimum timescales are specified by legislation.
- b. The contract value of all goods, services and works is an aggregation of the whole life value from implementation to contract end, not just annual, including any optional extensions and excluding VAT. No disaggregation or fragmentation of requirements is allowed if the purpose is to circumvent procurement thresholds.
- c. That where the contract is a combination of goods, services and works, the element which has the greatest estimated value will determine the category of supply.

4. Market Research and Pre-Market Engagement over £25,000

The commissioning officer in consultation with the SPT must ensure:

- a. Appropriate early market research or pre-market engagement is undertaken.
- b. Risks and opportunities associated with the potential procurement are reviewed.
- c. The pre-market engagement exercise is not to be treated as a call for competition (unless otherwise agreed by the SPT) and no contract(s) will be awarded.

5. Competition requirements for all low value contracts under £25,000.

Estimated value	£0 to £5,000
Advertising Requirement	None
Responsibility	Commissioning Officer
Requirement	
<ol style="list-style-type: none"> a. Where an appropriate corporate contract exists, it must be usedⓈ. b. Where there is not a corporate contract you must obtain at least one written quote preferably from a local supplier prior to placing order. A local supplier is defined, for this purpose, as operating within the BH, DT and SO postcode regions. c. Ensure verbal quotes are retrospectively followed up by a written quote (by email if preferred) before placing the order. 	
Estimated value	£5,000 to £25,000Ⓢ
Advertising Requirement	None
Responsibility	Commissioning Officer
Requirement	
<ol style="list-style-type: none"> d. Where an appropriate corporate contract exists, it must be usedⓈ. e. Where there is not a corporate contract, obtain three comparative written quotations from suppliers prior to placing order. f. Ensure at least one of these quotes, where possible, must be from a local supplier. A local supplier is defined, for this purpose, as operating within the BH, DT and SO postcode regions. g. For quotes originally estimated to be under £25,000, the Commissioning Officer must ensure that, where the value of a requirement has subsequently been identified as being over £25,000, advice from the SPT must be sought. 	

h. Complete a Procurement Decision Record (PDR) for all contracts let between £5,000 and £25,000 and a copy must be sent to the SPT who will complete an entry on the council's Contract Register.

② Although such contracts are available to them, this is not a requirement for BCP maintained schools.

③ For BCP maintained schools the Department for Education statutory guidance in respect of schemes for financing schools (normally updated annually) requires three quotes to be obtained for all spend to exceed £10,000 in any one year.

6. Advertising and Competition Requirements for all Procurements over £25,000;

Estimated value	£25,000 to PCR15 Thresholds
Advertising Requirement	Various - at the determination of the SPT
Responsibility	SPT
Requirement	
<p>a. Where an appropriate corporate contract exists, it must be used④.</p> <p>b. Where there is not a suitable corporate contract, the SPT is responsible for selecting the most appropriate route to market and tender processes. The SPT will identify if similar contracts are being let, or due to be let, with a view to aggregate requirements and/or modify existing contracts.</p> <p>c. A contract and award notice is placed on the government Contracts Finder system, the Council's e-tendering portal and record the contract award in the Council's Contract Register.</p>	
Estimated value	Above PCR15 Thresholds
Advertising Requirement	Various - at the determination of the SPT
Responsibility	SPT
Requirement	
<p>d. Where an appropriate corporate contract exists, it must be used④.</p> <p>e. Where there is not a corporate contract, the SPT is responsible for selecting the most appropriate route to market and tender processes. The SPT will identify if similar contracts are being let, or due to be let, with a view to aggregate requirements and/or modify existing contracts.</p> <p>f. If a Framework is the selected route, the use of any new Framework must be signed off by the Head of Procurement and access agreements and contracts must be reviewed and agreed. The rules of the Framework must be followed – regarding further competitions or direct award.</p> <p>g. All procurement processes covered by the Light Touch Regime in PCR15 are agreed by the SPT and that only services contracts defined under the regulations can use this process.</p> <p>h. A contract notices is placed on the Find a Tender Service (FTS), government Contracts Finder system and the Council's e-tendering portal.</p> <p>i. An award notice is placed in the Find a Tender Service (FTS), the government Contracts Finder system and record the contract in the Council's Contract Register within 30 days.</p>	

④ Although such contracts are available to them, this is not a requirement for BCP maintained schools.

7. Concessions

The commissioning officer must ensure:

- a. Concession contracts at all threshold levels must be let in conjunction with the SPT.

- b. The SPT will be responsible for the route to market and concession processes below and above CCR16 thresholds.

TENDER REQUIREMENTS OVER £25,000 & CONSIDERATIONS FOR UNDER £25,000

- 8. The commissioning officer in consultation with the SPT is responsible for ensuring:
 - a. A specification is created that describes the Councils requirements in sufficient detail to enable the submission of competitive bids. References are avoided within specifications which have the effect of favouring or eliminating any particular suppliers by specifying a particular material or a specific make.
 - b. Sustainability requirements are considered and built into the specification and the Sustainability Decision Impact Assessment form (available from the Sustainability Team) must be completed on all procurements.
 - c. The requirements of The Public Services (Social Value) Act 2012 are applied to service contracts where appropriate.
 - d. The Council's equality impact assessment (EIA) screening tool is used to determine if a full EIA is required. That every key decision change to policy, service provision or service provider demonstrates that it has considered, understood and reflected on the positive or negative impact it will have in terms of equality and the nine protected characteristics of the Equality Act 2010.
 - e. In accordance with the General Data Protection Regulation (GDPR) 2016 (or as amended), determine if personal data processing activities are relevant to the procurement.
 - f. Ensure that when any employee either of the Council or of a service provider may be affected by any transfer arrangement, the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) are considered, and legal advice is obtained before proceeding with inviting tenders or quotations. Specific documents including costs relating and including pension liabilities are provided to bidders at the time of tender.

9. Evaluation Matrix

The SPT is responsible for ensuring:

- a. That an evaluation matrix is prepared appropriately against quality and price elements.
- b. The evaluation criteria and weightings in the tender reflects the requirements within the specification and are clear and transparent to bidders.
- c. Tenders are to be assessed with a minimum of 10% of the quality score being allocated to sustainability and social value.

10. Payment in Advance

The commissioning officer is responsible for ensuring:

- a. Approval for a payment in advance must be made in accordance with Part F (7)(g) & (h). Examples that may apply, but not limited to, include lease arrangements, ICT software licensing and support agreements, subscriptions, maintenance agreements and works, goods or services received from utility companies.

- b. Requirements of such must be included in the relevant specifications and T&C's and the payment in advance is limited to the actual requirement of the T&C's and no more.
- c. Whilst a contract and agreement may be for longer than 12 months, no payment in advance may exceed 12 months.

11. Contract Conditions – Common to all types of Supply

The commissioning officer is responsible for ensuring:

- a. No goods will be delivered, nor services or works begun without a proper contractual commitment or purchase order being in place.
- b. All contracts must have a clearly defined duration, including extensions where required, provision(s) for termination and must not have a provision to automatically renew.
- c. Industry and/or Council standard contracts/terms/conditions must be used wherever possible as approved by Legal Services.
- d. Where bespoke advice, drafting or modifications of contracts is required, the MO must approve the document prior to tendering or obtaining quotes and in any event before any contract is executed and any terms and conditions must not be held against the best interests of the Council.
- e. No cap on liability or contract terms in relation to insurance can be accepted without the approval of the MO and the Insurance Manager.

12. Contract Conditions – Specific to Goods & Services

The commissioning officer is responsible for ensuring:

- a. Where a contract for the supply of goods and services or the purchase of goods amounts to £150,000 or more in value, a clause be inserted to ensure that should the contractor fail to deliver the goods or services or any portion thereof within the time or times specified in the contract, the Council, without prejudice to any other remedy for breach of contract, reserves the right to either:
 - i. determine the contract either wholly or to the extent of such default, and/or:
 - ii. to purchase other goods, or services or provision of information technology of the same or similar description to make good the default, or in the event of the contract being wholly determined, to procure any additional goods or services required from any other party without any obligation in respect of the original contract.

13. Contract Conditions – Specific to Works

The commissioning officer is responsible for ensuring:

- a. In a contract for the execution of works valued in excess of £150,000, the contract provides for the payment of liquidated/delay damages by the contractor where they have failed to complete the works within the time specified. (Except for 'schedule of rates' contracts or any other contract exception agreed by the MO and CFO).
- b. In a contract for the execution of works valued in excess of £500,000, the contract specifies retention of a proportion of the contract sum until the work has been

satisfactorily completed. (Except for 'schedule of rates' contracts and agree any other exceptions with the MO and CFO).

- c. Every formal contract contains a clause requiring the contractor to permit appropriate and properly authorised and trained representatives of the Council to enter upon a construction site and/or site of operation of the work at any reasonable time and have free and unfettered access to each and every part of the area covered by the contract of work affected thereby.

14. Performance Bonds

The commissioning officer is responsible for ensuring:

- a. In a contract for the execution of works the requirements for any performance bond or guarantee are as follows:
 - i. £0 to £500,000 - consider the requirement, or not, for and value of performance bond or guarantee further to his/her risk assessment.
 - ii. £500,000 up to PCR15 works threshold - consult the CFO and MO to consider the requirement, or not, for and value of performance bond or guarantee further to their joint risk assessment.
 - iii. Over PCR15 works threshold - Bond or guarantee is normally required, the terms to be approved by the MO. The CFO must agree the value or percentage value of the contract of such a bond or guarantee.
- b. The risk assessment considers other ongoing contracts with the same contractor and the aggregate contract values in determining the need for a performance bond or guarantee.
- c. Such bonds or guarantees be taken up by the contractor with an insurance company, bank or other financial institution or body approved by the CFO. (Except for 'schedule of rates' contracts or any other contract exception agreed by the MO and CFO).
- d. Where the works contract has been let via an available Framework Agreement, then any retention or performance bond requirements of that framework agreement must prevail.
- e. No cap on liability or contract terms in relation to insurance can be accepted without the approval of the MO and the Insurance Manager.

APPROVAL TO PROCEED WITH PROCUREMENT OVER £25,000

15. Procurement Decision Record (to Publish) – Gateway One

The SPT is responsible for ensuring that a 'Procurement Decision Record' (PDR) to publish must be completed and signed in consultation with the commissioning officer before advertising (or at the release of tender documents in the case of a Framework Contract further competition stage) for all tenders over £25,000.

TENDER PROCESS AND EVALUATION OVER £25,000

16. E-tendering system

All tender processes over £25,000 are to be undertaken using the Council's e-tendering system unless other than agreed by the Head of Procurement (e.g. for a collaborative procurement where BCP Council is not the lead or a Framework requires otherwise).

17. Tender Process Clarifications

The SPT is responsible for ensuring that clarification questions (direct or public) during the tender period be answered within the set tender timeline and appropriate answers (provided by the commissioning officer) are given via the e-Tendering system only.

18. Evaluation

The SPT is responsible for ensuring:

- a. Compliance and due diligence checks are undertaken before evaluation begins.
- b. Evaluators are provided with the compliant tender(s) and electronic scorecards with instructions for individual evaluation purposes.
- c. A date and time is agreed with the evaluators for the return of all evaluation scores and the evaluators record responses/comments against all criteria and are concise and accurately recorded for audit and transparency purposes.
- d. Evaluation of price and quality is in accordance with the tender and that evaluator scores are based on the question asked against the requirement (specification) and not a predefined opinion or experience.

19. Financial Appraisals

The SPT and Accountancy are responsible for ensuring:

- a. Financial appraisals must be completed for suppliers for contracts in excess of £150,000, using a method agreed by the CFO, before the contract is awarded.
- b. A record showing the results of each financial appraisal check is retained.

APPROVAL TO AWARD OVER £25,000

20. Procurement Decision Record (to Award) – Gateway Two

The SPT is responsible for ensuring that a 'Procurement Decision Record' (PDR) to award is completed and signed in consultation with the commissioning officer once the evaluation has been completed and the successful supplier is identified for all tenders over £25,000.

AWARD PROCESS OVER £25,000

21. Award for all contracts over £25,000

The SPT is responsible for ensuring:

- a. Where a standstill period was applied to the procurement and provided it has ended without challenge, the SPT will issue an award letter to the successful supplier(s).
- b. Where a standstill period was not applied to the procurement, SPT will issue the unsuccessful and successful letter(s).

22. For tenders over the PCR15 threshold

The SPT is responsible for ensuring:

- a. The mandatory standstill period of a minimum of 10 calendar days is followed.
- b. The intention to award standstill letter(s) are issued to the successful and unsuccessful suppliers, giving the reasons for the decision and time to challenge the decision within the standstill period.
- c. No Officer of the council, other than those authorised from the SPT or Legal Services, should be in contact with the suppliers during the standstill period.

CONTRACTS

23. Contracts

The Commissioning Officer is responsible for ensuring:

- a. That Legal Services support the drawing up of the contract documentation to be signed by both BCP Council and the successful supplier.
- b. That where certain contracts must be executed by deed (and sealed accordingly), this is done so in accordance with Appendix 3 or otherwise required by the MO.
- c. A signed acceptance of award is received from the Contractor.
- d. A Purchase Order is raised in accordance with Part F (7)(b)

24. Contract Mobilisation and Implementation

The Commissioning Officer is responsible for engaging with the Contractor after the contract has been awarded to ensure the implementation requirements are delivered, activities identified, timescales are established, and expectations met as set out in the tender.

25. Extensions, End of Contract or Renewal

The Commissioning Officer is responsible for ensuring:

- a. Whether to extend a contract (where allowed for in the contract), terminate or re-tender in advance as required in consultation with the SPT.
- b. A re-procurement is planned well in advance of the end of the contract in consultation with the SPT who will also advise on the timescales required.
- c. When exiting a contract and not conducting a re-procurement, preparation must be made for the end of the contract in advance of the expiry date and, as a minimum, that:
 - i. Any data is transferred from the supplier back to the Council.
 - ii. Suppliers' equipment is returned (if applicable).
 - iii. TUPE implications are considered.
- d. When ending a contract early, the exit process detailed in the contract must be followed and in consultation with the SPT.

26. Modifications & Variations

The SPT is responsible for ensuring:

- a. All proposed contract modifications or variations are made in advance.

- b. No contract modification or variation is permitted without a signed PDR from the SPT so that a contract notice and contract register entry can be issued.

27. Document Retention

The Commissioning Officer and SPT are responsible for ensuring:

- a. Sufficient documentation is kept in accordance with the PDR to Publish and Award.
- b. A copy of the contract (including pricing and specification) must be sent to the SPT for recording on the Contracts Register.
- c. Proportionate records are maintained and retained throughout the life of the contract and retained for a further minimum of 7 years after the contract end date.

