

# Notice of Overview and Scrutiny Board

Date: Monday, 7 December 2020 at 2.00 pm

Venue: Virtual Meeting – via Teams



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## Membership:

### Chairman:

Cllr S Bartlett

### Vice Chairman:

Cllr T O'Neill

Cllr M Cox  
Cllr L Dedman  
Cllr B Dion  
Cllr M Earl  
Cllr J Edwards

Cllr G Farquhar  
Cllr D Farr  
Cllr L Fear  
Cllr P R A Hall  
Cllr M Howell

Cllr D Kelsey  
Cllr C Rigby  
Cllr V Slade

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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?MId=4306>

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

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email [press.office@bcpCouncil.gov.uk](mailto:press.office@bcpCouncil.gov.uk)

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](https://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
CHIEF EXECUTIVE

27 November 2020



Available online and  
on the Mod.gov app



## Maintaining and promoting high standards of conduct

### Declaring interests at meetings

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

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



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

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

#### Bias Test

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

#### Predetermination Test

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

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

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

### Selflessness

Councillors should act solely in terms of the public interest

### Integrity

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

### Objectivity

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

### Accountability

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

### Openness

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

### Honesty & Integrity

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

### Leadership

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

# AGENDA

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

## 1. **Apologies**

To receive any apologies for absence from Members.

## 2. **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.

## 3. **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.

## 4. **Confirmation of Minutes**

7 - 32

To confirm and sign as a correct record the minutes of the meetings held at 2.00pm and 6.00pm on 2 November and the meeting held on 16 November.

## a) **Action Sheet**

33 - 36

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

## 5. **Public Speaking**

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

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

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

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

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

<p><b>6. Forward Plan</b></p> <p>To consider and amend the Board's Forward Plan as appropriate and to consider the published Cabinet Forward Plan.</p>	<p>37 - 66</p>
<p><b>7. Scrutiny of Officer Decision - Durley Road Car Park Development</b></p> <p>To scrutinise the decision to approve the final terms and the grant of a lease of the Durley Road Car Park site to Durley Road Development LLP. The published officer decision is attached to this agenda. This decision was taken by the Council's Corporate Property Officer on 13 November 2020 under delegated powers to comply with the decision made by Cabinet on 24 June 2020.</p> <p>Note: this decision is not subject to call-in and is listed for post decision scrutiny following a request from a member of the Overview and Scrutiny Board.</p>	<p>67 - 74</p>
<p><b>8. Scrutiny of Transformation and Finance Related Cabinet Reports</b></p> <p>To consider issues within the Transformation and Finance Portfolio area, including the following report scheduled for Cabinet consideration on 16 December 2020:</p> <ul style="list-style-type: none"> <li>• Organisational Design- Acceleration of Transformation Savings for 2021/22 Budget</li> </ul> <p>The O&amp;S Board is asked to scrutinise the report and make recommendations to Cabinet as appropriate.</p> <p>Cabinet member invited to attend for this item: Councillor Drew Mellor, Leader of the Council and Portfolio Holder for Transformation and Finance.</p> <p>The Chairman of the Children's Services and Health Overview and Scrutiny Committees have also been invited for consideration of this item.</p> <p>The Cabinet report is attached for consideration by the Overview and Scrutiny Board.</p>	<p>75 - 82</p>
<p><b>9. Scrutiny of Regeneration Related Cabinet Reports</b></p> <p>To consider issues within the Regeneration, Economy and Strategic Planning Portfolio area, including the following report scheduled for Cabinet consideration on 16 December 2020:</p> <ul style="list-style-type: none"> <li>• Wessex Fields Site Development Strategy</li> </ul> <p>The O&amp;S Board is asked to scrutinise the report and make recommendations to Cabinet as appropriate.</p> <p>Cabinet member invited to attend for this item: Councillor Philip Broadhead, Deputy Leader of the Council and Portfolio Holder for Regeneration, Economy and Strategic Planning.</p>	<p>83 - 92</p>

The Cabinet report is attached for consideration by the Overview and Scrutiny Board.

**10. Future Meeting Dates 2020/21 and 21/22**

To note the following meeting dates and locations for the 2020/21 municipal year:

- 4 January 2021
- 1 February 2021
- 1 March 2021
- 1 April 2021

To note the following proposed meeting dates and locations for the 2021/22 municipal year (to be agreed by full Council):

- 17 May 2021
- 14 June 2021
- 19 July 2021
- 23 August 2021
- 20 September 2021
- 18 October 2021
- 15 November 2021
- 6 December 2021
- 3 January 2022
- 31 January 2022
- 28 February 2022
- 4 April 2022

All meetings will be held via video conferencing until further notice.

