

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 15 June 2020 at 2.00 pm

Present:-

Cllr P Broadhead – Chairman

Cllr M Haines – Vice-Chairman

Present: Cllr P Broadhead, Cllr M Haines, Cllr M Anderson, Cllr S Bartlett,
Cllr M F Brooke, Cllr M Earl, Cllr G Farquhar, Cllr L Fear,
Cllr M Greene, Cllr N Greene, Cllr M Iyengar, Cllr D Mellor,
Cllr P Miles, Cllr C Rigby and Cllr T Trent

Also in attendance: Councillor Lewis Allison
Councillor David Brown
Councillor Richard Burton
Councillor Lesley Dedman
Councillor Mark Howell
Councillor Sandra Moore
Councillor Lisa Northover
Councillor Vikki Slade

180. Election of Chairman

The Chairman advised that this item would be deferred to the first meeting after the Annual Council meeting.

181. Election of Vice Chairman

The Chairman advised that this item would be deferred to the first meeting after the Annual Council meeting.

182. Apologies

There were no apologies received

183. Substitute Members

There were no substitute members.

184. Declarations of Interests

In relation to the agenda item on Mudeford Beach Café which was subject to a current planning application the Chairman asked the monitoring officer to provide guidance on predetermination. The Monitoring Officer advised that any member of the Planning Committee should refrain from mentioning any planning matters and from expressing any opinion on the development. All Councillors could ask questions in relation to the item on the agenda

today. In response to a query, Councillors were advised that fact gathering was fine but to avoid making statements on a fixed opinion.

185. Action Sheet

The action sheet was noted. There were no further comments.

186. Public Speaking

There were 31 public questions received in relation to agenda item 12, Mudeford Beach Café. All public questions and responses had been published on the Council website prior to the meeting and all Board members had received a link to this document.

There were 4 public statements received in relation to agenda item 12, Mudeford Beach Café. All public statements had been published on the Council website prior to the meeting and all Board members had received a link to this document.

A copy of the public questions and statements can be found on the page for this meeting on the website.

187. Chairman's Update

The Chairman welcomed Councillor Trent to his first meeting as a new member of the Board.

It was confirmed that the Chairmen of the Health and Adult Social Care Overview and Scrutiny Committee and the Children's Services Overview and Scrutiny Committee were in attendance at the meeting to address items within the remit of their Committees and would be bringing and comments or questions from their Committee Members to the Board but would not be taking part in any votes.

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

The Chairman reminded the Board that for this item they were also asked to consider the Cabinet report on Update on BCP Council's response to the COVID-19 pandemic a copy of which had been circulated and which appears as Appendix A to the Cabinet minutes of 27 May 2020 in the Minute Book.

Overview – The Leader of the Council provided an update to the Board since its last meeting. Several hundred of those redeployed during the outbreak were moving back into their normal roles. However, there were still many employees who were unable to return to their normal roles due to shielding. For example, due to the demographic employed in the area the numbers in parking enforcement were significantly reduced. There was likely to be an impact on staff redeployed to the Community Resilience Hub. The Leader noted that the public response had previously shown a high level of compliance and there was clarity on the rules in place. However,

there had been a recent shift in the way that people had been complying and misperception on what constituted a rule or guideline and whether these were enforceable. Queries were raised by the Board on the level of visitors during half term and a noticeable change in public behaviour. The Seafront was operating with 20-25 percent of normal staffing levels which was not helped by the large numbers travelling to the area. The Board was advised that each local authority was required to submit a local outbreak plan by the end of June. Funding had been provided for this and it would be completed soon.

Signage had been placed in town centres to encourage social distancing with queuing systems in place. Work had also taken place with media partners to project the message 'staying local, shopping local'.

The Chief Executive advised that the Council was rethinking business as usual and a Full Council meeting had taken place. Other committees and functions were also gradually being stepped up. The Chief Executive also advised that he had been asked to help the Local Government Association. It was noted that the local outbreak management plans would be used to target different infection rates and risks.