EMERGENCIES, WAIVERS AND BREACHES RELATING TO PART G

- 28. If it is not possible to comply with the normal financial regulations relating to procurement activity, service managers can request a 'waiver' from the CFO. Such requests must be submitted to the SPT in advance of the procurement.
- 29. The ability of the CFO to approve waiver requests will be limited at all times by the specific requirements of the relevant legislation.
- 30. The Service Director will inform the Cabinet Member of his/her intention to seek a waiver if the amount of the waiver exceeds £150,000 or if in his/her opinion the granting of any other waiver may warrant Cabinet Member approval.
- 31. Where it is evident that any part of the financial regulations has not been followed then a breach has occurred.
- 32. The CFO will be responsible for producing an annual report on emergency expenditure, breaches and waivers of financial regulations and submit this report to the Audit & Governance Committee for scrutiny and potential follow up action.

EMERGENCIES (serious risk to life or serious and immediate risk of loss or damage)

- 33. This section of the financial regulations is limited to responding to extreme major incidents or unforeseen events such as a natural disaster and does not allow for accelerated procurement due to urgency, in which case the waiver process applies.
- 34. In the case of an extreme emergency where there is immediate danger to the safety of persons or serious risk of immediate loss or damage to the Council's assets or interests, or the interests of another party, the Chief Executive, Corporate Director, CFO, MO or Service Director, may place such emergency contracts/orders as necessary by means that are reasonable under the circumstances.
- 35. The Chief Executive, Corporate Director, CFO, MO or Service Director may delegate another officer of the Council to place such emergency contracts/orders but remains accountable for any resulting expenditure or activity.
- 36. The CFO and appropriate Cabinet Member must be advised of any emergency contract/order within 5 working days.

WAIVERS AND PROCUREMENT DECISION RECORDS (PDR's)

37. Waivers and PDR's over PCR15 thresholds must be obtained in advance of any procurement, in sufficient time for proper consideration by the SPT and CFO. Waivers and PDR's will not be granted retrospectively, and any such requests will be treated seriously and constitute a breach and may result in disciplinary action.
38. Service Directors are responsible for ensuring that a 'Waiver e-Form' or PDR is completed by the appropriate service manager, as guided by the e-Form process before submission to the SPT and CFO. (If e-Form is not available use paper form)
39. The CFO may approve a waiver or PDR in the following procurement circumstances:

Circumstance	Over £5,000 up to £25,000	over £25,000 up to PCR15 thresholds	Over PCR15 thresholds
a. Accelerated procurement (in the case of urgency for example) where the Council would suffer significant negative impact if the full operational or strategic procurement approach is applied	PDR (£5,000 up to £25,000)	Waiver	PDR (Over Threshold)
b. A known number of limited suppliers in the market, prior to commencement of the procurement process (unable to invite or obtain 3 quotes or tenders)	PDR (£5,000 up to £25,000)	Waiver	PDR (Over Threshold)
c. Propose not to use an available Corporate Contract	PDR (£5,000 up to £25,000)	Waiver	Waiver
d. Payments in advance for goods and services exceeding £25,000 or six months (and is also over £1,000) (except where T&C's approved by Legal Services apply)	Waiver (in the case of a six month payment in advance and is also over £1000)	Waiver	Waiver
e. Any payment in advance for works. (except where T&C's approved by Legal Services apply)	Waiver	Waiver	Waiver
f. Where grant funding is either fully or part funding Council expenditure and the supplier is named as a condition of that funding, the conditions of the funding agreement must be recorded on the PDR	PDR (£5,000 up to £25,000)	PDR (Over Threshold)	PDR (Over Threshold)
g. Where the Council has no influence over the supplier and that supplier has a contractual or other statutory or exclusive right to supply such as a utility company	PDR (£5,000 up to £25,000)	PDR (Over Threshold)	PDR (Over Threshold)

these must be recorded on the PDR.			
h. Where the Council has no influence over the supplier and a subscription is to be paid for a particular service, these must be recorded on the PDR.	PDR (£5,000 up to £25,000)	PDR (Over Threshold)	PDR (Over Threshold)

40. Waiver approvals by the CFO are for a time limited period, normally not more than 2 years, in exceptional circumstances the CFO may agree to a period of up to 4 years (subject to PCR15 thresholds).
41. Where a waiver has been granted, by the CFO, it is the responsibility of the service manager to review arrangements before the waiver period elapses to ensure that a subsequent breach does not occur.
42. It is recognised that managers often have to estimate the waiver or PDR value. If final or actual contract values exceed the CFO approved estimated waiver or PDR value:
 - a. By less than 10% and as long as the amount is less than £100,000 then no further action is required.
 - b. By more than 10% and/or if the amount exceeds £100,000, then inform the CFO. (This is to ensure the CFO reporting to Audit & Governance Committee remains accurate)
43. Where a waiver or PDR has been granted, the SPT are responsible for publishing a contract award notice on Contracts Finder and entering the details of the contract onto the Contract Register.

BREACHES

44. Breaches of financial regulations (Part G) are extremely serious matters and will be fully investigated and reported on following referral or discovery. Any breach of these Regulations could lead to disciplinary action being taken against the individual(s) concerned.
45. Service Directors and managers are responsible for reporting all known or discovered breaches of these Regulations to the CFO as soon as they become aware of such instances.
46. Service Directors may be required to supplement the CFO's annual report on waivers, exemptions and breaches to the Audit & Governance Committee with a more detailed report explaining the circumstances of the breach and the remedial action taken or planned by way of remedy.

PART H EXTERNAL ARRANGEMENTS

PRINCIPLES

- 1 All partnerships, shared services and joint working arrangements with outside bodies must be properly evaluated for risk before they are entered into and be supported by clear governance, accounting and audit arrangements.
- 2 External funding can prove an important source of income but funding conditions must be carefully examined and evaluated for risk before any agreement is entered into to ensure they are compatible with the aims and objectives of the Council.
- 3 Legislation enables the Council to trade and/or to provide discretionary services to third parties including the general public, in the main through the establishment of trading companies/other delivery models. All such work must be within the legal framework and the respective risks and financial benefits associated with such work must be properly considered and a proportionate business case approved before any trading activities take place.

PARTNERSHIPS, SHARED SERVICES AND JOINT WORKING

- 4 The CFO is responsible for advising on the financing, accounting and control of partnership, shared service and joint working arrangements including:
 - a. Financial viability in current and future years.
 - b. Risk appraisal and risk management arrangements.
 - c. Resourcing and taxation.
 - d. Audit, security and control requirements.
 - e. Carry forward arrangements (between accounting periods).
- 5 The Monitoring Officer (MO) is responsible for advising on legal and legislative arrangements and for promoting and maintaining the same high standards of conduct in such arrangements as normally apply throughout the Council.
- 6 Managers are responsible for:
 - a. Ensuring that the CFO and MO are involved in the planning for any such arrangements at an early stage.
 - b. Ensuring that any such arrangements do not impact adversely upon Council services, that risk assessments have been carried out and that appropriate approvals have been obtained before entering into any agreements.
 - c. Ensuring that agreements and arrangements are properly documented.
 - d. Maintaining local registers of partnerships entered into.
 - e. Providing appropriate information to the CFO to enable relevant entries to be made in the Council's accounts.
 - f. Ensuring that appropriate mechanisms are in place to monitor and report on performance.
 - g. Consulting with the Corporate Property Officer (the Chief Executive) and CFO if there is any proposal to utilise Council land or buildings in pursuit of a partnership, shared service or joint working initiative.

EXTERNAL FUNDING

- 7 The CFO is responsible for:
- Approving bids for external funding that may be put forward by councillors or managers prior to submission of any bid.
 - Ensuring that any match funding or part funding requirements are considered prior to entering into any agreement, that future Revenue Budgets reflect these requirements, and that any longer term sustainability costs have been properly assessed.
 - Approving bids where delegated to do so in line with the requirements of the Corporate Scheme of Financial Delegations (Appendix 1).
 - Ensuring that all external funding is received and properly recorded in the Council's accounts and in the name of the Council.
 - Maintaining a central register of external funding/grant arrangements.
 - Ensuring that all audit requirements are met.
- 8 Managers are responsible for ensuring that:
- The CFO is involved in preparing for, and approving, any bid for external funding prior to submission of such bids. (This includes joint bids where the Council is not lead body)
 - The sustainability of funding is assessed for risk; all agreements entered into are consistent with and support the Council's service priorities.
 - The necessary approvals are obtained to accept funding in line with the requirements of the Corporate Scheme of Financial Delegations (Appendix 1).
 - All claims for funds are made by the due date.
 - Work is progressed in accordance with the agreed project plan and all expenditure is properly incurred and recorded.

TRADING (including providing discretionary services to third parties and the public)

- 9 The MO is responsible for providing or obtaining all necessary legal advice to ensure that all such proposals are undertaken within the legal framework.
- 10 The CFO is responsible for:
- Issuing guidance on the assessment of trading opportunities and options.
 - Advising on and approving the financial implications of any proposed trading arrangements between the Council and third parties.
 - Advising on the establishment and operation of trading accounts to ensure that the accounting and control processes comply with Council and statutory requirements and that the results of trading operations are properly recorded and reported.
 - Ensuring appropriate insurance arrangements are in place.
- 11 Managers are responsible for:
- Identifying trading opportunities and evaluating the respective risks and financial benefits in accordance with the guidance issued by the CFO.
 - Obtaining all necessary legal advice to ensure the terms and conditions of all trading contracts are reasonable and are proportionately documented.
 - Obtaining business case approval, in line with the requirements of the Corporate Scheme of Financial Delegations (Appendix 1), before any negotiations are concluded to trade or work for third parties.
 - Maintaining a local register of all trading contracts entered into.
 - Collecting all contractual income due and ensuring the Council is not put at risk from any bad debts.

- f. Ensuring that no contract will be subsidised by the Council providing financial assistance either directly or indirectly.
- g. Ensuring that such contracts do not impact adversely impact upon services provided by the Council.
- h. Ensuring that the service has the appropriate expertise to undertake the contract.
- i. Complying with guidance issued by the CFO in relation to the operation of trading accounts and the proper recording and reporting of trading results.

Glossary of Common Terms

Budget	A plan expressed in financial terms that is an estimate of the resource required to deliver the services/priorities of the Council
Budget Heads	A main area of revenue or capital spend as defined by the Budget and/or Capital Programme
Business Plan	A plan defined for the purposes of service planning and reporting at the Council as specified by the Chief Executive
Cost centre	A budgeting level which usually reflects a whole service area, or main sub-category of a service. It encompasses a number of standard 'subjective' coding areas such as those used for staffing related costs, supplies & services, income etc.
Capital	The organisation's total assets less its liabilities
Capital expenditure	Expenditure to acquire fixed assets that will be of use for more than the year in which they are acquired and which adds to the Council's tangible assets rather than simply maintaining existing ones
Intra Vires	Acting within the statutory powers of the organisation
Joint Venture	Collaboration between two or more economically independent organisations (in practice one of which will be from the private sector) to achieve a joint aim, either contractually (gain/share) or through setting up a separate jointly owned entity
Outsourcing	The entering into of a contract with a provider (private sector, social enterprise/third sector, mutual or joint venture) to deliver services
Corporate purchase to pay system	An end to end system for managing Purchase Orders, receipts and invoices
p-cards	A term to describe all forms of 'purchasing/payment cards' including credit cards, debit card, store cards (excludes pre-loaded card)
Revenue	Income or expenditure, arising from or spent on, day to day activities and short-lived commodities or consumables
Service plan	A plan setting out priorities and service ambitions
A service specific financial system	Any system that supplements, integrates or interfaces with the main accounting system – examples (but not limited to) HR system, social care records system, asset management systems
Shared Service	A voluntary collaboration between public sector bodies to deliver services/provide facilities
Ultra Vires	Acting beyond the statutory powers of the organisation
Value for Money (VFM)	The simple National Audit Office definition is 'Optimal use of resources to achieve intended outcomes and purpose'. The more complex Audit Commission definition is 'obtaining maximum benefit over time with the resources available, achieving the right local balance between economy, efficiency and effectiveness, or spending less, spending well and spending wisely to achieve local priorities. VFM is high when there is optimum balance between all three elements, when costs are relatively and comparatively low, productivity is high and successful outcomes have been achieved'.

Acronyms

AGS	Annual Governance Statement
CCR16	Concession Contracts Regulations 2016
CFO	The Chief Finance Officer
CIA	The Chief Internal Auditor
CPO	Corporate Property Officer (the Chief Executive Officer)
CPV (code)	Common Procurement Vocabulary Code
CPQ	Construction Pre-qualification Questionnaire
FTS	Find a Tender Service (Replacement to OJEU as of 23:00 on 31.12.2020)
FMS	The budgeting and <u>financial management system</u> used at the Council (FUSION)
HHR	Head of Human Resources
HMRC	Her Majesty's Revenue and Customs
HPS	The Head of Paid Service (designated as the Chief Executive)
ICE	Institution of Civil Engineers
ITQ	Invitation to quote
ITT	Invitation to tender
LEA	Local Education Authority
LMS	Local Management for Schools Scheme
MO	The Monitoring Officer
MLRO	The Money Laundering Reporting Officer (the Chief Internal Auditor)
MTFP	Medium Term Financial Plan
NI(C)	National Insurance (contributions)
OJEU	Official Journal of the European Union – Replaced by UK e-Notification Service (Find a Tender Service - FTS) as of 23:00 on 31.12.2020
PAYE	Pay as you earn
PCR15	Public Contracts Regulations 2015
PCN	Penalty Charge Notice
SOPPs	Accounting <u>Standards of Professional Practice</u> (Code of Practice on Local Authority Accounting:)
SORP	Statement of Recommended Practice
SQ	Selection Questionnaire
TMS	Treasury Management Strategy
SeRCOP	Service (expenditure)Reporting Code of Practice
SPT	Strategic Procurement Team
VFM	Value for Money
VAT	Value Added Tax

CORPORATE SCHEDULE OF FINANCIAL DELEGATIONS

INTRODUCTION

- 1 The Corporate Schedule of Financial Delegations sets out the powers and duties delegated to various senior officers in the Council. Senior officers may appoint appropriate 'authorised officers' to act on their behalf (see 3 below), these delegations must be recorded in local Service Schemes of Delegation. (This schedule (appendix 1) does not apply to BCP maintained schools who will operate their own schemes of delegation).
- 2 This Corporate Schedule also sets out the approved financial limits within which senior officers may conduct the Council's business. Changes to the limits/values contained within this Corporate Schedule may only be made with the approval of the Chief Executive Officer. Additionally, any changes to councillor's approval levels also require the approval of Council.
- 3 For those items marked * (asterisk) the relevant senior officer has discretion to appoint appropriate authorised officers to act on his/her behalf. In all cases the relevant senior officer remains accountable for the effective operation of the financial thresholds and authorities and must:
 - Maintain a local written record of delegations to authorised officers and post this on the Council's intranet pages.
 - Provide the MO/CFO with the local written record of delegations to authorised officers at any time they require it (if not transparently posted on the intranet).
 - Ensure that an appropriate segregation of duties is in operation, for example between ordering and paying for goods, between claiming and approving expenses.
 - Ensure compliance (from those authorised officers) with the financial limits in this Schedule and any within the Financial Regulations (e.g. limits relating to waivers, extensions and variations) and HR Policies (e.g. limits relating to overtime, allowances, honoraria and expenses).