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

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**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**OVERVIEW AND SCRUTINY BOARD**

Minutes of the Meeting held on 02 November 2020 at 2.00 pm

Present:-

Cllr S Bartlett – Chairman

Cllr T O'Neill – Vice-Chairman

Present: Cllr M Cox, Cllr M Davies, Cllr B Dion, Cllr J Edwards,  
Cllr G Farquhar, Cllr D Farr, Cllr L Fear, Cllr P R A Hall,  
Cllr M Howell, Cllr D Kelsey, Cllr C Rigby, Cllr V Slade and  
Cllr T Trent (In place of Cllr M Earl)

Also in attendance: Councillor Mark Anderson  
Councillor Drew Mellor  
Councillor Mohan Iyengar  
Councillor Lisa Northover

67. Apologies

Apologies were received from Cllr M Earl.

68. Substitute Members

Cllr T Trent substituted for Cllr M Earl.

69. Election of Chairman for the Overview and Scrutiny Board

Nominations were proposed and seconded for Cllr V Slade and Cllr S Bartlett for Chairman of the Overview and Scrutiny Board for the remainder of the 2020/21 municipal year.

The nominations having been received a secret ballot was conducted to decide the Chairmanship of the Board. Cllr S Bartlett received 9 votes and Cllr V Slade received 6 votes.

It was then RESOLVED that Cllr S Bartlett be appointed Chairman of the Overview and Scrutiny Board for the remainder of the 2020/21 municipal year.

70. Election of the Vice-Chairman for the Overview and Scrutiny Board

Nominations were sought for the position of Vice-Chairman of the Overview and Scrutiny Board for the remainder of the 2020/21 municipal year. Cllr V Slade and T O'Neill were duly proposed and seconded.

The nominations having been received a secret ballot was conducted to decide the Vice-Chairman of the Board. Cllr T O'Neill received 9 votes and Cllr V Slade received 6 votes.

It was then RESOLVED that Cllr T O'Neill be appointed Vice-Chairman of the Overview and Scrutiny Board for the remainder of the 2020/21 municipal year.

71. Declarations of Interests

Cllr S Bartlett declared a local interest in agenda item 14, Feedback from the Working Group on BH Live Leisure Services as he was now a Director of BH Live Enterprises Limited and had taken part in the working group.

Cllr Jackie Edwards also declared a local interest in agenda item 14, Feedback from the Working Group on BH live Leisure Services but did not take part in the working group.

Cllr Farquhar advised, for the purpose of transparency, in relation to agenda item 14, Feedback from the Working Group on BH Live Leisure Services that he was also a member of the working group.

72. Confirmation of Minutes

The minutes of the meetings held on 21 September at 2.00pm and 6.00pm were agreed as a correct record.

73. Action Sheet

The Board considered its action sheet. Following a proposal from a member of the Board, it was agreed that the action at 113 on the action sheet should remain and be followed up with Children's Services as the project was not yet complete. It was suggested that it would be useful to hear what the financial implications were in order to rule the action as complete. It was agreed that it would be discussed in relation to the Board's Forward Plan.

74. Public Issues

There were no public questions, statements or petitions.

75. Items Requested by Councillors for Scrutiny

The Chairman introduced the item and invited Cllr T Trent who had made the request for the Overview and Scrutiny Board to consider the following items to explain the reasons for this to the Board:

- Road Maintenance Across the BCP Area
- Tree Management Across the BCP Area

Cllr Trent advised that there had been members of the public raising issues about the quality of road and pavement resurfacing. He explained that he felt the Overview and Scrutiny Board should be asking if there were any issues and whether we were getting value for money. It was noted that there was currently a review of road maintenance underway and therefore it



seemed like an opportune time for the Overview and Scrutiny Board to get involved and undertake a piece of work which could influence this work.

Cllr Trent explained to the Board that he was aware of a number of tree related issues currently and that he felt that there was a need to review policies regarding maintaining current stock and future development. There was a need to scrutinise these issues properly and be part of the process and not just review a policy which had already been drawn up.

We should be part of the process and not when there is something already drawn up.

The Board discussed both of these issues and there were comments made that the Board should be doing more overview work and that these issues should be looked at as part of the development of the Board.

The Portfolio Holder for Environment, Cleansing and Waste thanked Cllr Trent for raising these issues. He advised the Board that he would be setting up a workshop on biodiversity with the Corporate Director of Environment and Community along with outside partners such as the woodland trust, etc. It was noted that this workshop was intended to cover tree management as well as other biodiversity issues.

The Director of Environment advised the Board of the current situation and the work that his service area was currently undertaking related to both of these issues.