A Councillor raised a concern regarding the clarity of the government guidelines issued and asked if BCP Council had made representations to central government on this issue. It was noted that there had been an ongoing dialogue with central government whenever possible both as an individual Council and with partners. The Leader noted that the most recent representations made to government with regards to the distance people were travelling to visit the beach had not been supported by the local MPs who felt that things needed to get back to normal. The Council would continue to make representations on any new guidance issued as it was felt appropriate.

The Board raised the issue of the large numbers visiting the beach. The Leader advised that the Council had received no notice of the change in lockdown rules so there was no time available to make additional preparations. Staff had tried to deal with the situation as far as possible, but a number of visitors disregarded the guidelines and neither the Council or police had powers to enforce them. In response to a query about the involvement of Ward Councillors on beachfront management the Leader advised that the operational running of the beach was not a matter for ward Councillors. The Corporate Incident Management Team would look at where additional funds were required to address any issues. A Board member commented that residents in their ward had been significantly affected by the inconsiderate parking with people unable to access their homes. The Leader advised that the impact on residents was extremely important which was why support from local MPs was sought on this issue. It was noted that all additional measures included increased fines and towing were looked in to but it was not possible for the Council to use these. However, they would be looked into in a review for future

The Board also raised concerns regarding the statue of Robert Baden Powell. It was noted that the removal would only ever be temporary. Queries were also raised about the impact on cultural events and shows going ahead whilst maintaining social distancing, in particular with reference to the Arts by the Sea Festival. Under the current guidelines these activities would be difficult, and the Portfolio Holder would look into these issues as guidelines were changed.

Councillors asked about the furlough of 500 staff. It was noted that staff directly funded through Council Tax could not be furloughed. The staff furloughed mainly worked for Two Rivers Meet Leisure Centre and schools. It was not possible to redeploy staff to Beachfront Services. CIMT took the decision to pay furlough at 100 percent as it was felt that this was most appropriate to move the situation forward quickly.

In response to a question it was confirmed that at present the July and August cycling restrictions on the prom would be in place.

It was suggested by a Board member that the Council could have redeployed staff to parking enforcement, wearing uniforms as a deterrent even if they did not have the power to issue tickets as there were large areas of the cliff top without a parking enforcement officer present. In response it was noted that tickets had been issued across the whole area and staff had worked hard under difficult circumstances. Furthermore, there had been similar issues over the past several summers at the busiest times.

Public Health – The Deputy Director of Public Health advised the Board of the most recent data on Covid-19. It was noted that the national death and case rate were coming down dramatically. The South West region had been less affected throughout the epidemic and the BCP area had one of the lowest rates of infection and had been relatively unaffected prior to lockdown. However, there had been the impacts on health services. The Board heard an update on the track and trace system and how this had been working since its implementation. Case numbers were low but public health were mindful of the potential impact on the lifting of restrictions and the dates that this came into effect. It was noted that in the last five days there had been 8 positive cases recorded within BCP.

In response to a question regarding a downward trend in case numbers the Deputy Director noted that numbers in the area were low and continued to be low, it was therefore difficult to draw conclusions. Any small increase in numbers would therefore look dramatic. At a local level there were only 1 or 2 new cases reported a day.

A Board member asked what proactive measures could be taken to minimise an impact of a local outbreak. Public Health England was looking to identify areas which may be particularly vulnerable to this. There was strong multi-agency working with agreed protocols for settings such as prisons, schools or care homes. There was also better understanding of

what a pattern of infection looked like and that there was good access to information and health services.

The Chairman of the Health and Adult Social Care O&S Committee asked about the access to testing and if there were any barriers. All hospital admissions were now being tested. The Creekmore testing site was up and running along with home testing for symptomatic people. It was noted that initial access to testing was online but there was also now a standard phoneline in place, thanks to lobbying through the LGA and local authorities. There was also new testing available for care home residents and staff who were not showing symptoms.

A Councillor advised that vulnerable individuals wanted to go back out into the environment and whether we were doing anything to allow them access to PPE. Other vulnerable people did not have access to information on the changing situation and were currently shielding in their own homes. The guidance for those clinically seriously at risk were still being advised to continue shielding. However, for others who were vulnerable it was important get a consistent message to them and provide support. This was an ongoing piece of work and was increasingly important.