Note – If an individual has a formal 'Power to Deputise' delegation via a properly job evaluated Job Description then this Corporate Schedule of Financial Delegations can be read as apply to them (i.e. without formal delegation recording requirements as per 3 above).

- 4 This Corporate Schedule is not a standalone document and should be read in conjunction with the relevant section of the Council's Financial Regulations and Constitution which is shown in brackets at the top of each section within this Corporate Schedule. The 'Approver' is responsible for obtaining all appropriate advice from support services such as Human Resources (HR), Legal, Finance, ICT, Property services before making decisions to approve.
- 5 Legacy Councils in this schedule mean Bournemouth Borough Council, Christchurch Borough Council and Borough of Poole (but not Dorset County Council (DCC)).
- 6 The term cabinet member, in the approver column, means the appropriate or relevant cabinet member pertaining to the decision (not any available cabinet member). Alternatively, the Leader may determine who the appropriate or relevant cabinet member is.

FINANCIAL MONITORING AND CONTROL (FINANCIAL REGULATIONS – PART D)

REF	DESCRIPTION	LIMIT / VALUE / THRESHOLD	APPROVER
Revenue Virement (RV) - the term 'either individually or in aggregate for the financial year' is being used to prevent disaggregation or fragmentation of virement to circumvent the required approvals			
RV1	To approve any virement (either individually or in aggregate for the financial year).	Over £1M	Council (after advice from the CFO)
RV2	To approve any virement (either individually or in aggregate for the financial year).	Over £500k and up to £1M	Cabinet / cabinet member (after advice from the CFO)
RV3	To approve virement <u>within or between</u> Service/Business Plans and/or projects/programmes in their portfolio areas (either individually or in aggregate for the financial year).	Over £100k and up to £500k	Corporate Director (after advice from the CFO*)
RV4	To approve virement within their Service/Business Plans and/or within or between projects/programmes for which they are responsible (either individually or in aggregate for the financial year).	Up to £100k	Service Director* (after advice from the CFO*)
RV5	To approve virement from within existing Service/Business Plans or between Service/Business Plans, projects or programmes within their areas of responsibility into new or otherwise unplanned functions and activities if savings are available to be re-directed into the new activity.	Up to £100k	Service Director* (after advice from the CFO*)
RV6	To approve the correction of errors to initial budget load or approved virement within the main Financial System	Unlimited	CFO*
Revenue virement is only permissible in the following circumstances: <ul style="list-style-type: none"> to reflect a reorganisation/restructure to reflect a change in corporate priorities the receipt of additional grant or other funding (and the associated expenditure) the distribution or redistribution of centrally held budgets the correction of errors to initial budget load 			The following virement are generally not permitted <ul style="list-style-type: none"> virement between capital and revenue virement between controllable and non-controllable (recharges and capital financing) codes

FINANCIAL MONITORING AND CONTROL (FINANCIAL REGULATIONS – PART D)

REF	DESCRIPTION	LIMIT / VALUE / THRESHOLD	APPROVER
<u>Capital Virement (CV)</u>			
CV1	To approve virement between individually approved schemes	Over £1M	Council (via Budget Monitoring Report after advice from the CFO)
		Over £500k and up to £1M	Cabinet / cabinet member (after advice from the CFO)
		Over £100k and up to £500k	Corporate Director (after advice from the CFO*)
		Up to £100k	Service Director * (after advice from the CFO*)
CV2	To approve re-phasing between years of individually approved schemes.	Any value	Service Director * (after advice from the CFO*)
CV3	To approve the correction of errors to initial budget load or approved virement within the main Financial System.	Any value	CFO*
<u>The Capital Programme (CP) (approving new schemes in-year and approving changes to external funding in-year)</u>			
CP1	To approve a new project, programme or scheme that <u>is not</u> in the Capital Programme (as approved as part of the annual budget setting process) and where a new external capital grant(s) is awarded to cover the costs of the project, programme or scheme, or it is proposed to transfer a scheme from one Council Fund to another (e.g. General Fund to HRA)	As per CV1 above	As per CV1 above
CP2	To approve a new project, programme or scheme that <u>is not</u> in the Capital Programme (as approved as part of the annual budget setting process) and CP1 does not apply – so new borrowing or other new external funding sources is required to cover the costs of the project, programme or scheme.	As per CV1 above	As per CV1 above
CP3	To approve a project, programme or scheme if the external funding or borrowing sources are different from the external funding or borrowing sources agreed at the original approval point. (e.g. prudential borrowing approved but borrowing required is now greater/less)	As per CV1 above	As per CV1 above

FINANCIAL SYSTEMS AND PROCEDURES (FINANCIAL REGULATIONS – PART F)

INCOME

REF	DESCRIPTION	LIMIT / VALUE / THRESHOLD	APPROVER
INC1	<p>Sundry debt write-offs (not cancellation) (where these sundry debts have been raised on the Sundry Debtors System(s) the Service Director * is responsible for ensuring the write off, after approval, is passed to The Head of Revenues and Benefits * for processing)</p> <p>(Sundry debt 'cancellation' can only occur in circumstances where the original debt was raised in error, in all other circumstances this write-off procedure applies)</p>	Up to £1k	Service Director *
		£1k to £25k	Service Director
		£25k to £100k	Corporate Director in consultation with CFO and cabinet member
		Over £100k	Head of Paid Service in consultation with the CFO and Leader
INC2	Council tax, NDR, write offs and housing benefits overpayment recovery	Up to £1k	The Head of Revenues & Benefits*
		Over £1k and up to £10k	The Head of Revenues & Benefits
		Over £10k	CFO
INC3	Council Housing tenant rent arrears write offs (including former tenants)	Up to £1k	Service Director (for Housing) *
		Over £1k and up to £5k	Service Director (for Housing)
		Over £5k	Service Director, CFO and MO
INC4	Fees & charges	Increase/decrease of existing	Service Director in consultation with cabinet member & CFO
		Any waiving, suspending or refunding of existing	Service Director
		Agreeing any new	Cabinet (and Council if over £1M annual value)
INC5	Any means tested or assessed financial contributions	Waiving, suspending or refunding up to £1k (aggregate not individual)	Service Director *
		Waiving, suspending or refunding over £1k (aggregate not individual)	Service Director in consultation with CFO *
INC6	Penalty Charge Notices (PCN) write offs	Unlimited	Service Director (responsible for Parking Services) *

EXPENDITURE (all approvals assume the availability of an approved budget/allocation, except EX7)			
REF	DESCRIPTION	CATEGORY	APPROVER
EX1	<p>Approving capital scheme details prior to the placement of any initial order/contract to start on site or commit to purchase a service.</p> <p>Such approval shall reference back to the 'three categories' of approvals agreed in the 'Annual Approval of The Capital Programme Report' or other such report where Council agreed The Capital Programme.</p> <p>The three categories of approval are Unconditional, Conditional, Requires subsequent Cabinet approval - in most cases the agreed Capital Programme is only a broad allocation of funding and not approval to proceed (unless the 'unconditional' category was approved by Council.</p>	Unconditional	Service Director *
		Conditional	Service Director and CFO to agree conditions have been met
		Requires subsequent approval	Cabinet / cabinet member
REF	DESCRIPTION	LIMIT / VALUE / THRESHOLD	APPROVER
EX2	Approving placement of orders (any commitments including contract award letters) with suppliers/contractors for goods and services	Any value	Service Director *
EX3	Receiving and receipting goods, services and works	Any value	Service Director *
EX4	Approving payment of invoices or contract stage payments (where the corporate purchasing system has not been used)	Any value	Service Director *
EX5	<p>Approving expenditure on P- Cards+ Individual transaction limit</p> <p> Monthly transaction limit</p> <p> Variations to transaction limits above (individual or monthly)</p>	Up to £1000	Service Director *
		Up to £5000	Service Director *
		Any variation	CFO *
EX6	Approving individual client cash floats (exceptional use) (client cash floats should not be confused with petty cash which have been abolished)	Up to £500	Service Director *
		Over £500	Service Director and CFO *
EX7	<p>Approving 'Emergency expenditure' – incurring such expenditure by any means that is reasonable in the circumstances</p> <p>(in response to a major civil emergency, disaster or similar such event)</p>	Any value	<p>Any one of the following in rank order</p> <p>BCP Gold Commander, Chief Executive, any Corporate Director, CFO, MO</p>
EX8	Approving all expenditure on salaries, wages, allowances and expenses, for establishment posts, in compliance with the Council's HR policies	Any value	Service Director*
<p>+ the term p-card means purchasing card, payment card, credit card or whatever card type BCP Council chooses to use.</p> <p>EX5 does not apply to pre-loaded cards which must be approved by the CFO</p>			

REF	DESCRIPTION	LIMIT / VALUE / THRESHOLD	APPROVER
EX9	<p>Appointment of Interim Staffing (contract of employment or contract for service)</p> <p>Individuals used to fill any temporary new post and existing posts, where there is a need to pay above the job evaluated rate, in circumstances where for whatever reason it is not possible and/or desirable to make a permanent appointment into the post. Such posts will generally be senior managerial or of a specialist professional nature, but where the post-holder is appointed on a temporary basis. The focus is on the individual and their specialist skills and knowledge. Interims may be considered appropriate at a time when the service or team concerned or the wider Council is in a phase of rapid transition or when there are specific legislative or national drivers for change which need to be implemented in a defined time period. Interims may be employed directly by the Council on a fixed-term contract (including by way of the Professional Register) or via a procurement process, either as an employee, if retained through the Professional Register, or as an agency worker, or on a self-employed basis under a contract for services. In the latter case, payment is normally negotiated on a day rate as opposed to an hourly rate and must be approved by the HHR.</p> <p>Business case must include identification of previously agreed budget source</p>	Up to £25k	Service Director * Additional approval of HHR if contract for service is preferred over a contract of employment to ensure IR35 tax compliance
		Over £25k and up to £100k	Service Director to complete a business case for approval by Corporate Director Additional approval of HHR if contract for service is preferred over a contract of employment to ensure IR35 tax compliance
		Over £100k (or if the day rate is greater than £750 per day)	Corporate Director complete a business case for approval by the Chief Executive Additional approval of HHR if contract for service is preferred over a contract of employment to ensure IR35 tax compliance
EX10	<p>Appointment of a Consultant (contract for service)</p> <p>Individuals or organisations used to provide objective advice and assistance of a specialist nature, where existing Council employees do not have the necessary relevant expertise or where in-house capacity is insufficient. Such arrangements may relate to the strategy, structure, management, or operations of the Council, or specific professional input to a project in pursuit of the Council's purposes and objectives (typically, there will be no corresponding Council post on the authorised staffing establishment). Consultancy assistance is provided outside the Council's established staffing structure and "business as usual" environment when in-house skills are not available. As a result, the use of consultants will be for a defined (and preferably short-term) period and to achieve specific outcomes.</p> <p>Business case must include identification of previously agreed budget source</p>	Up to £25k	Service Director *
		Over £25k and Up to £100k	Service Director to complete a business case for approval by Corporate Director
		Over £100k (or if the day rate is greater than £750 per day)	Corporate Director complete a business case for approval by the Chief Executive
EX11	Approving where a 'Contract for Service' is to be offered to a bona fide self-employed individual who has held employment with the Council (or legacy Councils) in the last 3 years.	Any value	Chief Executive (with advice from CFO and HHR)

EX12	Approving where a permanent or fixed term (exceeding 18 months) 'Contract of Employment' is to be offered to any individual made redundant (compulsory or voluntary) within the last 12 months from any role within the Council (or legacy Councils)	Any Value	Corporate Director (after advice from CFO and HHR)
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TREASURY MANAGEMENT, FINANCING & LEASING

REF	DESCRIPTION	LIMIT / VALUE / THRESHOLD	APPROVER
TM1	Placing of treasury investments and all approvals to borrow	In line with Treasury Management Strategy (TMS) and appended policies and within any operational lower limits	CFO* as authorised to transact in accordance with TMS. Any variation from TMS requires Council sign off.
TM2	Approving all leases, credit arrangements or hire purchase arrangements	All such arrangements	CFO* to determine approval route specific to the individual circumstance
TM3	Approving any funds (and the system of administration) to be held on behalf of third parties.	All such arrangements	Service Director* and CFO*

ASSET MANAGEMENT

REF	DESCRIPTION	LIMIT / VALUE / THRESHOLD	APPROVER
AM1	Writing off deficiencies in stocks, stores & inventories (limits/value/threshold is 'book' value/accounting value not estimated sales value)	Up to £1,000	Service Director *
		£1k to £50k	Service Director * and CFO
		Over £50k	Cabinet / cabinet member (after advice from CFO)
AM2	Acquisition of freehold & leasehold land & buildings. The acquisition of a freehold, leasehold, or any other interest in land or buildings subject to the purchase being no more than market value unless 'Special Purchaser' assumptions can be made.	Up to £350k (capital value)	Corporate Property Officer *
		£350k to £500k (capital value)	Cabinet / cabinet member
		Over £500k (capital value)	Council
AM3	Acquisition of freehold & leasehold land & buildings at more than market value and 'Special Purchaser' assumptions cannot be made.	Any value	Council
AM4	Disposal of freehold & leasehold land & buildings. Disposal by way of a sale, lease, licence, wayleave, easement, deed of variation, renewal, surrender, modification of covenant, or other disposal of an interest in land or buildings using any method that achieves best consideration.	Up to £350k (capital value)	Corporate Property Officer *
		£350k to £500k (capital value)	Cabinet / cabinet member
		Over £500k (capital value)	Council