Members of the Board raised a number of issues that they would like to consider in relation to these areas included:

- Damage to the roads and pavements when any building work is undertaken, including minor home extensions.
- Long term maintenance of trees as there were too many not in a good condition
- Quality and standard of road surface repairs.

The Portfolio Holder asked that if anyone had any suggestions for the planned workshops to contact him.

**It was then RESOLVED that items on Road Maintenance and Tree Management Across the BCP Area be added to the Board's Forward Plan.**

76. Scrutiny of Finance Related Cabinet Reports

**Medium Term Financial Plan (MTFP) Report** - The Leader of the Council and Portfolio Holder for Transformation and Finance introduced the report, a copy of which had been circulated and which appears as Appendix 'G' to the Cabinet minutes of 11 November in the Minute Book. A number of issues were raised by the Board in the subsequent discussion, including:

- A Board Member asked whether the £3.8 million - tranche 4 funding referenced in the report was the same funding of £3 million which the

Leader of the Council referenced in his Twitter feed regarding the programme of food parcels being delivered over half term for those entitled to free school meals. The Leader confirmed that this was the case and that some of the funding had been used for the provision of meals during the half term holiday. The Leader commented that central government had been clear that local authorities were best placed to understand local needs.

- In response to an enquiry regarding what provision had been removed in order to fund free holiday meals it was explained that nothing had as yet, and needs were changing frequently as to where the funding would be best spent. In response to a further question the Board was advised that the funding wasn't ringfenced and spending it in this way was no different to any other way of spending Covid funding. It was noted that funding of under £100k could be agreed by officers and other material spends were recorded in the MTFP report to Cabinet. In response to how much was actually allocated the Board were informed that there were approximately 6000 children entitled to free school meals in the BCP area and each food parcel cost £15, so a maximum of approximately £90k. The take-up over half term was good but not full and there was work underway on how to promote the provision for the Christmas holidays. The Chief Financial Officer advised that the in-year financial position of BCP Council Covid-19 grant allocation was outlined within the report.
- A Councillor asked about the change in review from £50m to £13.4m large swing and whether that included any sale of assets or whether that was a later consideration. The Leader advised that there would be no sale of assets to fund black holes in Corona Virus impacted budgets, but the Council was looking at more creative ways of using assets.
- A Board member noted that funds previously received from central government had been inadequate to meet requirements leaving the council with a significant Covid funding hole. There was concern about the funding required to support the provision of free meals during the holidays and asked if the Council would be proactively contacting families in advance of the Christmas holidays. The Leader of the Council stated that feeding children was a priority and confirmed that the programme at Christmas would be done in consultation with schools and businesses.
- It was noted that the number of children engaged with Children's Social Care was increasing month on month and becoming more expensive. The Leader advised that standards within Children's Services was one of the administration's top priorities and following the recent Ofsted inspection, supporting the long-term improvement of the directorate. The Chief Financial Officer informed the Board that the Children's Services Corporate Director would provide a separate report to the December Cabinet meeting setting out the mitigations which were being put into place.
- A Board member raised concerns about the large funding hole which needed to be addressed, there was need to find £50m in transformation savings and it was suggested that further priorities should not be added into the budget. It was noted that the first two

tranches of funding of £22million in total covered the initial Covid spending. The Council had now put in a claim for £12 million in terms of fees and charges lost. The Leader confirmed that he felt that it was important that political priorities should continue to be included. A Board member noted that the rules were that only 70 percent of lost income could be covered, and most council leaders had raised concerns about the level of support from central government.

- A Board member raised a query regarding the use of reserves – whether this was general or earmarked reserves and whether there were any changes in terms of planning assumptions which had been used. The Councillor applauded additional borrowing provided it was being used for investment. The Councillor commented that the paper was building on the good position left by the previous administration. The Leader confirmed that it was earmarked reserves. Some assumptions had changed in year 2 and year 3, 100 percent impact next year and 50 percent in the following two years. The Leader commented that this may be too prudent but would need to see.
- A Councillor commented on point 64 of the report that things moved forward and changed with covid, particularly in relation to outdoor green/ spaces. New plans were working up significant investment into green spaces and asked when a report would be seen on this. The Leader noted that there would be a report on unlocking green spaces within the first one hundred days and was keen to see things brought forward. It was noted that the covid crisis was affecting lots of areas and asked members to please come forward with any ideas on this and looked forward to working with O&S in future on this.
- The Leader was asked about the sale of assets, in particular Christchurch Civic Centre which if not being used would be a prime site for development. The Leader advised that capital receipts from Poole Civic Centre sale were going to fund redevelopment. But it had now been possible to remove this from the budget. However, both the Poole and Christchurch sites would need to come forward, the Council were committed to keeping the listed section of the civic site. There was a massive regeneration opportunity, but it was noted that the Council had been able to step back from an immediate requirement to sell assets.
- A Board member asked for the opportunity to correct some of the statements made by the Leader of the Council to confirm that the previous administration didn't bring forward a paper with any detail on what would be happening with sale of Poole and Christchurch civic centres.
- The Chief Financial Officer explained, in response to a question, that there were elements of the capital programme where we would be purchasing assets and creating assets. With regards to the borrowing caps it was within the gift of council to revise the caps each year. It was put to the Chief Financial Officer that he would not allow the Council to set up an unsustainable level of borrowing. The Board was advised that comparisons with other local authorities of a similar size would be set out for Councillors to consider.
- In response to a question the Leader of the Council confirmed that he would not be selling civic centres to pay for developments but would be