Children's Services – The Portfolio Holder for Children and families advised the Board of the changes within her portfolio since she last reported to the O&S Board. There were high levels of visiting taking place for children in care and for children with a child protection plan, along with those identified as a child in need. Children's Social Care had received an increase in the number of referrals. It was noted that referrals were often linked to an increase in domestic violence due to higher levels of tension and stress within the home. However levels of alcohol misuse had decreased. There was a notable impact on adult mental health having an effect on children within the home.

The Board was advised of a further increase in the numbers of vulnerable children attending school. It was noted that 43 percent of children with a child protection plan were now attending school, 48 percent of under 5s on a child protection plan attended an early-years setting. Of those with EHCPs 19 percent of those eligible were attending school and 23 percent attended an early-years setting. A new return home interview service started in May along with training for addressing vulnerable children who go missing.

Schools had also recently reopened for reception year, year 1 and year 6 and here were between 27 percent and 38 percent attending over the different year groups. The expanded offer for years 10 and 12 was also due to begin from this week. It was noted that teaching in bubbles was more resource intensive. Early years settings were also reopening and had been provided with a starter pack of PPE. The Government had still to issue guidance for provision during the summer holidays including catch up classes. However, a number of schools locally with parents on what they wanted to see provided. A total of 850 laptops had been delivered and would be distributed along with 4G provision. However, more were needed

for all disadvantage year 10 children. It was also noted that test and trace guidance had been provided to schools.

The Chairman for the Children's Services Overview and Scrutiny Board advised that there was a Committee meeting scheduled for 30 June asked about the capacity of the Children's Services workforce to undertake reviews of plans. It was noted that these were planned pieces of work and capacity for this had been planned the Service was looking at how to maintain resilience if there was an increase in the number of cases.

It was asked whether the increase school provision would help or hinder with getting more vulnerable young people into school. It was felt that more children returning would help as it would remove any stigma.

The Board was advised that young people wanted to see more consistency with the provision from different schools, there was also concerns raised about those shielding and vulnerable family Members when starting school and the provision and difficulties of using public transport.

A Board member noted that with the schools closed we were in a vulnerable situation and there was concern regarding the emotional health and wellbeing. It was noted that the schools provided a universal service they needed the Council's support.

Adult Social Care - The Portfolio Holder for Health and Adult Social Care noted that there was a joint Health Scrutiny Committee due to take place with Dorset shortly and the BCP Health and Adult Social care Overview and Scrutiny Panel would be back in July. The Board was advised that between the 29 May and the 5 June there had been no new outbreaks or deaths in care homes. Across the BCP area 28 percent of care homes had experienced an outbreak. However, whilst any outbreaks were a cause of concern this figure was much lower than that nationally. There had been a total of 68 Covid-19 related deaths in care homes and 113 in the local hospitals. It was noted that the Care Home Support Plan was a government required initiative to be returned by 28 May. It was a multi-agency response with care homes and supported living providers to prevent the spread of infection into care homes. The main issue was to give care home access to PPE and medical equipment when their normal supply lines were interrupted. Support was also provided for homes with residents with dementia to ensure that where necessary they were able to isolate. It was noted that testing was also now available for anyone on admission or readmission to a care home even if they were not showing symptoms. The Board was also advised that the Council had distributed 155,000 items of PPE to care homes struggling to get adequate supplies. The Board was advised that three quarters of the latest government grant of £3 million had already been paid out to the care sector per bed to address pressures which had arisen due to infection control. The remaining part of this was due to start being paid out this week in response to staff numbers as reported by care homes. There was an increase in contacts to Adult Social Care relating to information and advice including a five-fold increase in

contacts. It was noted that safeguarding contacts were also higher than normal.