AM5	Agreeing disposals of any land or building asset not to the highest bidder or where there is a difference between the estimated open market value (or best consideration) and the actual sales price. (Seek legal advice if land is open space).	Up to £350k (capital value)	Corporate Property Officer in consultation with the CFO
		£350k to £500k (capital value)	Cabinet / cabinet member
		Over £500k (capital value)	Council
AM6	Value for including items in fixed assets register	Over £10k	Service Director *
AM7	Disposal of surplus or obsolete plant and machinery or other non-land or buildings asset (and excluding ICT equipment) ** (limits/value/threshold is 'book' value/accounting value not estimated sales value)	Any disposal not to the highest bidder (or gifted at nil value)	Service Director* and CFO*
		Any disposal £0k to £100k to the highest bidder	Service Director* and CFO*
		Any disposal £100k to £500k to the highest bidder	Corporate Director* and CFO*
		Any disposal over £500k	Cabinet / cabinet member and CFO
AM8	Any acquisition of ICT equipment and ICT services	All acquisitions	By ICT services or with the approval of the Head of ICT *
AM9	Any disposal of ICT equipment including donations to schools or charities **	Any or nil value, no exceptions	All disposals through ICT Services
AM10	Approving the use of Council assets outside of normal Council business activity and after obtaining MO* and insurance advice from the CFO*	Any land or buildings	Corporate Property Officer *
		Non land or buildings (and excluding ICT equipment)	Service Director *
		ICT equipment	Head of ICT *

**Also refer to the Council's Corporate Disposals Policy

EXTERNAL ARRANGEMENTS (FINANCIAL REGULATIONS – PART H)

REF	DESCRIPTION	LIMIT / VALUE / THRESHOLD	APPROVER (after obtaining advice from the CFO, MO and HHR)
EA1	Entering the Council into partnership, shared service or joint working arrangements (including Memoranda of Understanding)	Any (including where a direct financial contribution is not obvious)	In accordance with the Council's Constitution Part 2, Article 12 - Decision making, Section 3 - Types of decisions).
EA2	External trading contracts, arrangements or concepts – business case approval, (providing discretionary services to a third party, including the public, in exchange for a fee)	Any contract up to £100,000	Service Director *
		New contracts between £100,000 and £0.5M	Corporate Director
		Incremental contracts between £100,000 and £0.5M	Service Director
		All Contracts over £0.5M	Cabinet / cabinet member
EA3	Submitting any bid for external funding (including joint bids where the Council is not lead body)	Any value	Service Director * with the agreement of the CFO *
EA4	Accepting external funding (BCP aggregate total including any 'match-funding' element and partner(s) share(s) if BCP is lead body or 'host')	Up to £100,000	Service Director * and CFO *
		Between £100,000 and £1.0M	Cabinet / cabinet member (with advice from the CFO)
		Over £1.0M	Council (with advice from the CFO)

For the purposes of EA2 above the following definitions apply:

- New (trading) contracts = the contract, arrangement/concept has not previously been traded
- Incremental (trading) contracts = the contract, arrangement/concept has already been approved applying the approval thresholds above, subsequent incremental trading growth through a series of additional contracts

OTHER DELEGATIONS - BUSINESS RATE RELIEF

REF	DESCRIPTION	APPROVER
BR1	To implement Central Government fully funded business rate relief schemes where implementation requires the Council to use its discretionary powers under either Section 47 of the Local Government Finance Act 1988 or Section 13A of the Local Government Finance Act 1992.	CFO

BCP COUNCIL - FUNCTIONS OF THE AUDIT & GOVERNANCE COMMITTEE

Functions of the Audit & Governance Committee are set out below. The Audit & Governance Committee cannot delegate for a decision any issues referred to it apart from any matter that is reserved to Council.

Statement of Purpose

Our Audit & Governance Committee is a key component of Bournemouth, Christchurch and Poole (BCP) Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.

The purpose of our Audit & Governance Committee is to provide independent assurance of the adequacy of the risk management framework and the internal control environment. It provides independent review of BCP Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

Governance, Risk & Control

To consider the arrangements for corporate governance including reviews of the Local Code of Corporate Governance and review and approval of the Annual Governance Statement (AGS).

To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.

To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.

To consider arrangements for risk management including the approval of the Risk Management Strategy and review of the Council's corporate risk register.

To consider arrangements for counter-fraud and corruption, including 'whistle-blowing' including approval of the Counter Theft, Fraud & Corruption Policy and the outcomes of any investigations in relation to this policy.

To review the governance and assurance arrangements for significant partnerships or collaborations.

Internal Audit

To approve the Internal Audit Charter.

To approve the risk-based Internal Audit Plan, including Internal Audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.

To approve significant interim changes to the risk-based Internal Audit Plan and resource requirements.

To consider reports from the Head of Internal Audit on Internal Audit's performance during the year, including the performance of external providers of internal audit services. These will include: a) updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work b) regular reports on the results of the Quality Assurance Improvement Programme (QAIP) c) reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards (PSIAS) and Local Government Application Note (LGAN), considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement (AGS).

To consider the Head of Internal Audit's annual report: a) The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit. b) The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.

To consider summaries of specific internal audit reports as scheduled in the forward plan for the Committee or otherwise requested by Councillors.

To receive reports outlining the action taken where the Head of Internal Audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.

To contribute to the QAIP and in particular to the external quality assessment of internal audit that takes place at least once every 5 years.

To commission work from the Internal Audit Service (with due regard to the resources available and the existing scope and breadth of their respective work programmes and the forward plan for the Committee).

External Audit

To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by Public Sector Audit Appointments Ltd (PSAA).

To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.

To consider all other relevant reports from the External Auditor as scheduled in the forward plan for the Committee as agreed with the External Auditor or otherwise requested by Councillors.

To comment on the scope and depth of external audit work and to ensure it gives value for money.

To commission work from External Audit (with due regard to the resources available and the existing scope and breadth of their respective work programmes and the forward plan for the Committee).

To liaise with the national body (currently Public Sector Audit Appointments (Ltd)) (PSAA) over the appointment of the Council's External Auditors.

To consider reports dealing with the management and performance of the External Audit function.

To consider and approve the Annual Plans of the External Auditor.

Financial Reporting

To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.

To consider the external auditors report to those charged with governance on issues arising from the audit of the accounts.

Accountability Arrangements

To report to full council and publish an annual report on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.

To report to full council and publish an annual report on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

Other Functions

To consider arrangements for treasury management including approving the Treasury Management Strategy and monitoring the performance of this function.

To maintain an overview of the Council's Constitution in respect of financial regulations, working protocols and codes of conduct and behaviour (not otherwise reserved to the Standards Committee).

To consider breaches, waivers and exemptions of these Financial Regulations.

To consider any relevant issue referred to it by the Chief Executive, Chief Finance Officer (CFO), Chief Internal Auditor (CIA), Monitoring Officer (MO) or any other Council body or cabinet member.

To consider arrangements for information governance, health and safety, fire safety, emergency planning (including business continuity).

To consider any issue of Council non-compliance with its own and other relevant published regulations, controls, operational standards and codes of practice.

To consider gifts and hospitality registers relating to officers.

CONTRACTS TO BE EXECUTED BY DEED (& SEALED ACCORDINGLY)

This section is currently being prepared by Legal Services

MINOR AMENDMENTS AND EDITING LOG (during 2021-22)

The Chief Finance Officer (CFO) has primary responsibilities for maintaining the Financial Regulations as outlined in Part A page 5. Where changes affect the powers or responsibilities of councillors, approval of Council is required.

It is recognised there may be a need to clarify certain elements of the Financial Regulations from time to time, this may require minor amendments or editing. The CFO has delegated to the Chief Internal Auditor (CIA) and Strategic Procurement Manager (SPM) the ability to make minor amendments and editing changes. Any such changes are logged in the table below.

No.	Description of amendments or editing	Page	Date
1			
2			
3			
4			

FINANCIAL REGULATIONS

BACK COVER ONLY

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CABINET



Report subject	LTP Capital Programme 2021/22
Meeting date	10 March 2021
Status	Public Report
Executive summary	<p><i>At the time of writing this report the Department for Transport (DfT) have yet to confirm exact funding values for 2021/22 and beyond and therefore an assumption has been made that the value will remain at least at the level received in 2020/21.</i></p> <p>This Cabinet Report for the 2021/22 Local Transport Plan (LTP) Capital Programme has been developed to:</p> <ul style="list-style-type: none"> i) Seek approval for the proposed utilisation of <i>expected</i> LTP 2021/22 Capital grant allocation of £6,803k (£3,078k of Integrated Transport Block (ITB) funding and £3,725k of Highway Maintenance funding), with a recommended split of £3,358k for ITB and £3,445k for Maintenance based on need. ii) Seek approval for the indicative 2022/23 and 2023/24 Highways Maintenance Programmes as set out in Appendix B. iii) Seek approval upon receipt of the DfT confirmation letter that through delegated authority the Director of Growth & Infrastructure in consultation with Portfolio Holder's for Transportation and Environment make required LTP Capital Programme amendment to match confirmed DfT levels. iv) Note the utilisation of £147k of s106 developer contributions for the final phase of the Dorset Local Enterprise Partnership (DLEP): Townside scheme. v) Note the allocation of 2021/22 LTP Integrated Transport Block funding (combined total of £530k) as a local contribution towards the SE Dorset City Regions Transforming Cities Fund (TCF) programme. vi) Note the £40.88M of funding in 2021/22 for the delivery of the approved Transforming Cities Fund programme.

	<p>vii) Note the award of £1,062k from the Active Travel Fund, with a local contribution of £200k of LTP funding committed as part of the successful bid.</p> <p>viii) Note the ongoing delivery of over £3M of highway maintenance schemes (via DfT Challenge Fund award).</p>
Recommendations	<p>It is RECOMMENDED that:</p> <ol style="list-style-type: none"> 1. Cabinet consider and approve the proposed 2021/22 Local Transport Plan Capital Programme funding as set out in Appendix A 2. Cabinet consider and approve the indicative 2022/23 and 2023/24 Highways Maintenance Programmes as set out in Appendix B 3. Cabinet consider approval of delegated authority to Director of G&I in consultation with Portfolio Holder's for Transportation and Environment to make LTP Capital Programme amendments once actual DfT grant allocations have been confirmed
Reason for recommendations	<p>Recommendation 1.</p> <p>The approval would enable the continuation of existing Local Transport Plan capital programme schemes, delivery of schemes that are currently being planned, consulted upon and/or designed and the development of future years schemes.</p> <p>Recommendation 2.</p> <p>The approval would reduce the risk of loss of funding associated with the incentive fund element of the Structural Maintenance Block.</p> <p>Recommendation 3.</p> <p>The approval would enable adjustments to the programme in line with any revised funding allocation; reducing delays to delivery and the need to return to Cabinet for further decision making.</p>
Portfolio Holder(s):	Cllr Mike Greene - Cabinet Member for Transport & Sustainability
Corporate Director	Bill Cotton - Corporate Director of Regeneration & Economy
Report Authors	Tim Forrester - Transportation Capital Prog Manager
Wards	All
Classification	For Decision

Background

NOTE: At the time of writing and submitting this report, final confirmation of funding levels for 2021/22 and beyond had not been received from Department for Transport (DfT). Therefore, the values included are indicative and are based on an assumption that funding levels will remain the same as in the current year (2020/21).

1. The Local Transport Plan Capital Programme implements schemes that align with the Council's Local Transport Plan (LTP) 3, corporate objectives and priorities, including those set out in the Core Strategy and Dorset Local Enterprise Partnership (DLEP).
2. The Local Transport Plan covers the period from 2011 to 2026 and came into effect from April 2011. In south east Dorset, the LTP3 draws heavily on the South East Dorset Transport Study. Local Transport Plan objectives include:
 - Reducing the need to travel
 - Manage and maintain the existing network more efficiently
 - Active travel and 'greener' travel choices
 - Public transport alternatives to the car
 - Car parking measures
 - Travel safety measures
 - Strategic infrastructure improvements
3. Government funding is provided by the Department for Transport (DfT) to deliver the Local Transport Plan through the Local Transport Plan Capital Block Funding (Integrated Transport and Highway Maintenance) Specific Grant. The proposed delivery plan for expenditure of the block funding in 2021/22 is shown in Appendix A.
4. The DfT reduced the amount of needs-based funding allocated to each local authority for maintenance in 2016/17. Since this financial year authorities have had to secure additional funding on an 'incentive' basis and/or from the Competitive Challenge Fund Tranches. The amount shown for highways maintenance in Appendix A includes an estimate of the amount of "incentive based" funding expected in 2021/22 and is based on Bournemouth, Christchurch and Poole (BCP) Council operating at and maintaining Band 3 level.
5. To satisfy the 'incentive' requirements for Band 3 status Councils must have a rolling 3-year Highways Maintenance Programme published on their websites. Appendix B comprises proposed Highways Maintenance Programmes for 2022/23 2023/24.
6. During 2021/22, BCP Council will be in the second year of delivery of its three-year Transforming Cities Fund programme, with over £40million of activity scheduled for delivery. This will put enormous strain on the resource and capacity to deliver other programmes of work and the LTP Capital Programme for 2021/22 has been duly developed to recognise and reflect this.

7. Within the programme there is an ongoing commitment to deliver over £3million of additional highway maintenance schemes as part of the Challenge Fund award secured and approved by Cabinet in 2020.

Summary of financial implications

8. ***At the time of writing and submitting this report, final confirmation of funding levels for 2021/22 and beyond had not been received from Dept for Transport (DfT). Therefore, the values included are indicative and are based on an assumption that funding levels will remain the same as in the current year (2020/21).***
9. Approval is sought to deliver the LTP Capital Programme 2021/22 as set out in Appendix A. Appendix A mirrors the 2021/22 highways capital programme approved by Council in February 2021 (through the Budget MTFP report). The only differences are the inclusion of an additional £143k of s106 developer contribution funding for DLEP: Townside scheme and the allocation of £372k of 2021/22 LTP as funding for local contribution requirements.
10. Appendix A assumes an indicative allocation of £6,803k LTP grant in 2021/22. This is based on prior year allocations that are yet to be formally confirmed. It also assumes £2,864k Pothole Grant funding in 2021/22 – also an indicative value based on previous years that is yet to be confirmed. Clearly planned utilisation of both grants will have to be revised should final grant allocations differ significantly from values assumed.
11. As in previous financial years, DfT has indicated that the 2021/22 Local Transport Plan grant will be allocated to the Council for expenditure on transportation improvements and highways maintenance.
12. Appendix A also includes £700k DfT capital grant funding to support Neighbourhood Services planned maintenance / pre-patching work. This allocation has been factored into the Council's revenue budget for 2021/22. In the event of a significant reduction in LTP and Pothole grant funding in 2021/22 (to that currently assumed), this commitment could be met from the redirection of prior year DfT capital grant allocated to deferred highways maintenance projects.
13. The ability to maintain a similar level of annual allocation to Neighbourhood Services for the remainder of the MTFP (2022/23 and 2023/24) will be confirmed once final LTP and Pothole allocations are formally announced. Whilst the Council's MTFP assumes annual allocation of £700k throughout the period of the MTFP, the Budget MTFP paper recognises that this is an indicative estimate only, to be reviewed once actual grant allocations are known. Pothole Grant funding not allocated to Neighbourhood Services will be available as funding for highways maintenance within the capital programme.
14. Once actual DfT grant allocations are confirmed it is recommended that any required LTP Capital Programme amendments are undertaken through delegation by Director of G&I in consultation with Portfolio Holder for Transportation and Environment.