looking at gaining best value whether through sale or dealing with the site ourselves or as a joint venture.

- In response to a question the leader advised that he had a strong plan of work for the first 100 days. The Leader of the Council advised that he wanted to place members at the heart of its administration and residents at the heart of Council and welcomed input from Overview and Scrutiny.
- The Chairman asked about the Dedicated Schools Grant deficit of £9.6m next year. The Chief Financial Officer explained that from 2021 onwards, there had been an update on guidance from government on how the Council would need to deal with the Dedicated Schools Grant. Reserves were no longer required to be held to balance the Dedicated Schools Grant Position. The Council recognised the deficit and was working with the department of education to recover it over a period of time and to reduce the deficit going forward.
- In response to a question regarding the £9.4m shortfall in the organisational design budget, it was explained that this meant that any expected costs would be taking into account for the budget setting process for each year so that spending was matched to the year where the benefit would arise from it. The Leader advised that the external auditors had confirmed that the Council's current borrowing levels were low.

Following the debate and questions raised by the Board, a Councillor moved the following:

“Recommend the cabinet prioritises the balancing of the General Fund rather than spending funds on political priorities.”

The motion was duly seconded. The Monitoring Officer advised that the wording of the motion may be ambiguous and suggested that it should be amended to read:

“That the Cabinet prioritises the balancing of the General Fund before any other funding priorities”

The motion was debated before being put to the vote. Some members raised concerns with the new priorities which were being introduced by the new administration ahead of balancing the budget when there were significant financial pressures, Other Councillors indicated that the new administration should have the opportunity to move their priorities forward.

The vote on the motion was lost by 6 votes to 9. Councillor Farquhar requested to be recorded as voting in favour of the motion.

#### 77. Development of the Overview and Scrutiny Board

The Chairman proposed that the next scheduled meeting of the Overview and Scrutiny Board should be used for the purpose of a development session in order to consider the future direction of the Board.

The Monitoring Officer advised that there would be support provided from the Centre for Governance and Scrutiny. Given the change in composition

of the Board it was a good opportunity to consider how scrutiny was running and to look at the business that the Overview and Scrutiny Board would want to look at into the future. There would be a chance to discuss and put together a more robust and further forward looking forward plan for the Board

Board members agreed that this would present a good opportunity and also suggested that there should be some refresher training particularly given the new membership of the Board and the previous operation of the Board. Members raised concerns as to how the Board was viewed over the past few months and it was suggested that this would provide a good opportunity to make improvements.

The Board also suggested that the scheduled 6.00pm meeting should be used for the Board to receive an update on the current Covid-19 situation.

It was noted that the development and training session would not be open to the public. It was suggested that the training session should be open to all councillors particularly for those who may act as substitutes on the Board

**It was RESOLVED that a training and development session be scheduled for 2.00pm on 16 November and the meeting originally scheduled at this time be cancelled and that the meeting scheduled for 6.00pm on 16 November be used to consider an update on the current Covid-19 situation.**

78. Forward Plan

The Chairman advised that there would be an opportunity to update the Forward plan and agree the agenda for the meeting in December at the development session on 16 November. The Chairman asked the Board for any comments or thoughts on this.

It was noted that a new Cabinet Forward Plan was due to be produced tomorrow. It was expected that there would be a number of significant issues on the Cabinet agenda for December. This also presented a good opportunity to start looking forward.

With regards to the Design and estates strategy working group it was noted that the group had met but the situation was now moving forward and it was agreed that the group was not needed at the present time. A paper on the new civic centre in Bournemouth was due to come forward which the Board would be looking at, it was agreed that the working group should reconvene if required.

The Board agreed to note the Forward Plan and that further work on it would be undertaken at the Training and Development session scheduled in two weeks.

79. Future Meeting Dates 2020/21

The dates of future meetings as outlined in the agenda were noted.

