

Notice of Overview and Scrutiny Board

Date: Monday, 20 July 2020 at 2.00 pm

Venue: Via Skype



Membership:

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
Cllr T Trent

All Members of the Overview and Scrutiny Board 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?CId=292&MId=4296&Ver=4>

If you would like any further information on the items to be considered at the meeting please contact: Claire Johnston on email claire.johnston@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email 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

10 July 2020



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
(anne.brown@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. Election of Chairman

The Board is asked to elect a Chairman for the ensuing 2020/21 municipal year.

2. Election of Vice-Chairman

The Board is asked to elect a Vice-Chairman for the ensuing 2020/21 municipal year.

3. Apologies

To receive any apologies for absence from Members.

4. Substitute Members

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

5. 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.

6. Confirmation of Minutes

5 - 38

To confirm and sign as a correct record the minutes of the meetings held at 2.00pm and 6.00pm on Monday 18 May 2020 and Monday 15 June 2020.

a) Action Sheet

39 - 44

To note and comment on the attached action sheet which tracks, decisions, actions and outcomes arising from previous Board meetings.

7. Public Speaking

To receive any public questions, statements or petitions submitted in accordance with the Constitution. Further information on the requirements for submitting these is available to view at the following link:-

<https://democracy.bcpccouncil.gov.uk/documents/s2305/Public%20Items%20-%20Meeting%20Procedure%20Rules.pdf>

The deadline for the submission of public questions is Tuesday 14 July

2020.

The deadline for the submission of a statement is 12.00 noon, Friday 17 July 2020.

The deadline for the submission of a petition is 12.00 noon, Friday 17 July 2020.

8. Chairman's Update

For the Board to consider any issues raised by the Chairman which are not dealt with elsewhere on the agenda.

9. Update on the Council's Response to the Covid-19 Epidemic

To consider a verbal update from the Chief Executive and Leader of the Council on the Council's actions in relation to the impact of the Corona Virus. Along with verbal updates at the meeting, a Cabinet paper provided by the Chief Executive on this matter will inform this discussion.

The Cabinet report will be published on Friday 10 July 2020 and available to view at the following link:

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=4253&Ver=4>

The purpose of this scrutiny is to seek assurance that the Council is taking all appropriate actions and to take into account any particular concerns from councillors acting in their community role, in line with the Board's role as enabler of the voice and concerns of the public.

10. Covid-19 Recovery - Economy and Tourism

To consider observations on the impact of Covid-19 and prospects for future reset and recovery from representatives of the following organisations:

- Business Improvement Districts operating within BCP Council area,
- BH Area Hospitality Association
- Destination Management Board

The following Cabinet Portfolio Holders are also invited to attend the Board meeting for consideration of this item:

- Portfolio Holder for Regeneration and Culture
- Portfolio Holder for Tourism, Leisure and Communities

The purpose of this scrutiny is to listen to a wide range of stakeholders to gain a greater understanding of the wider effects of Covid-19 and to take into account the views of the external stakeholder in future scrutiny of the impact of Covid-19, in line with the Board's role as enabler of the voice and concerns of the public.

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.

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL

OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 18 May 2020 at 2.00 pm

Present:-

Cllr P Broadhead – Chairman

Cllr M Haines – Vice-Chairman

Present: 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 R Maidment, Cllr D Mellor, Cllr P Miles and
Cllr C Rigby

Also in attendance: Councillor Lesley Dedman
Councillor Sandra Moore
Councillor Vikki Slade
Councillor Kieron Wilson
Councillor Lewis Allison
Councillor David Brown

158. Apologies

Apologies were received from Cllr R Maidment and Cllr P Miles.

159. Substitute Members

Cllr R Burton was a substitute for Cllr R Maidment

160. Declarations of Interests

Cllr M Brooke declared a local interest in agenda item 10 - Children's Services Capital Strategy as he was a Board member of the Castlemain academy trust.

161. Confirmation of Minutes

The minutes of the meeting held on 20 April 2020 were approved as a correct record.

162. Action Sheet

The action sheet was noted.

163. Public Speaking

There were no public questions, statements or petitions.

164. Chairman's Update

The Chairman advised that the Chairmen of the Children's Services and Health and Adult

165. Scrutiny Between Board Meetings

The Chairman advised that since the last meeting of the Board the working group on Personal Protective Equipment had met and its findings had been circulated to the Board and would be published on the Board's webpage following this meeting.

The Chairmen of the Health O&S Committee explained the Scrutiny process undertaken by the working group and briefly laid out the findings of the group. A Board Member asked about the care home staff and feeling unsafe and what this could be attributed. The Board was advised that this was due to personal feelings of concern rather than deficiencies in PPE.

166. BCP Council's Response to Covid-19 Pandemic

Overview – The Board were advised that as part of the consideration of this item the Board was asked to look at the associated Cabinet report which was attached at appendix A to the Cabinet minutes of 27 May 2020 in the Minute Book. The Chief Executive provided a summary of the current situation with particular updates on changes since the situation was last reported to the Board. It was noted that there had been a good community response in the local area and the Council had been working with the Police and Public Health Dorset. The profile of BCP Council had been raised through the Chief Executives role as one of three Chief Executives representing local Councils in the south west region with the Ministry of Housing Communities and Local Government (MHCLG), this included direct calls with policy staff in central government. A number of services were beginning to resume including household recycling centres, green waste and car parks. The Leader of the Council explained that less staff were now being redeployed and were moving back into their normal roles. The Leader had also been undertaking regular live Facebook Q&A sessions. The Leader emphasised the importance of maintaining democratic engagement in a 'new' normal along with community engagement through the Q&A and community hub and use of apps and AI to help with community engagement. Work with town Centre business and the hospitality industry was underway. She advised that the unitary Councils network were now regularly included on fortnightly calls with the MHCLG. Local MPs had been supportive of the issues raised by the Council in terms of this engagement. Work on the Discretionary Business Grants scheme was also taking place following the issuing of guidance.