15. The Council is required to publish a 3-year Highways Maintenance Programme on its website to maintain Band 3 status. If this is not done the Highways Maintenance element of the grant shown in both Appendix A and B may be reduced significantly (to Band 2 status funding).
16. Before the end of the 2020/21 financial year the Council's Section 151 Officer will be presented with evidence that demonstrates that BCP Council is performing at Band 3 level with regards to 'incentive' funding criteria and be asked to sign a declaration to that effect for passing onto DfT.
17. The Integrated Transport Block (ITB) programme in Appendix A identifies local contribution funding in support of the Transforming Cities Fund programme award (March 2020). The commitment to government in accepting the funding award was that BCP Council would provide a local contribution to the programme utilising LTP funding to deliver schemes locally that continue to promote walking, cycling and bus and rail usage.
18. The LTP Capital Programme in Appendix A (pages 1 & 2) also identifies other funding commitments (highlighted rows) to which defined contributions are specified.

Summary of legal implications

19. The programme includes local contribution funding to the TCF programme; these local contributions are committed to in agreements between BCP Council and DfT as part of the funding award process.
20. The programme also includes local contribution funding to the Dorset Local Enterprise Partnership (DLEP) programmes; these local contributions are committed to in agreements between BCP Council and DLEP as part of the funding award process.

Summary of human resources implications

21. Continuity of delivery of the LTP Capital Programme for 2021/22 is subject to the effective implementation of the ongoing restructure of Growth & Infrastructure Unit.

Summary of sustainability impact

22. Refer to Appendix C – Decision Impact Assessment (DIA) Report 187

Summary of public health implications

23. LTP schemes aim to promote sustainable/active travel and/or minimise congestion and as such aim to deliver improvements to air quality and increase levels of activity.

Summary of equality implications

24. The programme has been Equality Impact Assessment (EQIA) screened and a full EQIA for the programme itself is not required, however, individual projects within the programme would need to be EQIA screened and full EQIAs completed should a need be identified during screening.

Summary of risk assessment

25. Primary risk is funding uncertainty due to lack of confirmation from the DfT.
26. No significant risk implications with regards to approval of the respective programmes have been identified.
27. Schemes of significant scale would be subject to specific risk assessments and risk registers as part of the overarching programme delivery process.
28. Risks associated with not getting the programme approved in advance of the commencement of the 2019/20 financial year are summarised in section 3.

Appendices

1. Appendix A - 2021/22 Local Transport Plan Capital Programme
2. Appendix B - 2022/23 and 2023/24 Highways Maintenance Programmes
3. Appendix C – DIA Report 187

Appendix A - Local Transport Plan **2021/22** BCP Capital Programme Integrated Transport Block element of **(note the column in bold type and shaded within the programme is that for which approval is being sought in this report)** – sheet 1 of 2

Integrated Transport Block Schemes	Funding Source		
	Total funding for scheme in 21/22 [£]	2021/22 LTP Funding [£]	Other funding sources [£]
Strategic network improvements			
South East Dorset Strategic Transport Model	50,000		50,000
DLEP: Townside	310,000	163,000	147,000
DLEP: Ferndown, Wallisdown, Poole (FWP) Corridors	1,548,000	716,000	832,000
DLEP: Wallisdown GD Project - Boundary Road	169,000	0	169,000
Advanced design for future year schemes	480,000	300,000	180,000
Future years scheme commitments	372,000	372,000	
STB, DfT, LCWIP, OBC Development & Bidding	240,000	200,000	40,000
Sub-total	3,169,000	1,751,000	1,418,000
Travel Safety Measures			
Road Safety – Safety improvements - 20mph zones	100,000	0	100,000
Road Safety – Safety improvements - Pedestrian Crossings	260,000	200,000	60,000
Road Safety – Casualty reduction measures/cluster sites	109,000	20,000	89,000
Safer Routes to Schools - inc TCF LTP Local Contribution (£150k)	280,000	200,000	80,000
	749,000	420,000	329,000
Active travel & 'greener' travel choices			
Walking and Cycling (priorities derived from LCWIP)	100,000	100,000	
Accessibility improvements	50,000	42,000	8,000
Public Rights of Way	60,000	50,000	10,000
Business Travel Network	50,000	0	50,000
Electric Vehicle Infrastructure	20,000	20,000	
TCF LTP local contribution - Work place and school facilities	100,000	100,000	
TCF LTP local contribution - Town Centre Walking Improvements	215,000		215,000
TCF Delivery Programme 2021/22	40,880,000	0	40,880,000
Sub-total	41,475,000	312,000	41,163,000
Public transport alternatives to the car			
National Passenger Travel Information	25,000	25,000	
Bus Facilities	240,000	120,000	120,000
TCF LTP local contribution - Bus Shelters/RTI	180,000	180,000	
TCF local contribution - Westbourne	100,000	100,000	
Sub-total	545,000	425,000	120,000

Manage and maintain the existing network more efficiently			
Intelligent Transport Systems (ITS) & Data Collection	150,000	150,000	
Minor Transportation Schemes	70,000	50,000	20,000
Sub-total	220,000	200,000	20,000
Programme Management Fees	75,000	50,000	25,000
Active Travel Fund (ATF): Tranche 2			
ATF- Whitecliff/Baiter cycleway	850,000	200,000	650,000
ATF- Permanent Tranche 1 schemes	282,100		282,100
ATF- Programme Monitoring	130,000		130,000
Sub-total	1,262,100	200,000	1,062,100
Total for integrated transport combined	47,495,100	3,358,000	44,137,100

Notes:

Other funding sources includes: Developer contributions/CIL, National Productivity Investment Fund (NPIF) and slippage from previous years LTP Capital Programme

Highlighted rows within the programme represent committed values

Figures provided in the table above are indicative and are subject to possible variation based on DfT confirmation of allocations. DfT funding levels for 2021/22 and beyond are not yet confirmed and therefore an assumption has been made that they will at least remain at 2020/21 funding level.

Appendix A continued - Local Transport Plan **2021/22** BCP Capital Programme
Highways Maintenance element: sheet 2 of 2

Highway Maintenance Schemes	Funding Source		
	Total funding for scheme in 21/22 [£]	2021/22 LTP Funding [£]	Other funding sources [£]
Structural Maintenance			
Resurfacing Programme	1,300,000	1,300,000	
Surface Treatments (Micro asphalt, prevention treatments, pre-patching etc)	940,000	740,000	200,000
Planned/ Pre-Patching (Neighbourhood Services)	200,000	200,000	
Footways (resurfacing & footway slurry)	150,000	150,000	
Special Drainage	125,000	125,000	
Surveys & software	80,000	80,000	
Maintenance Programme Management Fees	80,000	80,000	
Challenge Fund schemes	3,165,000	0	3,165,000
Sub-total combined	6,040,000	2,675,000	3,365,000
Bridge & Structures Maintenance			
Bridge Maintenance	860,000	400,000	460,000
Principal Inspection	100,000	100,000	
Sub-total combined	960,000	500,000	460,000
Street Lighting Maintenance			
Street Lighting Maintenance	350,000	270,000	80,000
Street Lighting Investment	540,000		540,000
Sub-total combined	890,000	270,000	620,000
Pothole Investment			
Neighbourhood Services	500,000	0	500,000
Pothole maintenance grant (indicative allocation)	2,364,000	0	2,364,000
Sub-total combined	2,864,000	0	2,864,000
Total for maintenance combined	10,754,000	3,445,000	7,309,000

Figures provided in the table above are indicative and are subject to possible variation based on DfT confirmation of allocations. DfT funding levels for 2021/22 and beyond are not yet confirmed and therefore an assumption has been made that they will at least remain at 2020/21 funding level.

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Local Transport Plan **2022/23** Highways Maintenance element of BCP Capital Programme:

Highway Maintenance Schemes	Funding Source
	2022/23 LTP Funding [£]
Structural Maintenance	
Resurfacing Programme	1,300,000
Surface Treatments (Micro asphalt, prevention treatments, pre-patching etc)	940,000
Planned/ Pre-Patching (Neighbourhood Services)	200,000
Footways (resurfacing & footway slurry)	150,000
Special Drainage	125,000
Surveys & software	80,000
Maintenance Programme Management Fees	80,000
Sub-total combined	2,875,000
Bridge & Structures Maintenance	
Bridge Maintenance	400,000
Principal Inspection	100,000
Sub-total combined	500,000
Street Lighting Maintenance	
Street Lighting Maintenance	350,000
Sub-total combined	350,000
Total for maintenance combined	
	3,725,000

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Local Transport Plan **2023/24** Highways Maintenance element of BCP Capital Programme:

Highway Maintenance Schemes	Funding Source
	2023/24 LTP Funding [£]
Structural Maintenance	
Resurfacing Programme	1,300,000
Surface Treatments (Micro asphalt, prevention treatments, pre-patching etc)	940,000
Planned/ Pre-Patching (Neighbourhood Services)	200,000
Footways (resurfacing & footway slurry)	150,000
Special Drainage	125,000
Surveys & software	80,000
Maintenance Programme Management Fees	80,000
Sub-total combined	2,875,000
Bridge & Structures Maintenance	
Bridge Maintenance	400,000
Principal Inspection	100,000
Sub-total combined	500,000
Street Lighting Maintenance	
Street Lighting Maintenance	350,000
Sub-total combined	350,000
Total for maintenance combined	
	3,725,000

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Decision Impact Assessment Report

LTP Capital Programme 2021/22

DIA Proposal ID: 187

Assessment date: 27th January 2021

Assessor(s): Tim Forrester

Support: Roxanne King



The Decision Impact Assessment (DIA) is a requirement of BCP Council's Financial and Procurement Regulations. It has been developed to help project managers maximise the co-benefits of proposals, reduce risk and ensuring that sustainable outputs and value for money are delivered through every project, plan, strategy, policy, service and procurement.

The following report highlights the opportunities and potential issues associated with the above titled proposal. It has been assessed against a number of themes and shared with BCP Council Theme Advisors for internal consultation. The RAG ratings and additional information have been provided by the project manager and may or may not have incorporated feedback from theme advisors. Results should be scrutinised by decision-makers when considering the outcome of a proposal.

The results of this DIA will be combined with all other assessments to enable cumulative impact data across a wide range of data sets. Individual DIA reports should be included in proposal documentation and made available to decision makers for consideration. Cumulative impact reports will be produced annually or as required by the Climate Action Steering Group and Members Working Group.

For questions and further information, please contact Sustainability Team at DIA@bcpcouncil.gov.uk

Please note: This report is in a draft format and may appear different to future DIA reports.

Decision Impact Assessment

DIA Proposal ID: 187

Welcome Roxanne King



Proposal Title: LTP Capital Programme 2021/22

[Review registration](#)

[Home Page](#)

[Climate Change & Energy](#)

Complete



[Communities & Culture](#)

Complete



[Waste & Resource Use](#)

Complete



[Economy](#)

Complete



[Health & Wellbeing](#)

Complete



[Learning & Skills](#)

Complete



[Natural Environment](#)

Complete



[Sustainable Procurement](#)

Complete



[Transport & Accessibility](#)

Complete



Key



Not yet assessed



Major negative impacts identified



Minor negative impacts identified / unknown impacts



Only positive impacts identified



No positive or negative impacts identified

[Submit Proposal](#)

At any point the assessment you can request a report of what has been completed so far, for example to share with colleagues.

Note that it may take up to two working days for the report to be emailed to you.

[Request Report](#)

[Ask for help](#)

Decision Impact Assessment

Carbon Footprint

DIA Proposal ID: 187



Proposal Title: LTP Capital Programme 2021/22

BCP Council is committed to becoming a carbon neutral organisation by 2030, and assisting the Bournemouth, Christchurch and Poole area to become carbon neutral ahead of the 2050 national target.

To achieve these challenging targets, we need to eliminate carbon emissions in all that we do. This is particularly important in the design, delivery, operation and end-of-life considerations of new plans, policies, procurements, projects, services and strategies.

The answers you have provided would indicate that the carbon footprint of your proposal is:

Low

Your Carbon Footprint is one of:

High

Moderate

Low

This should be factored into the viability and risk assessments of your proposal, subject to further assessment



Review and Submit

Ask for help





Proposal Title	Local Transport Plan (LTP) Capital Programme 2021/22
Type of Proposal	Other
Brief Description	The Local Transport Plan Capital Programme implements schemes that align with the Council's Local Transport Plan (LTP) 3, corporate objectives and priorities, including those set out in the Core Strategy and by Dorset Local Enterprise Partnership (DLEP). Government funding is provided by the Department for Transport (DfT) to deliver the Local Transport Plan.
Assessor	Tim Forrester, DLEP & Programme Manager
Directorate	Regeneration & Economy
Service Unit	Growth & Infrastructure
Estimated Cost	Above OJEU threshold, £6,803,000
Ward(s) Affected	All Wards

Sustainable Development Goals (SDGs) Supported:



RAG reasoning and proposed mitigation/monitoring actions

Theme	RAG	RAG reasoning <i>Details of impacts including evidence and knowledge gaps</i>	Mitigation and monitoring actions <i>Additional information relevant to the theme e.g. monitoring activities, performance indicators, related strategies. Amber / Red ratings - any mitigation/remedial action being considered</i>
Climate Change & Energy	Green	The programme is largely centred around the promotion of sustainable transport and behaviour change. It aligns with the Local Transport Plan policy document.	N/A
Communities & Culture	Green	A number of schemes within the programme aim to deliver safer, accessible links to and between neighbourhoods, reducing severance and addressing travel mode inequalities	N/A
Waste & Resource Use	Yellow	Programme includes significant highway maintenance works which includes the use of reusable materials.	Opportunities to reuse and recycle materials will be taken where appropriate.
Economy	Green	Development of sustainable travel options, improved network efficiencies and comprehensive highway/structural maintenance programmes help to reduce network delays and improve accessibility.	N/A
Health & Wellbeing	Green	Delivered by enabling use of sustainable/active modes of travel, improved road safety and network efficiencies. All helping to improve air quality by reducing vehicle emissions.	N/A

Learning & Skills		Not applicable to this programme.	N/A
Natural Environment		Programme includes construction/highway maintenance elements which can have minor impacts on the natural environment	Offsetting any impact on natural habitat as a result of construction by creating new habitat, new tree planting and creation of additional green space wherever practical.
Sustainable Procurement		Procurement for individual schemes within the programme.	N/A
Transport & Accessibility		<p>Local Transport Plan objectives include:</p> <ul style="list-style-type: none"> • Reducing the need to travel • Manage and maintain the existing network more efficiently • Active travel and 'greener' travel choices • Public transport alternatives to the car • Car parking measures • Travel safety measures • Strategic infrastructure improvements 	Measured by key programme KPIs

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ADDENDUM to LTP Capital Programme 2021/22 Cabinet Report

This document has been produced as an addendum to the LTP Capital Programme 2021/22 Cabinet report, to be considered on 10th March 2021, following confirmation from the Dept for Transport of funding commitments for the Local Transport Plan programme for 2021/22.