80. Exclusion of Press and Public

**RESOLVED** that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

81. Feedback from the Working Group on BH Live Leisure Services

The Board considered a verbal report on the outcome of the working group provided by the now Portfolio Holder for Tourism, Leisure and Culture who was also previously a member of the working group which was set up by the Overview and Scrutiny Board at its meeting in July 2020.

The previous Cabinet and Overview and Scrutiny Board in July 2020 considered two reports on operation by SLM in Poole and by BH live in Bournemouth. The Cabinet's decision was made in principle subject to a member working group.

The Overview and Scrutiny Working Group which was set up to consider this issue continued in this role.

The Board considered the update from the Portfolio holder on the outcome of the working group and the decision which had been delegated to the Chief Executive.

**RESOLVED** that the outcome of the working group be noted.

The meeting ended at 4.54 pm

CHAIRMAN

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

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**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**OVERVIEW AND SCRUTINY BOARD**

Minutes of the Meeting held on 02 November 2020 at 6.00 pm

Present:-

Cllr S Bartlett – Chairman

Cllr T O'Neill – Vice-Chairman

Present: Cllr M Cox, Cllr M Davies, Cllr B Dion, Cllr M Earl, Cllr J Edwards,  
Cllr G Farquhar, Cllr D Farr, Cllr L Fear, Cllr P R A Hall,  
Cllr M Howell, Cllr D Kelsey, Cllr C Rigby and Cllr V Slade

Also in attendance: Councillor Philip Broadhead  
Councillor Robert Lawton  
Councillor Drew Mellor

82. Apologies

Apologies were received from Councillor D Kelsey

83. Substitute Members

Cllr B Dunlop acted as substitute for Cllr D Kelsey

84. Declarations of Interests

A Councillor queried whether a Councillor appointed as a Cabinet Lead Member could sit on scrutiny bodies. The Monitoring Officer advised that there was nothing in legislation to prevent Councillors with this role from taking part in Overview and Scrutiny

Provided that their portfolios did not cross over with the content of the meeting agenda there was nothing to prevent Cabinet Lead Members from participating in a meeting and even where portfolios crossed over that Councillor would need to consider their position and declare an interest where this might be relevant.

Other Councillors also raised concerns and objections to the Cabinet Lead Members participating in Overview and Scrutiny Bodies.

85. Public Issues

There were no public questions, statements or petitions.

86. Scrutiny of Homes Related Cabinet Reports

**Housing Allocations Policy** - The Portfolio Holder for Homes introduced the report, a copy of which had been circulated and which appears as Appendix 'C' to the Cabinet minutes of 11 November in the Minute Book. A

number of issues were raised by the Board in the subsequent discussion, including:

- A Board member commented that merging three policies would always be a challenge. However, they raised concerns regarding the loose and vague wording used in several instances throughout the document. The Portfolio Holder advised that each case would be decided upon by its merits and that he didn't want a document which would constrain officers too much, however he took on board the comments from the Councillor. An officer advised that this policy also applied to social landlords and the Council had no legal control as to whether they may undertake particular proceedings and therefore this was the reason for some of the wording.
- A Councillor commented that he was pleased to see hospital discharges included in the emergency band for accommodation. The Councillor also asked how the legacy policies came together in terms of tenancy lengths and successions. It was noted that everybody was being reassessed but the plan for this was still being finalised. There was a concern that Bournemouth residents had been on the register longer but most people across the whole of BCP had been reassessed in the last five years.
- In response to a question regarding Councillor engagement in the appeals process. It was noted that there was a need to be very careful how this process was handled but the Portfolio Holder advised that he would discuss this issue with officers. The process for reviews was set out in law and is always conducted by a senior officer.
- A Councillor raised concerns about anti-social behaviour and felt that there should be stronger measures to deal with this. The Portfolio Holder advised that this was taken seriously and appropriate measures would be taken to deal with anti-social behaviour. It was explained by an officer that the behaviour on anti-social behaviour was covered in a completely separate policy.
- In response to a question regarding sanctions for those in the emergency band who refuse a direct let, the Board was advised that there should be no reason for someone to turn down an offer but if someone unreasonably turned down a property which met their needs, they would be changed to a band which would next best reflect their needs.
- A Councillor commented on a section on sanctions within the draft which had been removed. There was concern that the sanctions outlined in the bidding process were putting off some older residents from bidding. The officer advised in managing the restrictions previously they had only written three warning letters and had not had to restrict anybody.
- Check on last section.
- A Councillor raised concerns about paragraph 8.1, which allowed for a minor amendment by head of housing and portfolio holder. The five percent outlined could affect 350 people and didn't consider this minor. The Portfolio Holder explained that each case would be decided individually on its own merits and he could consider it if an amendment was put forward.
- Concerns were raised regarding item 33 in which a family was expected to downsize when a child reaches 18. The officer explained that no one

was expected to downsize. Adult children would not be taken into consideration when applying if they could be accommodated elsewhere. This was because in the past adult children had moved out shortly after people had been offered a property. This wouldn't affect adult children in full time education, with caring needs or in the armed forces living in barracks but the circumstances of each case would be looked at.