A number of issues were raised by the Board including:

- In paragraph three of the report there was reference to an initial recovery impact assessment report. The Chief Executive advised that this was something that they were still working on with the Local Recovery Forum. South West Councils were also appointing consultants to work on the overall economic impact across the area.

- Car Parking - A Councillor asked about the main pros and cons of reopening. The leader advised that conversations had taken place. Conversations had taken place with the police which concluded that the police had no powers to prevent anyone from travelling anywhere they chose to with a day. However, the message from the Council being promoted was to 'come back later' and locally if it was busy to think again and return home. Therefore, as it seemed apparent that as people would travel anyway the Council wanted to reduce the impact on local residents and illegal parking.
- In paragraph 9 of the report referred to testing for Covid-19 at Creekmoore Park and Ride. There were relatively low numbers of staff needing to be tested and questioned if this was the same across the area and asked about contact tracing and tracking. The Chief Executive advised that the numbers reflected the low infection rates across Dorset. The aim was for sites to be within 40 minutes driving time. The Chief Executive commended the response of staff from all organisations in getting the site opened quickly.

Public Health - The Director of Public Health advised that we were moving from the acute phase of response towards recovery. A national plan for recovery was underway which included the testing sites which had been set up. The track and tracing services was in the process of being developed and would be up and running using the contact app in the next few weeks. The Public Health Team was supporting the complex contact tracing for the local area. There had been relatively low numbers of cases in the community but there had been outbreaks in care homes. More support was being put in place to help manage these outbreaks, working closely with Adult Social care and Care Homes. Asymptomatic testing for residents of care homes was being rolled out and larger care homes would be able to request comprehensive testing for all residents.

Children's Services – The Portfolio Holder reported that the levels of contacts to Children's Social Care remained stable with 223 referrals up to the 10 May. However, there were some emerging themes from the referrals including food poverty and domestic abuse. Regular contact was being maintained with care leavers through a number of different means including those away at university. There was also weekly contact with young people in care. In terms of numbers of vulnerable children attending school 22% of children on a Child Protection Plan were at school and 30% of under 5's on a Child Protection Plan were attending an early-years setting. These figures were broadly in line with those reported nationally. The LA was working closely with schools on mental health issues. There was also support for those with SEND including a weekly newsletter. Information was available on the BCP family information directory. Work was underway on supporting schools and early years settings with plans for opening for years R, 1 and 6. A number of issues were raised by the Board including:

- Whether the Council could take any action regarding schools which were not intending to reopen after half term. The Director for Children's Services advised that they would be working with partners to assist them with reopening preparations and were conducting influencing conversations where possible. However direct

communications would be through the Regional Schools Commissioner;

- The Chairman of the Children's Services O&S Committee asked about the criteria defining vulnerable young people. It was noted that as far as possible the figures being used were like for like but there may be different criteria used in different areas. The department for Education's national average was approximately 14 percent of vulnerable children in school;
- The Board questioned the number of new referrals to Children's Social Care. It was reported that there was a spike as lockdown measures were beginning to be lifted. Contacts had remained steady over the period and the Corporate Director was confident that there was sufficient capacity with a good multi agency system in place should a spike be experienced;
- A Councillor sought clarity on whether the local authority would be issuing fines for children who were able to go but did not attend;
- There were some concerns raised regarding the number of children on the child protection register who were not attending school. It was noted that most schools were still maintaining some contact with more vulnerable children.
- There were also concerns raised around those who may be struggling with accessing home learning due to their economic situation and the support that less affluent families were receiving. It was agreed that further information on this and how vulnerable children were being supported would be brought to the next meeting.

Adult Social Care – The Portfolio Holder for Adult Social Care outlined the current key points of activity from her portfolio area. It was noted that a range of online activities were being provided which had received positive impact. It was noted that the charging for services was currently being addressed and most would not be charged. Beds had been blocked booked in care homes to ensure capacity. There had been 55 deaths in care homes due to Covid-19 and 29 percent of care homes had experienced an outbreak which was significantly lower than the national average. Every care home had PHE training and were being offered support. In the ensuing discussions a number of points were raised including:

What support was being provided to care homes where an outbreak had occurred in terms of enabling self-isolation measures. All outbreaks were notified to PHE. There was a need to ensure continuity of staff for particular groups of patients. Recruitment support and advice was being provided. A Councillor raised the issue of loneliness and depression affecting those having to isolate, particularly as visits were not allowed. Much support was being provided in this regard and care partners were sharing best practice.

Tourism, Leisure and Community – The Portfolio Holder provided a brief update on what was happening within his portfolio. It was noted that the hospitality sector had taken a huge hit and a considerable loss of income. It was noted that grants had been provided to help support the industry but there was of course concern for the impact as financial support would not continue. It was noted that the Air Festival had been formally agreed for

2021 but there was no final decision on the event after this date. It was also noted that approximately 20,000 people had been assisted. Work around the wider economic impact was being led on by the Director of Development.