At the time of writing the previously submitted report BCP Council was still awaiting final confirmation of the funding commitment and therefore figures stated were indicative and based on the allocations received in the previous year.

The table below highlights the relevant sections within the full Cabinet report that need to be removed or amended in-light-of the funding confirmation:

SECTION OF REPORT	ACTION REQUIRED
Exec Summary 1 st Para i) iii) vii)	<p><u>Remove:</u> 1st paragraph (in bold text)</p> <p><u>Amendment:</u> Seek approval for the proposed utilisation of LTP 2021/22 Capital grant allocation of £7,888k (£3,102k of Integrated Transport Block (ITB) funding and £4,786k of Highway Maintenance funding), with a recommended split of £3,598k for ITB and £4,290k for Maintenance based on need and deliverability.</p> <p><u>Remove:</u> Point iii)</p> <p><u>Amendment:</u> Note the award of £1,062k from the Active Travel Fund</p>
Recommendations	<u>Remove:</u> Point 3
Reason for recommendations	<u>Remove:</u> Recommendation 3.
Background NOTE	<u>Remove:</u> Boxed NOTE
Summary of financial implications 8) 9)	<p><u>Remove:</u> Point 8</p> <p><u>Amendment:</u> Approval is sought to deliver the LTP Capital Programme 2021/22 as set out in Appendix A.</p>

	<p><u>Remove:</u> Point 10</p> <p>10) <u>Amendment:</u></p> <p>12) Appendix A also includes £700k DfT capital grant funding to support Neighbourhood Services planned maintenance / pre-patching work. This allocation has been factored into the Council's revenue budget for 2021/22.</p> <p>14) <u>Remove:</u> Point 14</p>
Summary of risk assessment	<p>25) <u>Remove:</u> Point 25</p> <p>28) <u>Amendment:</u></p> <p>Risks associated with not getting the programme approved in advance of the commencement of the 2021/22 financial year are summarised in section 3.</p>
Appendices	<p><u>Amendment:</u></p> <p>Appendices A & B (Appendix A - 2021/22 Local Transport Plan Capital Programme & Appendix B - 2022/23 and 2023/24 Highways Maintenance Programmes) have been updated to reflect confirmed funding allocations with new versions provided separately.</p>

Appendix A - Local Transport Plan **2021/22** BCP Capital Programme Integrated Transport Block element of (note the section of the programme in bold type and shaded is that for which approval is being sought in this report) – sheet 1 of 2

Integrated Transport Block Schemes	Total funding for scheme in 21/22		
	Total funding for scheme in 21/22 [£]	2021/22 LTP Funding [£]	Other funding sources [£]
Strategic network improvements			
South East Dorset Strategic Transport Model	50,000		50,000
DLEP: Townside	310,000	163,000	147,000
DLEP: Ferndown, Wallisdown, Poole (FWP) Corridors	1,548,000	716,000	832,000
DLEP: Wallisdown GD Project - Boundary Road	169,000	0	169,000
Advanced design for future year schemes	480,000	300,000	180,000
Future years scheme commitments	400,000	400,000	
STB, DfT, LCWIP, OBC Development & Bidding	390,000	350,000	40,000
Sub-total	3,347,000	1,929,000	1,418,000
Travel Safety Measures			
Road Safety – Safety improvements - 20mph zones	100,000	0	100,000
Road Safety – Safety improvements - Pedestrian Crossings	260,000	200,000	60,000
Road Safety – Casualty reduction measures/cluster sites	121,000	32,000	89,000
Safer Routes to Schools - inc TCF LTP Local Contribution (£150k)	330,000	250,000	80,000
	811,000	482,000	329,000
Active travel & 'greener' travel choices			
Walking and Cycling (priorities derived from LCWIP)	150,000	150,000	
Accessibility improvements	50,000	42,000	8,000
Public Rights of Way	60,000	50,000	10,000
Business Travel Network	50,000	0	50,000
Electric Vehicle Infrastructure	20,000	20,000	
TCF LTP local contribution - Work place and school facilities	100,000	100,000	
TCF LTP local contribution - Town Centre Walking Improvements	215,000		215,000
TCF Delivery Programme 2021/22	40,880,000	0	40,880,000
Sub-total	41,525,000	362,000	41,163,000
Public transport alternatives to the car			
National Passenger Travel Information	25,000	25,000	
Bus Facilities	240,000	120,000	120,000

TCF LTP local contribution - Bus Shelters/RTI	180,000	180,000	
TCF local contribution - Westbourne	100,000	100,000	
Sub-total	545,000	425,000	120,000
Manage and maintain the existing network more efficiently			
Intelligent Transport Systems (ITS) & Data Collection	300,000	300,000	
Minor Transportation Schemes	70,000	50,000	20,000
Sub-total	370,000	350,000	20,000
Programme Management Fees	75,000	50,000	25,000
Active Travel Fund (ATF): Tranche 2			
ATF- Whitecliff/Baiter cycleway	650,000		650,000
ATF- Permanent Tranche 1 schemes	282,100		282,100
ATF- Programme Monitoring	130,000		130,000
Sub-total	1,062,100	0	1,062,100
Total for integrated transport combined	47,735,100	3,598,000	44,137,100

Notes:

Other funding sources includes: Developer contributions/CIL, National Productivity Investment Fund (NPIF) and slippage from previous years LTP Capital Programme

Highlighted rows within the programme represent committed values

Appendix A continued - Local Transport Plan **2021/22** BCP Capital Programme
Highways Maintenance element: sheet 2 of 2

Highway Maintenance Schemes	Funding Source		
	Total funding for scheme in 21/22 [£]	2021/22 LTP Funding [£]	Other funding sources [£]
Structural Maintenance			
Resurfacing Programme	1,400,000	1,400,000	
Surface Treatments (Micro asphalt, prevention treatments, pre-patching etc)	1,200,000	1,000,000	200,000
Planned/ Pre-Patching (Neighbourhood Services)	200,000	200,000	
Neighbourhood Services (Pothole investment)	500,000	100,000	400,000
Footways (resurfacing & footway slurry)	150,000	150,000	
Special Drainage	140,000	140,000	
Surveys & software	80,000	80,000	
Maintenance Programme Management Fees	80,000	80,000	
Challenge Fund schemes	3,165,000	0	3,165,000
Sub-total combined	6,915,000	3,150,000	3,765,000
Bridge & Structures Maintenance			
Bridge Maintenance	860,000	400,000	460,000
Principal Inspection	100,000	100,000	
Sub-total combined	960,000	500,000	460,000
Street Lighting Maintenance			
Street Lighting Maintenance	400,000	320,000	80,000
Street Lighting Investment	540,000		540,000
Sub-total combined	940,000	320,000	620,000
Signals & Sensor Maintenance			
UTMC	320,000	320,000	
Sub-total combined	320,000	320,000	0
Total for maintenance combined			
	9,135,000	4,290,000	4,845,000

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Local Transport Plan **2022/23** Highways Maintenance element of BCP Capital Programme:

Highway Maintenance Schemes	Area of BCP	Funding Source
		2022/23 LTP Funding [£]
Structural Maintenance		
Resurfacing Programme	ALL	1,500,000
Surface Treatments (Micro asphalt, prevention treatments, pre-patching etc)	ALL	1,460,000
Planned/ Pre-Patching (Neighbourhood Services)	ALL	200,000
Footways (resurfacing & footway slurry)	ALL	150,000
Special Drainage	ALL	150,000
Surveys & software	ALL	100,000
Maintenance Programme Management Fees	ALL	100,000
Sub-total combined	BCP	3,660,000
Bridge & Structures Maintenance		
Bridge Maintenance	ALL	450,000
Principal Inspection	ALL	100,000
Sub-total combined	BCP	550,000
Street Lighting Maintenance		
Street Lighting Maintenance	ALL	400,000
Sub-total combined	BCP	400,000
Signals & Sensor Maintenance		
UTMC	ALL	176,000
Sub-total combined	BCP	176,000
Total for maintenance combined	BCP	4,786,000

Figures provided in the table above are subject to possible variation based on DfT confirmation of allocations. DfT funding levels post 2021/22 are not yet confirmed and therefore an assumption has been made that they will at least remain at 2021/22 funding level.

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Local Transport Plan **2023/24** Highways Maintenance element of BCP Capital Programme:

Highway Maintenance Schemes	Area of BCP	Funding Source
		2023/24 LTP Funding [£]
Structural Maintenance		
Resurfacing Programme	ALL	1,500,000
Surface Treatments (Micro asphalt, prevention treatments, pre-patching etc)	ALL	1,460,000
Planned/ Pre-Patching (Neighbourhood Services)	ALL	200,000
Footways (resurfacing & footway slurry)	ALL	150,000
Special Drainage	ALL	150,000
Surveys & software	ALL	100,000
Maintenance Programme Management Fees	ALL	100,000
Sub-total combined	BCP	3,660,000
Bridge & Structures Maintenance		
Bridge Maintenance	ALL	450,000
Principal Inspection	ALL	100,000
Sub-total combined	BCP	550,000
Street Lighting Maintenance		
Street Lighting Maintenance	ALL	400,000
Sub-total combined	BCP	400,000
Signals & Sensor Maintenance		
UTMC	ALL	176,000
Sub-total combined	BCP	176,000
Total for maintenance combined	BCP	4,786,000

Figures provided in the table above are subject to possible variation based on DfT confirmation of allocations. DfT funding levels post 2021/22 are not yet confirmed and therefore an assumption has been made that they will at least remain at 2021/22 funding level.

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CABINET

Report subject	Children and Young People's Partnership Plan 2021 - 2024
Meeting date	10 March 2021
Status	Public Report
Executive summary	<p>The draft BCP Children and Young People's Plan has been developed by the BCP Children and Young People's Partnership Board, the successor body to the previous Learning Partnership Board. The difference is to focus on all issues for children, not just education and to a lesser extent, children's social care.</p> <p>Having a plan in place is a requirement placed on BCP by the Local Government Reorganisation process so in that sense it is a plan required by Government of us.</p> <p>The draft Plan sets out the proposed strategic priorities for partnership action to improve outcomes for BCP's children and young people and to help them achieve their potential. It is consistent with existing BCP policy about improving child outcomes</p> <p>Central to this is that the Council plays its part in the Partnership to help BCP's children and young people to be "fulfilled, happy, included, and resilient".</p> <p>This report provides a copy of the draft plan at Appendix 1 to the report.</p> <p>The draft Plan has been subject to public consultation during the month of January 2021.</p> <p>This Plan, when finalised, will be championed by the multi-agency BCP Children and Young People's Partnership Board. An action plan will be an integral part of the final document. This will be monitored through the Board.</p>
Recommendations	<p>1) It is RECOMMENDED that subject to feedback from the Childrens Services Overview and Scrutiny Committee that Cabinet approve the plan for adoption by Full Council.</p> <p>2) That the Committee decides how it wishes to scrutinise delivery of the Children and Young</p>

	People's Plan over the course of its life.
Reason for recommendations	To achieve maximum constructive engagement and plan for ongoing scrutiny given the significance of the Plan for children and young people in Bournemouth, Christchurch and Poole.
Portfolio Holder(s):	Cllr Mike White, Portfolio Holder for Children and Young People
Corporate Director	Elaine Redding – Corporate Director – Children's Services
Contributors	Anthony Douglas CBE - Independent Chair of the Children and Young People's Partnership Board Neil Goddard – Service Director – Quality and Commissioning
Wards	Council Wide
Classification	For Recommendation/ Update and Information

Background

1. The BCP Children and Young People's Partnership Board has been developing a new 3-year strategic plan to improve long term outcomes for children and young people. The BCP Children and Young People's Partnership Board evolved from the BCP Learning Partnership Board and is a multi-agency partnership which includes partners from police, health, schools, early years settings and the voluntary and community sectors. In 2020 BCP Children and Young People's Partnership Board affirmed their shared commitment to working together for children and young people in the BCP area and created their Governance and Terms of Reference document setting out the role and aims of the partnership.
2. Children's Services reported to Children's Overview and Scrutiny Committee in October 2020 about the evolution of the BCP Learning Partnership Board (LPB), into the new BCP Children and Young People's Partnership Board (C&YPPB).
3. The newly formed BCP C&YPPB retains a strong focus on learning and education as it evolves from the LPB and aims to maximise the life

chances through education of all children and young people in the BCP area. Education has remained the central issue for the Board because of the numerous issues facing schools and colleges in the pandemic.

4. The BCP C&YPPB membership has expressed a strong commitment to taking active steps together to make further improvements to the lives of all children and young people in the BCP area over a period of years. All board members are committed to taking personal and organisational commitment and responsibility to make this happen believing that working together well changes lives for the better.
5. Anthony Douglas CBE is the interim Chair of the Board. He is also the interim chair of the Pan-Dorset Safeguarding Children Partnership.
6. The draft Plan went out for consultation in January 2021. It is anticipated that the final version will be signed off by Cabinet in March 2021.

The Children and Young People's Plan

7. This plan began development at the end of the first wave of COVID 19 and we knew that the recovery period would be challenging to get right, with so much to do and so many justifiable concerns about the level of care and support some local children and young people will need from us.
8. Since then the country returned to a national lockdown for a second time in 2020, and the country is again locked down for the third time as we go into 2021. This has meant it has been harder to focus on the medium-term and long-term as most effort has had to go into managing the present situation safely for children, young people and their families

Capturing the Voice of Children and Young People

9. Each partner organisation has their own mechanisms to enable participation and to gather views and feedback, finding out what children and young people are worried about. These views inform the work that they do and what they bring to the Partnership, ensuring that children's and young people's views are sought, and that these views inform our plan.
10. To help develop our plan we asked the children and young people of Bournemouth, Christchurch and Poole to share with us what makes for a happy life and what makes them happy. This survey took place throughout the month of November 2020 – the month we went into the 2nd national lockdown due to the Covid-19 pandemic. Children and young people shared their thoughts about happiness, and we created our BCP happiness cloud (see the document cover of the C and YPP).
11. Teachers shared their experiences of the conversations they had with their students about happiness. Knowing what happiness looks like for children and young people in BCP enables us to create an environment where happiness

is not only possible but can flourish. In talking about what makes for a happy life children and young people also touched on what has made them sad as they reflected on the recent restrictions that have been imposed on the country. Understanding this sadness also helps us to plan though it is wrong to generalise from either misery or happiness. Good to outstanding services respond well to all situations facing children and young people.