- It was suggested that there should be protection for people who lose their residency in BCP for a short-term period due to circumstances outside of their control. The Portfolio Holder advised that he could understand the point raised in circumstances such as domestic violence and would consider this.
- In response to a question regarding housing for homeless and rough sleepers having a connection to three towns the Portfolio Holder advised that a connection to BCP for rough sleepers was paramount, most homeless people would have that connection and would be picked up by the housing service.
- A Board member asked about what was considered a local connection for the purposes of housing related to where your family live within BCP. The Portfolio Holder advised that this was an issue which would be dealt with on a case by case basis.
- In response to a question regarding whether Housing Associations were bound by the same laws that BCP Council work to and a number of housing associations did have tenancy support officers.
- A Member asked about recent legislation regarding people who have been rough sleeping but were not British citizens. The Portfolio Holder advised that he was not familiar with this particular piece of legislation and agreed to come back on this issue if he was provided with the details of this statement of change (see action sheet).

Following the discussion two motions were put to the Board and the Board

**RECOMMENDED:**

1. That paragraph 8.1 of the Housing Allocations Policy document be amended to include the following wording:

**“...will be able to approve minor technical amendments to the allocations policy. Where a change will negatively impact on any single tenant group or any group covered by the Equalities Act this should be referred back to cabinet for approval?”**

2. That section 18 of Appendix C to the Housing Allocations Policy be amended to include the following wording:

**“You currently live in the BCP council area and have done so for at least two years continuously prior to the application. Where there is a break in occupancy during this time of up to 6 months due to enforced family move this can be considered on a case by case basis where the household has been a long term (10yrs plus) resident in the BCP Council area.”**

Voting: Nem Con

87. Scrutiny of Regeneration Related Cabinet Reports

Cllr B Dunlop advised that she would not take part in the discussion of any subsequent vote on the next item due to her position as Cabinet Lead Member for Bournemouth Regeneration not taking part in the next item on regeneration

**Lansdowne Programme** - The Portfolio Holder for Regeneration, Economy and Strategic Planning introduced the report, a copy of which had been circulated and which appears as Appendix 'D' to the Cabinet minutes of 11 November in the Minute Book. A number of issues were raised by the Board in the subsequent discussion, including:

- A Board member commented that the difference between this scheme and the scheme inherited from the previous administration was that cars would be allowed through on Holdenhurst Road, to try to mitigate congestion in this area.
- The Portfolio Holder was asked how confident he was on the deadline being achieved. The Portfolio Holder advised that it was his priority to make decision as quickly as possible and he would not be making any changes which would cause problems with the programme meeting the deadline. However it was identified as a risk within the programme but the Portfolio Holder was confident that it would be achieved within the timeframe available.
- A Board member raised concerns that the scheme would not be able to meet the originally intended aims and questioned whether there was any scope to get greater flexibility in the time frame in order to allow further thought as to whether through traffic was necessary or if something different could be initiated to create a better outside space. The Chairman commented that the lead in time for road orders and any changes to road networks would take a very long time and a lot of the prep work had already been done which would make further changes to the scheme difficult
- With reference to the recommendation D within the report on equalities a Board member asked for confirmation that there would have been appropriate consultation on shared spaces and assurance that issues concerning shared spaces would be considered. The Portfolio Holder advised that he would liaise closely with the lead member for equalities on these issues. Traffic measures would curb traffic, and this would be part of the process but that he would certainly promote the issue raised.
- A Board member raised concerns about the options outlined in the report and that the previous administration's preferred option was not included with the report, noting that the purpose of the paper was for Cabinet to take a decision and not for a political decision to be taken in advance of the paper. The Portfolio Holder advised that he would not normally expect to see the previous administrations option to be included within a report to Cabinet, and that the previous option would

cause congestion. The Chief Executive advised that he expected all options to be included within the report and would take this away for consideration in consultation with the Monitoring Officer. The Director of Development undertook to review the paper and include the previously agreed option. (See Action Sheet)