In response to a query raised by Councillor Fear at the previous meeting about the mental health and wellbeing of residents in care homes the Portfolio Holder explained several measures which were in place to help residents including different activities, letters from the community, skyping residents and skype activities, jigsaws paint and modelling clay sent out. In some instances, day care centre workers had visited care home to give staff a break. There was a clear link between the mental health of care home staff and residents, and they had been given support through counselling.

The Chairman of the Health and Adult Social Care Overview and Scrutiny Committee asked how care homes were coping now. It was noted that the situation overall was improving for care homes. In response to a further question regarding funding for homes to make provision for people needing to isolate it was noted that the government grants could be used to support this. The Council was also doing some specific work for the homes which may have difficulty with isolating, particularly for those who had dementia and mental health issues.

In response to a query about how elderly and vulnerable people can be supported to start going outside again the Board was advised that they could use the crisis contact line which could help them with issues such as where to access PPE. The Corporate Director for Adult Social Care was also looking at using volunteers through the Together We Can initiative to support people through the recovery phase. For those not eligible for Social Care this was the best route and the Director undertook to highlight this issue to the initiative.

A Councillor advised that he was selected for a random test but was not able to participate due to a drug he was currently taking and asked whether that this was affecting a significant proportion of the population and whether there were other means to test those persons. As this was more of an issue that the NHS would need to respond to the Portfolio Holder advised that an answer would be sought and provided to Councillor Trent.

In response to comments from Cllr Fear the Portfolio Holder advised that she share with him the information that she had on the Care Home Support Plan.

A Councillor commented that the Council seemed to have been responding very well throughout this crisis and the events of the previous weekend was dramatic and that officers should be thanked for their efforts. The Councillor also raised concern with some of the comments made by the Board as political. The Chairman responded that it was the Board's job to scrutinise and that these were serious issues that should be looked at retrospectively.

RESOVLED that the Overview and Scrutiny Board place on record its thanks to all staff and that this should be communicated to staff.

189. Scrutiny of Organisational Design - Implementation and Budget

The Chairman invited the Leader of the Council to introduce the report, a copy of which had been circulated and which appears as Appendix B to the Cabinet minutes of 24 June 2020 in the Minute Book. A number of issues were raised by the Board in the subsequent discussion, including:

It was noted that there was a massive material change in the paper from the issues which were presented to the Board and to Cabinet in February which included significant changes in the costs put forward. It was noted that the benefits outlined in the paper were lower than expected. In response to a question on what the expectation of the Town Hall refurbishment costs were the Leader advised that this was not a paper about accommodation and that this would be coming back to Cabinet and the Board.

- The Leader noted that by working with a partner and not being too rigid at the beginning would allow things to move around more easily and use specialist partners as required.
- It was noted that Capital receipts were down from that previously reported and a Councillor asked about the process for maximising value for the Council Taxpayer with regards to Capital receipts. The Leader advised that there was only a limited window in which to dispose of the assets and they would be disposed of to provide the best value possible under market conditions and a pragmatic decision on this would be taken. The Chief Financial Officer drew the Board's attention to Section 44 and outlined that there was a robust monitoring process behind this.
- A Councillor raised concern about the higher costs and linking this to the higher costs savings outlined in he reports. The market indicated that the lower figure initially arrived at with the original consultants was unambitious and that £45million should be expected as a minimum figure. This was not intended to set out a position to overachieve what was originally set out in November. The Strategic Director advised that the market had advised that being too specific in outlining the aims over the next 3-5 years would neither help the Council or the Partners. The overall aims of the project had been agreed in November and these were still the aims in place.
- A Councillor noted that the cost of moving to the Town Hall could not be estimated and questioned this position. The Leader advised that it had only been in the last 6-8 weeks that it had become obvious that agile working was possible, again this paper was not about the accommodation strategy and this would come back to the Board. Given the time frame that people were able to access the building the only options were to delay the paper or bring it forward with reference to the accommodation strategy whilst noting that this would be dealt with in a separate report.
- There was concern that the paper seemed to be indicating a spending cap to see what could be achieved rather than looking at what was required and the cost for this.
- A Councillor commented that they were disappointed to see a diversion of funds from Oakdale Adult Learning Centre. The Leader advised that

the transformation of the learning centre was critically there was no intention to not move this forward. A paper would be coming forth to Cabinet on this issue which would outline a new way to configure the adult learning service and facilities