BCP C&YP Plan priorities and ambitions

12. Listening to what children and young people told us has helped us set our 4 priorities:

- a) **Fulfilled** - Children and young people have the opportunities and are supported to achieve their full potential in education, learning and future employment.
- b) **Happy** - Children and young people can enjoy healthy lifestyles and make positive choices.
- c) **Included** - Children and young people are accepted as valued members of society enabling them to achieve within, and contribute to, the wider community.
- d) **Resilient** - Children and young people are supported to be resilient in the face of the challenges presented by the COVID 19 pandemic.

13. To achieve these ambitions, it is envisaged that the Partnership will have 2 or 3 active programmes at any single point in time working on both short - term priorities, and other continuous programmes addressing the longer-term priorities.

14. The plan will be updated as targets are achieved, and their desired impact confirmed as well as when each next set of priorities is identified and agreed.

Consultation

15. A press release was issued on 11 January 2021 to accompany the Plan. This was also sent to partner organisations for distribution within their own organisations.

16. All members of the Children and Young People's Partnership Board had the opportunity to contribute to the development of the plan, and to comment on it prior to the launch of the consultation period which ran from Monday 11 January 2021 until 31 January 2021.

17. More than 20 people commented on the plan by email or online form, sharing their views. All comments were positive and helpful. Views were also shared through meetings and forums.

18. All comments and suggestions received during the consultation period were considered and either reflected in the final version of the plan or taken forward to the board.

Summary of financial implications

19. The Children and Young People's Plan will guide and enable joint allocation of resources across the partnership to ensure we meet our objectives and develop effective and efficient ways of working.
20. Where there is opportunity to jointly bid for additional funding this will be taken.
21. The day to day working of the Board will be delivered through existing resources across the partnership so no additional expenditure is identified. Understandably, over the course of 3 years, some new priorities that will be identified will need some funding. It is recommended these are dealt with on an issue by issue basis at the time
22. There are already additional funds committed to implementation of the Children's Services and SEND action plans, these are being progressed by Children's Services, not the Partnership Board.

Summary of legal implications

23. The statutory requirement for a Children and Young People's Plan was revoked in 2010 and statutory guidance requiring Local Authorities to have a Children and Young People's Plan was removed by the Government in 2011.
24. Whilst, there is no longer a requirement for Local Authorities to have such a document, they may choose to do so where it makes sense locally in order to identify and formalise commitments.
25. As part of the LGR framework, BCP is required to have a jointly agreed plan by April 2021. The final plan will be presented for sign off to Cabinet in April 2021.

Summary of public health implications

26. The Children and Young People's Plan strengthens the partnership commitment to ensuring every child in BCP has the "best start in life" and development into adulthood, as outlined within the Public Health Prevention at Scale ambitions.
27. Public Health are represented on the Board and are actively involved in the development of the Plan.

Summary of equality implications

28. In achieving the ambitions of the Board as set out in the Plan resources will be targeted at the disadvantaged.

Summary of risk assessment

29. A risk register will be produced after the first 6 months of the Partnership, when more detailed planning and delivery is under way.

Background papers

None

Appendices

Appendix 1 - The *draft* BCP Children's and Young People's Plan 2021 – 2024

Extract from Children's Services Overview and Scrutiny Committee held on 24 February 2021

Agenda Item 7 - Children and Young People's Partnership Plan 2021 – 2024

The Independent Chair of the Children and Young People's Partnership Board (C&YPPB) 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.

The draft BCP Children and Young People's Plan had been developed by the BCP C&YPPB, the successor body to the previous Learning Partnership Board. The difference was to focus on all issues for children, not just education and to a lesser extent, children's social care.

Having a plan in place was a requirement placed on BCP by the Local Government Reorganisation process so in that sense it is a plan required by Government of us. The draft Plan sets out the proposed strategic priorities for partnership action to improve outcomes for BCP's children and young people and to help them achieve their potential. It was consistent with existing BCP policy about improving child outcomes

Central to this was that the Council played its part in the Partnership to help BCP's children and young people to be "fulfilled, happy, included, and resilient".

A copy of the draft plan could be found at Appendix 1 to the report.

The draft Plan had been subject to public consultation during the month of January 2021.

This Plan, when finalised, would be championed by the multi-agency BCP C&YPPB. An action plan would be an integral part of the final document. This would be monitored through the Board.

The Committee discussed the Report and comments were made, including:

- The Committee was generally very positive about the Plan, the content, format, its accessibility, and ambition were all really welcomed
- A Member of the Youth Parliament (MYP) advised that they had considered the Plan and felt it was very accessible to young people however, felt that some of the actions highlighted under the four priorities could be better positioned under other priorities. The Chair of the C&YPPB requested a meeting with the MYPs to go through the Plan in more detail to gain their insight further. **Action. (This meeting is taking place on 2nd March)**
- In response to a query about whether consideration had been given to a longer term plan, say ten year, the Chair of the C&YPPB highlighted that it was felt a three year plan was appropriate at this time and especially in relation to Children and Young People where the context for their lives can change so fast.
- In response to a query about where the four priorities had come from and in particular whether they were relevant from a child or young person's

perspective, the Chair of the C&YPPB advised that they had consulted with as many children as they could given the current pandemic and capacity issues and those were the four words that had been decided to be most appropriate based on the feedback.

- A Committee Member referred to the different summaries and in particular the reference that 'it would be targeted at the disadvantaged', it was highlighted that that was not considered a protected characteristic and so should read instead that 'it was addressing inequalities'
- A Committee Member welcomed the links demonstrated between the high number of exclusions to the 16/17-year olds young people currently in care and felt that some input from the Police and youth work could be linked in at that point.
- A Member welcomed the longer-term priorities and enquired how it was proposed that these would be achieved? In response the Chair of the C&YPPB advised that the Children's Services Improvement Plan highlighted apprentices for Care Leavers as a priority with the Chief Executive taking the lead. The Committee was also advised that the Council would be taking a leading role and offering in house apprenticeships where appropriate. Exclusions were also being targeted by seeking to secure an agreement with all local schools to reduce them across BCP, with a multi-agency conference being planned to get all of the agencies on board to provide as much support as they could to schools to achieve this ambition.
- In response to a concern that the levels of bullying highlighted seemed high, the Committee was reassured that there were already a number of anti-bullying policies in place, but the plan aimed to use multi-agency provision to help target interventions by considering what had been successful and what hadn't
- A Member queried the figures relating to a child who would be living with a family with abuse detailed in the Plan and that there were two different figures which needed checking. **Action. Explanations will be added to the Plan**
- There was a large amount of discussion surrounding the references to the Economy within the Plan with a Member advising that new research had suggested that there was not a strong correlation between high levels of Gross Domestic Product (GDP) and child happiness. Following the discussions, the Chair of the C&YPPB advised that the reference within the Plan was focusing on preparing children and young people for work, helping them to become productive and creative adults by working closely with the colleges, schools and businesses
- The Chair of the Committee referred to the mental ill health reference within the Plan and requested it be amended/softened so it did not look like mental health was being blamed
- The Committee appreciated the opportunity to contribute towards the Plan and acknowledged that it detailed some large pieces of work which needed to be undertaken. The Committee stressed the importance of ensuring that the work was carried out by building links with other agencies and strategies to ensure all the aspirations within the Plan were achieved and delivered.
- The Chair of the Committee referred to the dashboard being created to monitor progress and advised that the Committee would welcome the opportunity to consider it at an appropriate time. **Action: the dashboard to be produced as part of the action planning process by the summer.**

- The Portfolio Holder with responsibility for Covid Resilience, Schools and Skills as well as her role as Chair of the Health and Wellbeing Board concluded that all the strategies were linked and the Board would be responsible for delivering some of the aspirations once adopted.

The Chairman summed up as follows:

- The Committee thoroughly enjoyed considering and providing input into the draft Plan
- The Chair of the C&YPP was going to meet with the MYPs to consider the actions detailed under the four priorities
- A request to ensure protected characteristics were given consideration/highlighted
- The aspirations surrounding Apprenticeships
- Discussions surrounding the local economy and links with children and young people
- The Importance of ensuring close links to other BCP strategies.

RECOMMENDED that the views and considerations of the Children's Services Overview and Scrutiny Committee be taken into account when the plan is considered by Cabinet and supported by Full Council.

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Item 9 - Children and Young People's Partnership Plan 2021 – 2024

Second Addendum

Set out below is updated information to the published version of the documents relating to the above.

1. Amendments to the Cabinet report

Following the meeting of the Children's Services Overview and Scrutiny Committee, Recommendation 1 will be amended to read:

That Cabinet recommend that Council fully supports this plan.

Recommendation 2 will be removed as it is no longer relevant

Children's Overview and Scrutiny Committee also asked that the next steps be set out in the report and therefore it is proposed to insert the following new paragraph 19 and that all subsequent paragraphs be renumbered accordingly

19 Next steps

A discrete action plan will be published in the summer following further consultation on the detail of the plan, informed by a series of short impact assessments.

	Partnership Board activity
April	Working group formed to create action plan/ conduct impact assessments
May	Child health impact assessment – including mental health 1 st draft action plan – agenda item - Partnership Board meeting
June	Lifetime impact assessment of the strategies, as well as Partnership Equality Impact Assessment.
July	Board - Sign off Action plan

Paragraph 28 to be amended to delete 'target the disadvantaged' and to read as follows:

28. In achieving the ambitions of the Board as set out in the Plan, resources will be targeted to reduce inequalities where possible and to respect and support children and young people where 'protected characteristics' apply.

The following additional paragraph to be added

The Partnership will carry out a small number of impact assessments in the early summer when we put together the detailed priorities and action plans. Examples are a close look at Child Health Impact including the Mental Health Impact, and the lifetime impact of the strategies as well as a Partnership Equality Impact Assessment.

2. **Further comments on the Plan** are reflected in the feedback from the Children's Services Overview and Scrutiny Committee on 24 February 2021 and the extract from the minutes has been published as Supplementary Paper 1 on the Council's website.

CABINET



Report subject	Sale of Christchurch By-Pass Car Park
Meeting date	10 March 2021
Status	Public Report with Confidential Appendix
Executive summary	<p>It is proposed that the Christchurch By-Pass Car Park is sold to the adjoining owner of the retail outlet, in order to secure the continued occupation of this unit by Waitrose.</p> <p>The purchase price has taken into consideration the existing use value of the site as a car park. The sale will be subject to clauses that allow the Council to buyback the site should it no longer be required as a car park.</p> <p>The terms of the disposal have been agreed between the parties and are outlined in the confidential appendix to this report.</p> <p>Progressing with this disposal will provide a capital receipt that will support the Council's Transformation Programme.</p>
Recommendations	<p>That Cabinet RECOMMENDS to Council to;</p> <ul style="list-style-type: none"> i. 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; ii. 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;
Reason for recommendations	<p>The disposal of the land will contribute to the Council's Corporate strategy priorities, by helping to create dynamic places by ensuring a town centre retains its diversity in shopping facilities while contributing to a sustainable environment through the retention of the green corridors in this area.</p> <p>The capital receipt will help fund the Council's Transformation Programme.</p>

Portfolio Holder(s):	Cllr Drew Mellor, Leader of the Council and Portfolio Holder for Finance and Transformation
Corporate Director	Bill Cotton, Corporate Director, Regeneration and Economy
Report Authors	Sam Munnings, Estates Operations Manager
Wards	Christchurch Town;
Classification	For Recommendation

Background

1. The council has operated the Christchurch By-Pass car park as a public pay and display car park for many years. The car park is currently used by customers of Waitrose, who operate a payback scheme to its shoppers for the parking charge, and is available to those who use the Saxon Centre together with long stay users.
2. The lease of the commercial unit to Waitrose is due to expire in 2027 and whilst Waitrose wish to continue operating from the site, it is one of their poorer performing stores and they have cited the lack of control by their landlord of the car park as a key factor.
3. The freeholder is therefore negotiating a surrender and regrant to secure Waitrose on site for a further 15 years and gaining control of the car park is pivotal to this agreement as Waitrose are unwilling to renew their lease and stay in Christchurch if the landlord could not gain control of the car park.
4. Terms have been negotiated between the Council and the owner of the Waitrose store for the sale, which provides for a capital receipt to the Council, while ensuring that the site remains a car park into the future.
5. The proposed sale is for the car park only, with the Council retaining its surrounding interest, most notably the green corridor between the car park and the stream.
6. The proposed heads of terms of the disposal have been agreed between the parties and are outlined in the Confidential report attached at Appendix 2. As a result of the negotiations, consent is now being sought from Cabinet to progress with the disposal.
7. The agreed land value reflects the market value of the site, taking account the rights and obligations that the Council has reserved in order to protect the amenity of the local community.

Consultation with Ward Councillors

8. The site lies within the Christchurch Town Ward. Cllr Brooks as regeneration lead for Christchurch and the ward Councillors were consulted on the proposal. No objections were received.

Options Appraisal

9. The alternative option is to retain ownership of the car park and continue to operate it as a pay and display car park. If this option is pursued Waitrose has indicated that

they will not renew their lease of their store, which will result in them not having a presence in Christchurch. There is no guarantee that a suitable alternative tenant could be found for the unit and so it may remain empty for some time.

Summary of financial implications

10. The financial implications are detailed in the Confidential report attached at Appendix 2.

Summary of legal implications

11. The Council has the necessary statutory powers to dispose of this land under Section 123 of the Local Government Act 1972, which gives a general power of disposal for the best consideration reasonable obtainable.
12. A valuation has been provided by an internal RICS Registered Valuer, who has confirmed that the sale price is reasonable and this is sufficient for the Council to satisfy its obligations under Section 123, Local Government Act 1972. The valuation confirms the agreed sum represents best consideration.
13. The Council will retain access rights across the site, in order to manage the adjoining retained land. The sale is also subject to the existing access rights in favour of adjoining landowners, together with any existing rights and agreements for the underground pumping station and the lease of the gas governor station.

Summary of human resources implications

14. As the site will be retained as a car park for public use and the existing rights of adjoining landowners will be retained, there are no People implications arising from the recommendations within this report. There is no Equality Impact Assessment required or any contractual consequences.

Summary of sustainability impact

15. A Decision Impact Assessment (DIA) has been undertaken for this proposal and is attached. Reference ID 186.

Summary of public health implications

16. The health and wellbeing of the local community will be maintained through the recommendations in this report.
17. The sale of the car park will ensure the current tenant remains in the adjoining unit, retaining a supermarket within the town centre, while also ensuring local people have access to choice for their shopping.