- A Councillor commented that the scheme should be considered in line with Cotlands Road car park plans. The Portfolio Holder noted that these issues were separate but related. Cotlands was a little further behind but they would be joined together appropriately in order to start to progress a real vision for this area in a more holistic manner.
- A Board member expressed their disappointment with the way the scheme had ended up and noted that there could have been a scheme which completely changed the way Bournemouth looked. They explained that they would have liked to have seen permanent weekend road closures as an option for residents to use the space for social and leisure purposes.
- A Councillor raised concerns with the consultation on the programme and requested that the outcome of the consultation be made available prior to the Cabinet meeting and also questioned how the decision could be taken prior to the conclusion of the traffic regulation order consultation. The Board was advised that the report requested delegated authority to the Portfolio Holder and senior officers to take the next steps subject to the Traffic Regulations Orders consultation outcome.
- A Board member queried why there was no reference to children in terms of equalities, particularly as children will be accessing the new Livingstone Academy. The Portfolio Holder assured the meeting that issues concerning the school would be taken into consideration.
- The Portfolio Holder was asked if he could ensure that when the development takes place infrastructure is put in place under the roads to allow the roads to be closed off in future. The Portfolio Holder responded that it was certainly something they would look at.
- In regards to a query regarding the pooling of Neighbourhood CIL money for improvements the Portfolio Holder confirmed that he was keen to work with all members and not just ward colleagues in the future as there were some very positive options available with the distance of the train station from the town centre. However, there wasn't any funding in place to deliver stage two at present. The Portfolio Holder advised that he had seen details on plans around the bear pit improvements and agreed that he would respond to the Councillor who raised this issue. **(See action sheet).**
- The Chairman raised a concern that the drawing provided didn't actually reflect the proposal outlined in the report and also the risk management didn't show what the probability was of any particular scenario or outline any mitigation measures.
- Members raised concerns about the project and public perception on this issue and asked whether the public were aware of what is proposed and stated that whilst he wouldn't want to see the Council loose out on funding he also wouldn't want it to deliver something the public does not want.

- A number of Board members commented that it would have been good to have had some further information within the report on the response to consultation and how people would be impacted. Board members also suggested that a copy of the risk register which was referred to in the report should be made available.

**Following the debate on this item the Board RESOVLED that:**

- 1. Officers be requested to review the cabinet report and amend it accordingly in light of concerns raised by the Board regarding the inclusion of all options for the programme within the report.**  
***Note: The board also raised further concerns regarding the accuracy of Appendix A to the report and that there wasn't further detail included with the report on the risk register.***
- 2. The administration be urged to publish the results of the consultation in advance of the Cabinet meeting on November 11 broken down to reveal the views of respondents including business and local stakeholders.**

Voting: Nem. Con.

88. Scrutiny of Transformation Related Cabinet Reports

**Estate and Accommodation Project** - The Leader of the Council and Portfolio Holder for Transformation and Finance introduced the report, a copy of which had been circulated and which appears as Appendix 'I' to the Cabinet minutes of 11 November in the Minute Book. A number of issues were raised by the Board in the subsequent discussion, including:

- A Councillor raised the issue that the original figure of £29million was agreed cross party before the pandemic and the way that the Council responded to it and that the figure for the project three or four months ago had already reduced to about £10million pounds and clarified that the reduction from the original figure to the now £6million figure did not happen overnight.
- A Board member asked about the decoupling of the civic space from the office space with no indication of what the cost, timeline and impact would be of this work. The public entrance and mayor's parlour was part of the commitment to make the whole site fully disabled friendly and the Leader of the Council was asked how this would be impacted. The Leader advised that Councillors would be consulted on about this space and a hybrid option would be developed. The Leader also confirmed that disabled access was being championed and he would be working on solutions to this issue.
- A Councillor queried what would be happening to the annex as it was referred to in one area of the report and then seemed to be omitted in others. It was expected that all staff would fit into the town hall footprint while this is being considered he Town Hall Annex would be retained.
- The Portfolio Holder was questioned on the choices provided to staff for where people may choose to work, originally there was an intention that staff could work from hubs, at home or in the new civic centre. The Board was advised that the Council would be developing a hybrid option

for working with. There was still very much an ambition to have drop in areas for staff within the libraries.