- A Councillor requested to see a detailed top-level work programme for the transformation programme to see what this was all about for those less familiar with it. The Councillor also requested a risk register for the programme to see where the programme was going and to see the potential issues associated with the programme. This would be coming back regularly through Cabinet and through O&S Board. This work programme would have its own risk register once approved to begin.
- How robust and resilient was the current plan in relation to current event and potential future issues.
- In response to a comment the Leader commented that the whole purpose of Local Government reorganisation to do this.

RECOMMENDED that:

- 1. More detail be sought in relation to option b as the preferred choice of contract structure/procurement, recognising the lack of detail in this report regarding the cost of this process and the parameters of success.**

Voting: For: 8, Against 5, 1 abstention

- 2. Cabinet undertake an urgent review into the Council's Capital Receipts Strategy to ensure that value to the taxpayer is maximised. In particular the Board asks Cabinet to consider opportunities to increase value through consideration of completing planning applications or Council development on relevant sites before disposing of assets piecemeal.**

Voting: For: 9, Against 4, 1 abstention

The meeting adjourned at 4.46 pm and resumed at 16.50pm

190. Scrutiny of Finance Related Cabinet Reports

Budget Monitoring Report – June 2020 - The Portfolio Holder for Finance introduced the report, a copy of which had been circulated and which appears as Appendix D to the Cabinet minutes of 24 June 2020 in the Minute Book. A number of issues were raised by the Board in the subsequent discussion, including:

There were concerns expressed that the paper was not proposing a full Cabinet decision on the significant amendments to the Budget but rather asking that Cabinet note these changes. It was noted that previous papers indicated that this would be a proposed update to the Budget which was outlined to full Council in February. The Portfolio Holder advised that as work progressed on the financial situation it was proposed that this would be an update to the February Budget rather than a rebuild of the budget.

The Board was advised that there were still a lot of unknowns at present and there was a need to be able to continue to respond to these issues throughout the year. The Portfolio Holder advised that there was no doubt that the numbers outlined in the report would change, using the 24-week scenario in the planning allowed the budget to respond to changing circumstances.

In response to a query regarding the financial prospects of the Council the Portfolio Holder confirmed that the Council was in a strong position to be able to cope with the financial impacts it was facing.

A Councillor asked if representations had been made to central government on the financial impact on local authorities and the Portfolio Holder responded that this had taken place both as an individual authority and jointly with other authorities through collective organisations and the LGA. The Local authority had also been doing this through the local MPs.

A Board Member stressed the importance of opening out the decisions concerning the revised budget to the whole Council as they ought to be fully aware of the risks and the challenge of re-floating the economy in the BCP area. In addition to this another Board member commented that during his time in local government he had never seen such a substantial budget change not be considered by the full Council.

A Councillor asked about paragraph 65 of the report and the impact that delaying spend in some of these areas until 2021/22 would have on them particularly the environment but also highway maintenance and street cleansing. It was noted that this would deliver substantial savings and there was funding to deliver more. There had been some underspend in this area due to Covid-19.

A Councillor raised a concern regarding the substantial savings which needed to be made from the various directorates and suggested that they were difficult to find as these could only be found in an appendix to the report and felt there should have been more transparency. The Portfolio Holder noted the significant financial impact but commented that there was a need to swiftly review the impact and find resources to mitigate the impact. Some of the savings were almost naturally occurring as a consequence of the epidemic and a number were delaying particular projects. There was also an effort to try to find recurring savings which could be made which would also contribute to meeting the budget gap for next year's budget which reflected work which would be happening anyway and would take away the pressure on the Medium Term Financial Plan.

A Councillor raised a concern that O&S Board members were making several comments rather than contributing and asked the Portfolio Holder what O&S Board could do to be helpful in these unprecedented times. The Portfolio Holder advised that O&S Board needed to be satisfied that the scenario planning was the best it could possibly be and that monitoring of the budget was continuous. The Local Government association had used BCP Council in one of its case studies and the LGA considered that the Council was doing everything it could.