Summary of equality implications

18. There are no equality implications associated with the recommendations brought forward in this report.

Summary of risk assessment

19. The disposal of the Christchurch By-Pass Car Park is considered medium risk. The Council will retain certain rights on disposal and the ability to buyback the car park should it no longer be required as a car park by the purchaser. This will ensure that the car park remains in such a use and that car parking capacity is maintained.

20. There is a risk around loss of a public car park managed by the Council and a perceived loss of public parking as the site will be managed and marketed as a parking area for Waitrose customers. This in turn may reduce the number of long stay spaces available.

Background papers

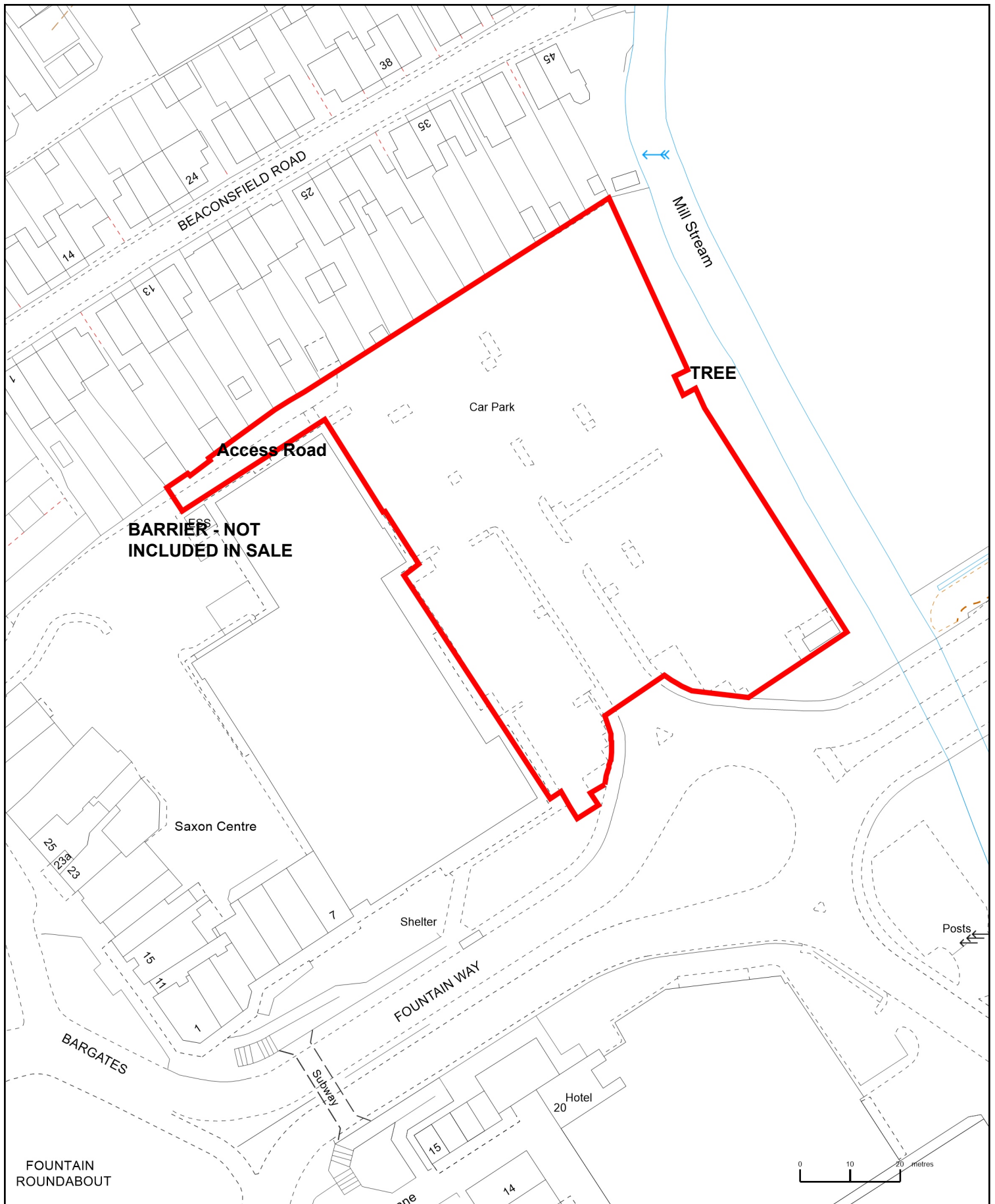
None

Appendices

Appendix 1 – Plan - Disposal area

Appendix 2 – Confidential Financial Report

Appendix 3 - Decision Impact Assessment



Outline of By Pass Car Park including access road up to the barrier
 Known as "Waitrose Car Park"

Scale: 1:1000 @ A4
 Date: 01 February 2021
 Creator: KH



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Decision Impact Assessment Report

The Sale of Christchurch Bypass Car Park

DIA Proposal ID: 186

Assessment date: 27th January 2021

Assessor(s): Sam Munnings

Support: Roxanne King



The Decision Impact Assessment (DIA) is a requirement of BCP Council's Financial and Procurement Regulations. It has been developed to help project managers maximise the co-benefits of proposals, reduce risk and ensuring that sustainable outputs and value for money are delivered through every project, plan, strategy, policy, service and procurement.

The following report highlights the opportunities and potential issues associated with the above titled proposal. It has been assessed against a number of themes and shared with BCP Council Theme Advisors for internal consultation. The RAG ratings and additional information have been provided by the project manager and may or may not have incorporated feedback from theme advisors. Results should be scrutinised by decision-makers when considering the outcome of a proposal.

The results of this DIA will be combined with all other assessments to enable cumulative impact data across a wide range of data sets. Individual DIA reports should be included in proposal documentation and made available to decision makers for consideration. Cumulative impact reports will be produced annually or as required by the Climate Action Steering Group and Members Working Group.

For questions and further information, please contact Sustainability Team at DIA@bcpcouncil.gov.uk

Please note: This report is in a draft format and may appear different to future DIA reports.

Decision Impact Assessment

DIA Proposal ID: 186

Welcome Roxanne King



Proposal Title: The sale of Christchurch Bypass Car Park

[Review registration](#)

Home Page

Climate Change & Energy

Complete



Communities & Culture

Complete



Waste & Resource Use

Complete



Economy

Complete



Health & Wellbeing

Complete



Learning & Skills

Complete



Natural Environment

Complete



Sustainable Procurement

Complete



Transport & Accessibility

Complete



Key



Not yet assessed



Major negative impacts identified



Minor negative impacts identified / unknown impacts



Only positive impacts identified



No positive or negative impacts identified

[Submit Proposal](#)

At any point the assessment you can request a report of what has been completed so far, for example to share with colleagues.

Note that it may take up to two working days for the report to be emailed to you.

[Request Report](#)

[Ask for help](#)

Decision Impact Assessment

Carbon Footprint

DIA Proposal ID: 186

Proposal Title: The sale of Christchurch Bypass Car Park



BCP Council is committed to becoming a carbon neutral organisation by 2030, and assisting the Bournemouth, Christchurch and Poole area to become carbon neutral ahead of the 2050 national target.

To achieve these challenging targets, we need to eliminate carbon emissions in all that we do. This is particularly important in the design, delivery, operation and end-of-life considerations of new plans, policies, procurements, projects, services and strategies.

The answers you have provided would indicate that the carbon footprint of your proposal is:

Low

Your Carbon Footprint is one of:

High

Moderate

Low

This should be factored into the viability and risk assessments of your proposal, subject to further assessment



Review and Submit

Ask for help



Proposal Title The sale of Christchurch Bypass Car Park
Type of Proposal Other
Brief Description The sale of Christchurch Bypass Car Park
Assessor Sam Munnings, Estates Manager
Directorate Growth & Infrastructure
Service Unit Development
Estimated Cost No cost
Ward(s) Affected Christchurch Town

Sustainable Development Goals (SDGs) Supported:



RAG reasoning and proposed mitigation/monitoring actions

Theme	RAG	RAG reasoning <i>Details of impacts including evidence and knowledge gaps</i>	Mitigation and monitoring actions <i>Additional information relevant to the theme e.g. monitoring activities, performance indicators, related strategies. Amber / Red ratings - any mitigation/remedial action being considered</i>
Climate Change & Energy		Existing use is a car park. Proposed use is a car park. No change of use as a result of the proposal.	N/A
Communities & Culture		Existing use is a car park. Proposed use is a car park. No change of use as a result of the proposal.	N/A
Waste & Resource Use		Existing use is a car park. Proposed use is a car park. No change of use as a result of the proposal.	N/A
Economy		The proposal enables Waitrose to remain in the town centre and invest in their store.	N/A
Health & Wellbeing		Existing use is a car park. Proposed use is a car park. No change of use as a result of the proposal.	N/A
Learning & Skills		Existing use is a car park. Proposed use is a car park. No change of use as a result of the proposal.	N/A
Natural Environment		The Council is to retain the green buffer between the car park and the river to ensure its effective ongoing management.	N/A

Sustainable Procurement		No procurement involved in this proposal.	N/A
Transport & Accessibility		The status quo will be maintained. The proposal does not include any obligation on the purchaser to provide electric charging points, cycle racks etc. However, enabling Waitrose to stay in the town centre will reduce the need for people to travel further afield.	None

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AUDIT AND GOVERNANCE COMMITTEE



Report subject	Council Referral of Motion - Gender-Neutral Language
Meeting date	11 March 2021
Status	Public Report
Executive summary	<p>The report references the Notice of Motion referred by Council to the Audit and Governance Committee for consideration. The Motion relates to the adoption of gender-neutral language.</p> <p>The committee is asked to consider the Motion and to consider making representations to Council. The proposer and seconder of the Motion have been invited to attend the meeting.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>the committee consider the proposed motion which is set out in paragraph 1 to this report and determine whether to make any recommendations to full Council.</p>
Reason for recommendations	Full Council referred the Motion to the Audit and Governance Committee for consideration. It is for the Committee to determine whether to make any formal recommendations to Council.

Portfolio Holder(s):	Councillor Drew Mellor (Leader of the Council and Portfolio Holder for Finance and Transformation)
Corporate Director	Graham Farrant (Chief Executive)
Report Authors	Richard Jones (Head of Democratic Services)
Wards	Not applicable
Classification	For Recommendation

Background

1. The full Council meeting on 5 January 2021 considered a Motion on Notice under Procedure Rule 12 which was proposed by Councillor L-J Evans and seconded by Councillor Lisa Lewis. The Motion as proposed read:-

“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.”
2. Following a debate by Council it was resolved “that the motion be referred to the Audit and Governance Committee for it to be considered through the Constitution Review Working Group”.
3. The Constitution Review Working Group considered the Motion at a meeting held on 25 February 2021.

What is meant by Gender-Neutral Language

4. The Office of the Parliamentary Counsel and Government Legal Department jointly produced a Guide to Gender-Neutral Drafting in 2019, which aimed to promote the use of gender-neutral drafting for UK statutes and statutory instruments, the principles of which could be applied to the drafting of formal council documents.
5. The guide provides a useful definition of what is gender-neutral drafting:-

In its broadest sense gender-neutral drafting involves:

 - *avoiding gender-specific pronouns and adjectives (such as “she/her/hers” or “he/him/his”);*
 - *avoiding nouns that might appear to assume that a person of a particular gender will do a particular job or perform a particular role (e.g., “chairman”).*
6. The Motion to Council, as proposed, did not define or provide a list of gender-neutral terms not to be used nor did it detail the scope of what was to be included within the definition of ‘all reports and formal communications, both verbal and written’. However, the proposer of the Motion has provided some clarity since the meeting as follows:-
 - The adoption of the use of gender-neutral language minimises assumptions about the social gender or biological sex of people referred to in verbal or written communication. The policy should apply to all written and verbal communications produced or used in an official capacity (e.g., reports, policies, correspondence, newsletters, consultations, official records, etc.).

- It is not proposed to adopt a definitive list of gender-specific words which should be avoided but instead promote an awareness of gender-neutral language and apply the following principles to:-
 - avoid gender-specific pronouns and adjectives (such as “she/her/hers” or “he/him/his”);
 - avoid nouns that might appear to assume that a person of a particular gender will do a particular job or perform a particular role.
- The application and use of gender-neutral language shall not apply retrospectively to pre-existing documents. It is recognised that a transition period will be required for implementation, particularly where line-of-business processes and systems require modification.
- Inadvertent failure to comply with the policy shall not result in punitive action.

Constitution Implications

7. In relation to the Constitution, the Council previously agreed not to change the 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.
8. If the Committee was minded to reconsider this position, there are currently 166 references to either Chairman, Vice-Chairman or their derivatives in the Constitution, 14 instances of gender specific pronouns and adjectives (e.g., his, her, he, she, etc.) and 14 other references which may be considered to be gender specific, although these are in relation to job titles.
9. If supported, changes to gender specific terms could be made during the comprehensive review of the Constitution which would minimise required effort and cost.

Corporate Implications

10. The inclusion of all written communications as defined above could have significant consequences to line of business processes and require system changes or enhancements. This is not insurmountable, however, if approved there would need to be a transition period and appropriate alignment to programmed systems consolidation.
11. Training and awareness for all staff and councillors would be essential to promote and embed new working practices, which would require clear reference guidance to be produced. This activity could be led by the Equality Action Commission Group.

Conclusion

12. The Committee is asked to consider the Motion as proposed and to consider making a to full Council.

Summary of financial implications

13. The removal of gender-specific terms from the Constitution could be undertaken during the current comprehensive review exercise and implemented from September 2021. There would be minimal additional effort required to implement required changes on this basis.
14. The removal of gender-specific job titles could be removed as part of the transformation of the council and introduced under Smarter Structures from April 2021.
15. The adoption of the Motion as proposed with an expectation of immediate implementation could have far reaching consequences and unknown costs to

potentially upgrade systems and processes. A transition period would be required to avoid additional expenditure.

Summary of legal implications

16. The adoption of a policy to use gender-neutral language is a local choice. There is no legal duty to adopt such an approach under existing legislation.

Summary of human resources implications

17. There are no specific human resource implications arising from this report, however, it will be necessary to promote awareness of this policy to all staff and councillors.

Summary of sustainability impact

18. There are no sustainability implications arising from this report.

Summary of public health implications

19. There are no public health implications arising from this report.

Summary of equality implications

20. There is no specific equality duty to adopt gender-neutral language policy, however, an increasing number of public sector organisations are deciding to implement such arrangements.
21. The use of gender-specific language is widely recognised as being hugely important in promoting gender equality, including the reduced perception that specific roles are performed by those of a specific gender.

Summary of risk assessment

22. The adoption of a gender-neutral language policy will require awareness training for staff and councillors to embed adoption. There is a risk that individuals may inadvertently use gender-specific language which could result in criticism and allegations of misconduct.

Background papers

Published Works

Appendices

There are no appendices to this report.