Housing – The Portfolio Holder for Housing provided an update of the impact of the Covid-19 epidemic on the areas within his Portfolio. It was reported that there was no noticeable increase in homelessness. The Council were current housing vulnerable tenants and there had been positive outreach from officers to support those in housing difficulties. However, a Councillor raised concerns about the impact when the Government end their financial support and what we would do to help people stay safe if they had to return to the streets or help people to stay in accommodation.

167. BCP Council's Recovery and Reset Phase in response to Covid-19

The Chairman advised the Board that as part of this item they were also asked to consider the BCP Financial Update Cabinet Report a copy of which is attached at Appendix B to the Cabinet minutes of 27 May in the Minute Book. The Portfolio Holder for finance introduced the report and explained that Appendix 1 outlined how the first tranche of finance had been used. Three different scenarios were outlined. It was noted that for financial management purposes there was an assumption based on a 24-week period. A full budget review would be taken to the Cabinet meeting in June.

A Board member asked whether there were sufficient reserves to carry the Council through. The Portfolio Holder responded that the current financial situation would be addressed in a number of ways. It was noted that the adequacy of reserves would need to be reviewed and there may be a need to consider releasing the budget contingency.

Questions were raised regarding the modelling exercise and whether a more nuanced exercise was needed. The Portfolio Holder advised that the situation was obviously very fluid, and all estimates were based on professional advice but the number would change with the situation. The current modelling provided a good target to aim for in terms of savings and contingencies. A Board member commented that consistent and detailed review of modelling was needed on a regular basis and asked that this be shared outside of the Cabinet group.

There was a concern raised that there was nothing to respond to on the recovery phase at the present time.

A Councillor asked if the finance paper expected in June would cover both 24 week and 48 week budget scenarios. It was confirmed that the paper was anticipated to outline the 24 week scenario. It was felt that this was a fairly prudent approach. This would mean £31million budget gap but it was acknowledged that it was a changing situation. A Councillor asked about how the 48 week figures were arrived at as it looked almost like a doubling across all areas. Some would have been based on a straight line assumption but some were more nuanced based on the income receipt and impacts throughout the year.

The Chief Financial Officer commented that the 24 week scenario was based towards the end of August through to transition in September. This would still need to be kept under review as the year goes on due to the level of uncertainty and take action accordingly.

A Councillor requested further information on the science behind the report and asked if this could be shared wider. It was noted that some of the baseline information was contained within Appendix 2 of the report.

168. Scrutiny of the Children's Services Capital Strategy Cabinet Report

The Chairman asked the Portfolio Holder for Children and Families to introduce the report a copy of which had been circulated and which appears as Appendix J to the Cabinet minutes of 18 March 2020 in the Minute Book .The Portfolio Holder advised that the report set out the capital strategy for 2020-23. The report outlined the capital projects currently approved and proposed funding allocations for new projects. The Board raised a number of issues with regards to the report including:

- The repurposing of the Bournemouth Learning Centre into a school for SEND pupils as announced today. The Director of Quality and Commissioning advised that information on this proposed project was provided to ward Councillors today and would be going out to further consultation. A Councillor expressed their disappointment that ward councillors had not been notified of this previously
- A Councillor asked if there was already a significant shortage of places where were pupils currently. It was noted that the Council had turned to private providers to supply the additional places required which has an impact on both costs of provision and the costs of transportation to schools.
- A comment was made regarding the cost of the feasibility study for Linwood School. It was noted that this did appear to be fairly excessive at an estimated cost of £100k. The Director explained that considerable invasive investigative work was required for this site. However, the cost provided in the report was considered to be the worst case scenario and that these costs would be minimised where ever possible.
- A member of the Board commented that this was a three year strategy but the only financial details provided were for the first year of the strategy with no further figures suggested for future projects. The Capital funding shown in appendix B of the report was that had been currently allocated to the Council but future forecasts were not being made at present due to issues with changes to funding formulas and potential reprioritising of resources by the DfE and therefore historic allocations may not be appropriate. However more detailed funding would be brought back when appropriate.

The Board asked about the impact of home to school transport provision. In line with the SEND policy a school would be named on the EHCP and more local provision would help the options available. Pupils with EHCP may be travelling to schools further away and additional local provision should help reduce journeys.

The meeting ended at 4.32 pm

CHAIRMAN

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 18 May 2020 at 6.00 pm

Present:-

Cllr P Broadhead – Chairman
Cllr M Haines – Vice-Chairman

Present: 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 M Andrews

Also in attendance: Councillor John Beesley
Councillor David Brown
Councillor Andy Hadley
Councillor Mark Howell
Councillor Sandra Moore
Councillor Dr Felicity Rice
Councillor Vikki Slade
Councillor Kieron Wilson

169. Apologies

No apologies were received.

170. Substitute Members

There were no substitute members.

171. Declarations of Interests

Cllr M Broke declared a local interest in agenda item 7 with regards to the reports on Bournemouth Development Company 5 Year Business Plan and Bournemouth Town Centre Vision (TCV) Winter Gardens Site as he was a Board member on the BDC.