A Councillor raised a concern that the next quarterly report would possibly not be due until October and that this was too long to wait in order to fully understand what the Council had been facing. It was noted that quarterly budget monitoring would be kept under review and any significant changes

or government funding would be brought to Cabinet and O&S Board if required.

Due to the significance of the shortfall in funding to covered the Covid-19 epidemic a Councillor proposed that Councillors from all sides sign a letter, copied to local MPs, seeking action to address the gap between the actual cost of dealing with the pandemic, and the recompense made thus far by Government to local government. The motion was seconded and put to the vote which was lost.

A Councillor commented that response in terms of the budget to the situation needed to be continuous and flexible and noted that no alternative proposals had been put forward by the Board and suggested that requiring the budget to go to full Council would be causing unnecessary delays.

RESOLVED that the Overview and Scrutiny Board is surprised and disappointed that such a substantial rebase of the budget for the Council is not being put before all elected Councillors for their consideration and approval. This includes Cabinet, where the recommendation on the Cabinet Paper reads that the proposed £30m of savings should be “noted”, not even approved.

RECOMEMNDED that the revised budget as outlined in the Cabinet report be put before Full Council in the normal fashion for a budget decision.

Voting: For: 8, Against: 5, 1 abstention

191. Mudford Beach Cafe

The Chairman advised that he had requested that this issue be added to the agenda for this meeting due to the public interest in this issue and as at the time of the Cabinet decision the O&S Board had decided to not scrutinise the issue prior to Cabinet. The intention of the item was to allow an opportunity for the O&S Board to receive an update on the progress on this development. A statement received on this issue from a Councillor not on the Overview and Scrutiny Board was read out to the Board a copy of which can be found on the Councils website page for this meeting. The Chairman invited the Portfolio Holder for Tourism, Leisure and Community to provide the Board with an update on the project. The Chairman asked the Portfolio Holder to refer to the general sentiment of the public questions received.

It was noted that there was a forthcoming Planning application but particular issues concerning this would not be referred to. The Cabinet report didn't give as much detail as normal in terms of specifics of the planning as there was a desire to get the project moving as quickly as possible. There had been a number of representations regarding the now submitted planning application. The Portfolio Holder advised that he has been very clear in proposing the recommendations in the Cabinet report

that he wanted to ensure good dialogue with the beach hut owners and all stakeholders connected with the project. There had been a number of meetings with officers and the Portfolio Holder and with the Beach Hut owners and there was an extensive Q&A session with Hengistbury Head residents. The Portfolio Holder noted that a lot of the issues raised were related to planning matters. There were a number of misrepresentation issues related to the planning applications.

The Chairman asked about the differing statements between the Cabinet report and the submitted planning application. For example, that he rent increase would be based on an uplift in commercial activity, but the planning application suggested that commercial activity would not increase. The Portfolio Holder advised in relation to Cllr N Brookes statement there had been very significant consultation with all stakeholders. The original Cabinet report didn't say there would be an increase in business but did refer to an uplift in ground rent. This didn't necessarily mean that there would be more visitors.

A Councillor asked that if there was a situation with an extended pandemic would the proposal deal with possible changes in the way in which future public interaction may work. It was noted that there were no changes to the design following the pandemic, but it would provide an improve space for social distancing.

A Councillor felt that given the summation of comments on one hand and the increase in rent versus the inability to get more footfall on the site that the issue should be paused at the moment whilst the conflicting issues are fully considered. The Portfolio Holder advised that the old café and shop were not able to keep up with demand, therefore there could be more business without having an impact on the footfall on the spit.

RECOMMENDED that Cabinet pause its support of the project and reconsider its decision until such a time as that the commercial rationale that underpins it be reviewed in light of the planning constraints that call into question the commercial viability of increased revenue originally projected.

Voting: For: 7, Against 0, 7 abstentions

The meeting ended at 6.15 pm

CHAIRMAN