Cllrs S Bartlett, M Greene and N Greene declared for the purpose of transparency that they had disclosable pecuniary interests in housing companies operating within the town. However, these interests were not directly related to items on the agenda being considered;

172. Public Speaking

There were no public questions or petitions for this meeting.

A public statement had been received from Michael Hancock, BCP resident in relation to agenda item 7, Scrutiny of Regeneration Related Cabinet reports, Holes Bay Site, Poole. A copy of the statement had been published

on the Council website and the link sent to all members of the Board. The statement was read out at the meeting.

173. Chairman's Update

The Chairman reminded the Board that there were two reports on the agenda which included non-public appendices and asked the Board to where possible keep discussion to the public issues. If there was a need to discuss anything within the non-public reports the meeting would need to resolve to exclude the press and public.

174. Scrutiny of Housing Related Cabinet Reports

Seascope Group Limited 5 Year Strategic Plan (2020-25) - The Portfolio Holder for Housing introduced the report, a copy of which had been circulated and which appears as Appendix D to the Cabinet minutes of 27 May 2020 in the Minute Book. A number of issues were raised by the Board in the subsequent discussion, including:

- The employment status of those working for seascope. The Board were advised that there were no direct employees of Seascope South, they were employed by the parent company, Bournemouth Building and Maintenance Limited. It was noted that the £100k investment for additional staff was likely to be Council employees.
- Regarding the financial risk borne by the companies it was noted that this would fall to the shareholder for the companies, BCP Council. In response to a question regarding the purpose of having a limited company it was confirmed that there were certain activities that the Council could not engage in and the Council could, through seascope trade externally.
- It was noted that the profit margin outlined was only 2% after tax and a Councillor question how it would get the investment of £100k. It was noted that the strategic plan for the company was moving forward and rescaling the company into something much larger.
- A Councillor noted that the company was mainly involved in private house building and questioned the purpose. The Portfolio Holder advised that in part the purpose of the company was to generate profit which could be reinvested back into the Council and the report was proposing a step change in the company to see how it could develop. The Leader of the Council advised that Seascope represented a different way in which the Council could influence the local housing market. Historically profit margin were small but there had been little ambition over the past couple of years and the developing capacity for small construction projects was exciting.
- In response to a question regarding social housing and adding properties to the Council it was explained that any properties would be added to the portfolio of the company rather than sit within HRA stock.

Officers offered to discuss any issues concerning Seascope with Councillors outside the meeting should they require any further information.

175. Scrutiny of Regeneration Related Cabinet Reports

Holes Bay, Poole (former power station site) Acquisition Strategy –

The Portfolio Holder for Regeneration and Culture and the Portfolio Holder for Housing introduced the report, a copy of which had been circulated and which appears as Appendix H to the Cabinet minutes of 27 May 2020 in the Minute Book. A number of issues were raised by the Board in the subsequent discussion, including:

- In response to a question concerning borrowing for the purchase and the long-term vision for the site the Portfolio Holder for Regeneration advised the Board that there was an exciting opportunity to do something different and up to date which would deliver somewhere people would want to live. The planning application which had been in progress had stalled. There was support from Homes England for the development and the time appeared right to progress. Although the Covid situation introduced risk the private sector had been in possession of the site for a number of years and was struggling to develop it. Members would be fully involved with a cross-party member advisory panel on Poole regeneration.
- A Councillor commented that this was a positive opportunity but asked about the long wait for the non-design specific remediation. The Board was advised that in general the Council wanted to pursue this scheme as quickly as possible and was prepared to work with partners on this. There was a former power station and large concrete slab on site and there was further work to do to see where the issues lied with the site but there was a need to be realistic in the timescale for how long this would take.
- It was noted that there was now an opportunity with the site to deliver significantly more units than were outlined in the current planning application.

Bournemouth Development Company LLP Business Plan - The Portfolio Holder for Regeneration and Culture introduced the report, a copy of which had been circulated and which appears as Appendix C to the Cabinet minutes of 27 May 2020 in the Minute Book. In the subsequent discussion Board members raised a number of issues including:

- It was noted that the Durley Road site was within the initial options agreement and was still proposed to proceed. There was a degree of opposition towards the development of the site and was previously turned down by the Bournemouth Borough Council Planning Board. The Portfolio Holder advised that it was the policy of the administration to make all decisions as a Cabinet rather than as individual portfolio holders and he wouldn't want to comment further on the decision at this stage.
- There was a further concern raised that this was in the business plan of the BDC as the BDC was supposed to reflect the wishes of the town in its developments. It was suggested that the Board should recommend that the business plan should not be approved with Durley Road included. It was noted that this issue would certainly be discussed in due course.
- A Board member commented that the company should be driving improvements for the town and not just focused on profits and the Durley Road site in particular was not an underutilised car park. There

was also a concern raised about the fact that this site had been taken to the Planning Inspectorate for appeal. The Portfolio Holder commented that only a year since the formation of BCP Council and he did not think the direction of BDC had been changed overall in this time. It was also noted that the decision was made by the Local Planning Authority rather than the Council.

- A Councillor commented that not being aware of the history of the BDC and the previous situations there was a difficulty in making appropriate recommendations on this issue. It was noted that the Council had officer and Councillor representatives on the Board of BDC and there was awareness of the controversy of this particular development. However, there were also advantages with the development to the school in the locality.

RECOMMENDED that:

1. **Cabinet considers carefully whether the proposed BDC Business Plan continues to reflect the Council's ambitions for the future of Bournemouth Town Centre as a whole.**
2. **Specifically, before approving the BDC Business Plan, Cabinet confirms that profits achieved from projects such as the former Winter Gardens site are allocated to developments such as Pavilion Gardens / Bath Road where the driver for development centres around cultural and other public benefits rather than profit.**
3. **Cabinet recognises that Bournemouth Council's Planning Board (unanimously) rejected BDC's application for Durley Road Car Park and considers whether this project should be deleted from the programme.**

Voting: For: 13, Against: 0, 2 abstentions

Note: The Area Action Plan only referred to Bournemouth, if sites in Poole were being considered a plan to cover this area should be considered. Also given the impact of Covid-19 the Cotlands Road site may need to be revisited.

Bournemouth Town Centre Vision (TCV): Winter Gardens Site Regeneration Opportunities - The Portfolio Holder for Regeneration and Culture introduced the report, a copy of which had been circulated and which appears as Appendix I to the Cabinet minutes of 27 May 2020 in the Minute Book. There were a number of questions raised by the Board in the subsequent discussion including:

- There was a concern raised regarding the assumption of an increase in parking charges of 50 percent per annum as outlined in paragraph 56 of the report. It was suggested that this should be reviewed. It was noted that the 50 percent was an initial uplift in the first year and then based on inflationary increases after that. It was a concern raised that an increase in pricing would reduce occupancy and this needed to be reflected.
- It was noted that there was a councillor briefing scheduled for 2 June which would provide further detail on the finance and legal issues

concerning the development. The development was critical to supporting the local economy.

- A Councillor commented that there were potential benefits to the development. It would be beneficial for the site to deliver some good quality public space. There was also an intention for there to be a supermarket on site which had been changed to a convenience store. Furthermore, there was concern with the amount of public car parking proposed. The Portfolio Holder advised that there were only a few days each year when town centre car parks reached capacity and therefore a reduction of spaces would not have a great impact at present. There was also a desire to reduce car movements in the town centre and increase cycling and public transport use. With regards to public space this was still in the development plan with facilities for seating and was tied into the garden walk element. The aim for the convenience store was to have a local business rather than a chain.
- A Councillor commented on the significant amounts of public money required for the development and there was a need to focus on the finances for this project further. Money would need to be borrowed for additional investment into the project amounting to an expenditure of approximately £1.1million. The car parking would be reduced, and further investment would be needed, in addition there would not be any additional land value from the site and the affordable housing contribution had been reduced. It was suggested that there should be an independent assessment of the project and the long-term financial cost to the Council. The Portfolio Holder confirmed that the request was for up to an additional £6.7 million from Council finance. This reflected the scale of the development which was scheduled to make a surplus.
- A Councillor asked about whether the projected demand for rental properties was still realistic given the Covid-19 situation. It was noted that things were uncertain but current indications were that there was no change in demand in the private rented sector. It was also noted that this was a long-term investment as reflected in the business case. The Council would receive 50 percent of any profit in the scheme.

RECOMMENDED that:

- 1. Before approving the requests for Council Finance, Cabinet should confirm that it believes the projected revenue from car parking as outlined in the report is realistic.**
- 2. Cabinet should consider whether the public benefits offered by the proposed scheme genuinely reflect the Council's ambitions for the Town Centre.**

Voting: For: 13, Against: 0, 2 abstentions

176. Scrutiny of Environment Related Cabinet Reports

Whitecliff Recreation Ground - Pavilion Redevelopment - The Portfolio Holder for Environment and Climate Change introduced the report, a copy of which had been circulated and which appears as Appendix G to the Cabinet minutes of 27 May 2020 in the Minute Book. In the ensuing

discussion Board members raised a number of points for consideration including:

- A Councillor asked why the Council was not taking on this project itself. It was noted that over the parks estates there were a number of projects that needed to be delivered and due to capacity and needs this would result in a mix of projects delivered in house and others which would be done in partnership with external providers.
- In response to a question it was noted that for some projects grant funding or borrowing was able to be utilised but in this instance no funding was able to be identified. The project had been consulted on prior to BCP and the decisions arising from this were being followed through on.
- An issue was raised concerning the ward Councillor involvement and how much they had been consulted on. There was a great deal of sensitivity around this project and there was a need to ensure that this was done correctly with ward member engagement.

Recommended that:

Recommendation B of the report should be amended to read "Members delegate authority to officers, in consultation with the Portfolio Holder and Ward Councillors, to award ..."

Voting: For 15, Against 0

177. Scrutiny of Transport and Infrastructure related Cabinet Reports

Transforming Cities Fund (TCF) Programme - The Portfolio Holder for Transport and Infrastructure introduced the report, a copy of which had been circulated and which appears as Appendix E to the Cabinet minutes of 27 May 2020 in the Minute Book. Following the Portfolio Holders introduction a number of points of discussion were raised by the Board including:

- A Councillor suggested that some of the implications of the corona virus could be harnessed and turned into a positive for the area before everyone returned to their cars and asked if the board would look at this. The Portfolio Holder advised that this was a three-year programme looking at major routes. There was a separate government grant which would allow the council to look at measures on separate routes. The Portfolio Holder had also urged that segregated protected space should be looked into particularly around the hospitals which were both on TCF routes.
- There was a concern raised that neither the leader nor deputy leader of the Council had a presence on the CGB, and it was suggested there should be a change in the Councillor membership. The Portfolio Holder advised that ecological were highly important which was why the Portfolio Holder for Environment was on the Board. The structure would also report back to full Cabinet and important decision would be taken as

a Cabinet. It was also confirmed that the Leader was very much behind this. A Board member commented that the administration had the environment as a golden thread running through all decisions.

RECOMMENDED that:

To better reflect the importance of the programme and its effect on the conurbation's development, the two BCP councillors appointed to the CGB should be the Portfolio holder for Transport and Infrastructure and the Leader or Deputy Leader of the Council.

Voting: For: 9, Against 6

Cllr Farquhar asked to be recorded as voting against this decision.

178. Forward Plan

The Board noted the current forward plan and agreed that the Chairman and Vice-Chairman would make any updates as required in consultation with the relevant officers.

179. Future Meeting Dates 2020/21

The dates for future meetings were noted. A member commented that where appropriate significant events should be the driver for meeting dates.

The meeting ended at 8.32 pm

CHAIRMAN

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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 R Maidment,
Cllr D Mellor, Cllr P Miles and Cllr C Rigby

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. Mudeford 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

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 15 June 2020 at 6.00 pm

Present:-

– Chairman

– 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 R Maidment,
Cllr D Mellor, Cllr P Miles and Cllr C Rigby

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

192. Apologies

No apologies were received for this meeting.

193. Substitute Members

There were no substitute members.

194. Declarations of Interests

Cllr M Brooke declared a local interest in agenda item 3, Scrutiny of Regeneration related Cabinet reports, Bournemouth Town Centre Vision Durley Road Site as he was a member of the Board of the Bournemouth Development Company.

195. Public Speaking

There were no public questions, Statements of petitions for this meeting.

196. Chairman's Update

There were no issues to raise under this item.

197. Scrutiny of Children's Services Related Cabinet Reports

Convert Bournemouth Learning Centre into a School - The Portfolio Holder for Children's Services introduced the report, a copy of which had been circulated and which appears as Appendix G 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:

- A Board member commented that there were pleased with the public consultation taking place on this issue. They commented that there were some very good local academy chains supporting local schools and opening new provision, however they urged recognition of that their resources were not inexhaustible.
- The Chairman of the Children's Services Overview and Scrutiny Committee asked about the rising number of SEND pupils within the BCP Council area. The Portfolio Holder responded that to some extent the introduction of Education, Health and Care Plans have changed dynamics from the previous system used which may contribute to the numbers. However, BCP Council was not an outlier in this as the number of EHCPs were increasing nationally.
- The Chairman of Children's Services O&S also commented that he was aware that young people were pleased by the prospect of not having to travel so far and coupled with the significant savings this could deliver he was very supportive of the project.

It was further noted that there should be a positive environmental impact through this in terms of the reduction in journeys.

198. Scrutiny of Tourism, Leisure and Communities Related Cabinet Reports

Bistro on the Beach redevelopment– Due to the upcoming planning application for this site Cllr S Bartlett and Cllr T Trent advised that there would not take part in the debate on his item. The Portfolio Holder for Tourism, Leisure and Communities introduced the report, a copy of which had been circulated and which appears as Appendix C 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:

- The Chairman raised a concern with the options put forward as outlined in the Cabinet report and urged that the options outlined should be realistic in relation to the preferred option presented.
- Councillors commented that this appeared to be a good scheme and they looked forward to seeing the improvements this would bring.
- In response to a question regarding what the proposal was for those who have beach huts on the site the Portfolio Holder confirmed that all had annual lets on the huts and they were looking to try to find them provision elsewhere whenever possible.

Note: There was an error in the report on the proposed savings as outlined in table 2. Officers undertook to correct this error.

Towns Fund - The Portfolio Holder for Tourism, Leisure and Communities introduced the report, a copy of which had been circulated and which appears as Appendix E 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:

- The Chairman commented that this broadly seemed to be a good news story for the area of Boscombe.
- A Ward Councillor commented that this was very welcome and overdue and that he looked forward to its delivery.

199. Scrutiny of Housing Related Cabinet Reports

Templeman House, Leedham Road and Mooreside Road Bournemouth – Cllr S Bartlett advised that he would not take part in discussions on Templeman House as he was a member of the Planning Committee.

At the request of the Chairman the Portfolio Holder for Housing introduced both of the reports together, a copy of the reports had been circulated and they appear as Appendices H and I 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:

- That this looked like an exciting scheme and welcomed the Council embracing Passivhaus standards.
- In response to a question regarding whether there had been consideration given to developing a purpose built care home on the site the Board was advised that South Care was operating with 50 percent voids and therefore they were not able to develop a care home on the site but the option was considered and thought through.
- A Ward member commented that the report should refer to Kinson ward rather than Kinson South.
- A Councillor queried the comment regarding this development being the first socially rented housing scheme in Bournemouth for some time as there had been a development at Duck Lane a few years ago. The Portfolio Holder advised that he was not aware of the previous development and that Mooreside Road was an affordable housing development.

A Councillor commented that the build costs for Mooreside appeared to be very high and asked if the development had attracted any HCA grant. It was noted that the construction costs were mostly due to external factors at the site including a significant slope. The budget proposal for the site was working on a 10 percent contingency. It was noted that the site was partially being funded through right to buy receipts and therefore wasn't eligible for HCA grants. The Right to buy receipts contributed more than an HCA grant would.

200. Scrutiny of Regeneration Related Cabinet Reports

Bournemouth Town Centre Vision Durley Road Site - The Portfolio Holder for Regeneration and Culture introduced the report, a copy of which had been circulated and which appears as Appendix F 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:

- The Board raised as an issue that it was not the time to be removing car parking from the town centre following the covid-19 crisis when own centre business needed all possible help to recover
- A Board Member asked about the extension of the option date and what would happen if this was not agreed. The Portfolio Holder advised that it was just practically acceptable to extend the option agreement. Regarding backing out of the scheme this was not an option as the Council supported the scheme. The extension was just to ensure greater flexibility. The Director advised that if it wasn't approved things were slightly more constrained in terms of construction on the site.
- A Councillor raised a concern that the path of BDC developing this site was not the most appropriate course of action at this time. It was noted that there was a section 106 payment agreed, the land value was outlined, and the potential profit was outlined in the non-public papers. Developer profit should be between 12-16 percent of development value. The Council would expect to receive half of the expected value which would be approximately £1 – 1.2 million pounds. If a private sector developer was asked to develop the site the Council would receive bids in excess of the £1.2 million expected at present. It was noted that the Council was required by law to extract best value for the Council Taxpayer and it was suggested that the recommendations within the Cabinet report would not do this. Morgan Sindall has an interest in maximising its profit and therefore the Council's profit. There was a history of sites across the conurbation that were not being delivered by the private sector which was why BDC was created in the first place.
- A Councillor commented that the decision to go ahead with this development was bad for a multitude of small businesses, parents, NHS patients and residents. The overall car parking policy was to replace parking spaces lost on those sites being developed but this was not happening on this site. The Portfolio Holder noted that at present there was an oversupply of car parking in Bournemouth. There was a plan in place for how parking spaces would be rearranged with permit holders. There was a number of car parks closer to the town centre than Durley Road and Winter Gardens would be back in use as well. The Portfolio Holder noted that whilst he had been in post, he had not received a single objection from a member of public or business in relation to the scheme. The S106 agreement would be very beneficial in improving the local highway in the area. Morgan Sindall has an interest in maximising. It was also noted that Bournemouth Borough Council did not have to go ahead with submitting the appeal for Planning, the previous representative on the Board approved the decision to go forward for appeal.
- A ward Councillor advised that in paragraph 19 there was an additional sentence in a version which she reviewed. It was requested that Cabinet note this additional sentence and take it into consideration when considering this report.
- Further concerns were raised concerning the impact of the loss of car parking spaces for local residents, including those who do not have a vehicle themselves and the impact on local roads.
- A Councillor noted that it was in Morgan Sindall's interest for the value to go down and the construction costs to increase. The Councillor

expressed his opinion that if the decision was not changed and the site put out to tender then that decision would be ultra vires. The Portfolio Holder advised that the structure was set up to benefit both sides and Morgan Sindell were not in a position to gain the system.

- The BDC representative noted that the motion was an attempt to break the contract between the Council and BDC and that there would be a significant cost to the Council from this.
- A Councillor commented on the amount of land banking within the BDC area and noted that the private developer way had been tried and, in many cases, had not worked. The BDC was set up by the Council to drive development forward and it didn't appear to be a good decision to not use them and go to the private sector.

RECOMMENDED that Cabinet does not agree Recommendations a, b, c, e or g as outlined in the report and that it amends recommendation d as follows:

“In line with the legal requirement under Section 123 of the Local Government Act 1972 to achieve best value for the Council Taxpayer, Cabinet offers a 150 year lease on the land for sale in the open market. Potential bidders must recognize they will be required to implement the planning permission already granted on the site including payments in accordance with the S106 agreement in place.”

Voting: For: 9, Against: 4, 2 Abstentions

Cllr G Farquhar asked to be recorded as voting against the decision.

Advisory Note: A Ward Councillor requested that paragraph 19 of the report be amended to read as follows:

“This development is located within the Westbourne & West Cliff Ward. The Ward Councillors have been consulted and recognise that this site falls within the BDC option agreement. Having now obtained a planning consent it is necessary for BDC to follow the process and seek the necessary approvals as outlined in this Cabinet report. The Ward Councillors share the concerns raised by local residents during the planning consultation process relating in particular to the loss of car parking provision.”

201. Forward Plan

The Board noted the existing Forward Plan. A Councillor requested that an item on Tricuro be added to the Forward Plan. It was also noted that the Board needed to fulfil its role under the crime and disorder function and would be receiving a report on this issue shortly. The Chairman and Vice-Chairman would update the Forward plan in consultation with officers.

202. Future Meeting Dates 2020/21

He dates for future meetings were noted.

The meeting ended at 8.29 pm

CHAIRMAN

ACTION SHEET – BOURNEMOUTH, CHRISTCHURCH AND POOLE OVERVIEW AND SCRUTINY BOARD

| Minute number | Item | Action* *Items remain until action completed. | Benefit | Outcome |
|--|-------------------|--|--|---|
| Actions Arising from Board Meeting: 13 January 2020 – 6.00pm | | | | |
| 103 | Forward Plan | <p>The Audit & Governance Committee be recommended to ensure that the key principle of engaging the public through Overview and Scrutiny, as outlined in the Constitution, can continue to be met; that public questions may be received by the O&S Board and O&S Committees on any issue within the remit of that O&S body are not restricted to items already listed on the agenda for that meeting.'</p> <p>Actioned: Reported to the Audit and Governance Committee on 23 January</p> | To enable O&S Board's views to be taken into consideration by the Audit and Governance Committee when it considers this issue. | Responses outlined in the minutes from the Audit and Governance Committee – not accepted. |
| Actions Arising from Board Meeting: 10 February 2020 – 2.00pm | | | | |
| 113 | Chairman's Update | <p>Carter Expansion Project Update – the Board noted that this item recorded on the Cabinet Forward Plan was not selected for scrutiny but had a financial element within it. The Board agreed:</p> <ol style="list-style-type: none"> 1. To recommend that the Children's O&S Committee should maintain an overview of this matter; 2. That Councillors Mike Brooke and Nicola Greene be agreed by the Board as members who will maintain an informal overview of this matter in relation to the financial aspects of the project, and to report back to the O&S Board as required. <p>Action: TBC</p> | To enable continued overview and scrutiny during this project and if felt necessary, a report back to O&S Board. | |

| Minute number | Item | Action* *Items remain until action completed. | Benefit | Outcome |
|---|-----------------|---|--|---------|
| Actions Arising from Board Meeting: 16 March 2020 – 2.00pm | | | | |
| 133 | Forward Plan | Board to ask representatives of SW Rail to attend and provide an update on the situation regarding Pokesdown Lift by July 2020. Action: To consider with regards to the Boards FP | To inform future meetings of the Board | |
| Actions Arising from Board Meeting: 20 April 2020 – 2.00pm | | | | |
| | Future meetings | That the Chairman, along with the Chairmen of both O&S Committees and Democratic Services, will maintain a review of issues relating to Covid-19 which may require scrutiny and any resulting need for an additional meeting of the Board that is not in accordance with the current published timetable of meetings for the Board. In discussing this Board members indicated: <ul style="list-style-type: none"> the need to work closely with the Chief Executive on this to avoid diverting officers from critical workload; a possible need for a meeting when lockdown ends; the need to maintain close communications between all three O&S Chairmen, and Chairmen with their own Committees. Action - not yet completed – retain on action sheet for reference. | | |

| Minute number | Item | Action* *Items remain until action completed. | Benefit | Outcome |
|--|--|--|--|---|
| Actions Arising from Board Meeting: 15 June 2020 – 2.00pm | | | | |
| | Organisational Design - Implementation & Budget | <ol style="list-style-type: none"> 1. The Overview and Scrutiny Board recommend to Cabinet that 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. 2. The Overview and Scrutiny Board ask Cabinet for an urgent review into the Council's Capital Receipts Strategy to ensure that value to the tax payer 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. <p>Actioned – reported to Cabinet on 24 June 2020</p> | To enable O&S views to be taken into account by Cabinet when making decisions. | Recommendations not accepted – see Cabinet minutes for reasons. |
| | Budget Rebase 2020/21 | 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”, | To enable O&S views to be taken into account by Cabinet when making decisions. | Recommendations not accepted – see Cabinet minutes for reasons. |

| Minute number | Item | Action* *Items remain until action completed. | Benefit | Outcome |
|--|--|--|--|---|
| | | not even approved. Therefore, the Overview and Scrutiny Board recommend to Cabinet that the revised budget as outlined in the Cabinet report be put before Full Council in the normal fashion for a budget decision. Actioned – reported to Cabinet on 24 June 2020 | | |
| | Mudford Beach Café | The Overview and Scrutiny Board recommend 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. Actioned – reported to Cabinet on 24 June 2020 | To enable O&S views to be taken into account by Cabinet when making decisions. | Recommendation accepted – see Cabinet Minutes 24 June 2020 for further details. |
| Actions Arising from Board Meeting: 15 June 2020 – 6.00pm | | | | |
| | Bournemouth Town Centre Vision (TCV): Durley Road Development – Approval of Additional Council Finance and Site Lease Value | The Overview and Scrutiny Board recommend to Cabinet that Cabinet does not agree Recommendations a, b, c, e or g as outlined in the report and that it amends recommendation d as follows: “In line with the legal requirement under Section 123 of the Local Government Act 1972 to achieve best value for the Council Taxpayer, Cabinet offers a 150 year lease on the land for sale in the open market. Potential bidders must recognize they will | To enable O&S views to be taken into account by Cabinet when making decisions. | Recommendation accepted – see Cabinet Minutes 24 June 2020 for further details. |

| Minute number | Item | Action* *Items remain until action completed. | Benefit | Outcome |
|---------------|------|--|---------|---------|
| | | <p>be required to implement the planning permission already granted on the site including payments in accordance with the S106 agreement in place.”</p> <p>Advisory Note; A Ward Councillor requested that paragraph 19 of the report be amended to read as follows:</p> <p>“This development is located within the Westbourne & West Cliff Ward. The Ward Councillors have been consulted and recognise that this site falls within the BDC option agreement. Having now obtained a planning consent it is necessary for BDC to follow the process and seek the necessary approvals as outlined in this Cabinet report. The Ward Councillors share the concerns raised by local residents during the planning consultation process relating in particular to the loss of car parking provision.”</p> <p>Actioned – reported to Cabinet on 24 June 2020</p> | | |

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