- A Board Member raised concerns about the financing for the project to borrowing and that a lot of this did not appear to be investment but was in fact restructuring and change. The Leader advised that this deliver a £700k net benefit largely due to maintenance costs.
- In response to a query about the disposal of the sites the Leader advised that the disposal of the sites was not already decided and there were a number of different options for how the sites could be taken forward at present.
- A Councillor commented that he welcomed a considered view on the development of the strategy and that a quick sale of the sites may not release best value and that these issues need to be looked at carefully. The Leader agreed with this and commented that he didn't feel that a quick sale would be best value and want to get long term value for the assets.
- A Councillor raised concern with line in the report regarding disposal of the whole of the civic centre as this was never previously approved by Cabinet or the agreed intention. Disposal of the site figures previously used were purely on principle and whatever route which the previous administration would have gone down would also have delivered best value as this was a legal requirement. The Corporate Director advised that the paper had been in development for some time. The language in paragraphs 54 / 54a regarding the release or repurposing of some sites had evolved over 12 months and through two different administrations. The original paper quoting £29million costs to redevelop the town hall would have required the disposal of assets, the June paper was update to reflect that the sites may be disposed or repurposed and the latest paper reflects the most recent changes.
- A Councillor raised concerns that there was practically no mention within the paper of the environmental impacts of the proposed decision or anything relating to the impact of the improved IT systems. The Portfolio Holder advised that the IT issues would be covered within the transformation paper which would be coming to the following Cabinet meeting. The Corporate Director of Resources advised that he would be happy to provide a written response to the Councillors comments which could be shared with the Board. **(See Action Sheet).**

The meeting ended at 8.51 pm

CHAIRMAN

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**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**OVERVIEW AND SCRUTINY BOARD**

Minutes of the Meeting held on 16 November 2020 at 6.00 pm

Present:-

Cllr S Bartlett – Chairman

Cllr T O'Neill – Vice-Chairman

Present: Cllr M Cox, Cllr M Davies, Cllr B Dion, Cllr M Earl, Cllr J Edwards,  
Cllr G Farquhar, Cllr D Farr, Cllr L Fear, Cllr P R A Hall,  
Cllr M Howell, Cllr D Kelsey, Cllr C Rigby and Cllr V Slade

Also in attendance: Councillor Richard Burton  
Councillor L-J Evans  
Councillor Nicola Greene  
Councillor May Haines  
Councillor Drew Mellor

89. Apologies

Apologies were received from Cllr P Hall and Cllr D Farr.

90. Substitute Members

None

91. Declarations of Interests

None

92. Public Speaking

There were no public questions, statements or petitions for the meeting.

93. Action Sheet

The Chairman advised that the minutes from the previous meeting were not yet published but referred to the action sheet from the previous meeting. The Chairman confirmed that the recommendations had been reported to Cabinet and partially accepted.

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

The Chairman invited the Portfolio Holder for Covid Resilience, Schools and skills to provide the meeting with an update on the current situation. The Portfolio Holder advised the Board of the current situation regarding Covid-19 and how the Council were responding to it. The Portfolio Holder acknowledged the attendance of the Chairman from the Children's Services and Health and Adult Social Care Overview and Scrutiny Committees but

acknowledged that although there may be some crossover in some of the issues covered both Committees had their own meetings scheduled over the following few weeks. The Portfolio Holder invited the Director of Public Health to provide the Board with the latest information on Covid-19 prevalence.

The Director of Public Health gave a presentation to the Board which outlined the numbers testing positive for Covid-19 and the age groups of positive cases, which were predominately the younger age groups but this was slowly creeping up in the older age groups where risk was greater, as evidenced in the heatmaps shown to the Board. Over the past 7 days there were 953 cases within BCP. There were currently 138 people in hospital in the local system with Covid-19. The Director advised that he would provide further information to the Board on where outbreaks were occurring. All hospitals in the area were in major incident standby mode (**See action sheet**).

The Board was advised that most of the current cases would have contracted the illness prior to the national lockdown measures. However, it was noted that according to Google mobility data there appeared to be no reduction in workplace traffic since lockdown measures were put into place. It was noted that outbreaks in high risk setting such as schools and care homes were being managed well.

The Director advised the Board about a number of measures regarding the testing programmes in place and changes to these, including the piloting of rapid antigen testing. Information was also provided on the planning for vaccine provision and development. The Board were advised that post lockdown the aim was for the Council to emerge into tier 1 restrictions, but this was dependent upon whether current case rates fell. The Board considered further information on the planning for post-lockdown, including intelligently targeted communication and engagement work, enhanced contact tracing, additional support for the national test and trace offer and the availability of local resources. In reflection of the impact on Council resources, additional funding was being provided. Members asked a number of questions to the Portfolio Holder and Director of Public Health including:

- A Councillor asked what assurance could be given to residents if they had to go into hospital that the risk there wasn't higher than at home due to the recent outbreaks. The Board was advised that the outbreaks at the hospitals were now under control and both hospitals had been working closely with Public Health England to make sure the right measures were in place. The Director advised that the follow up measures were in place but agreed to follow up on this and provide confirmation to the Board (**see action sheet**). The Portfolio Holder advised that the Health O&S Board would consider this further at its meeting on 30 November 2020.
- A Councillor queried whether all children had received a laptop who were entitled to in order that their education could continue if they were having to isolate or if their school or bubble within school was closed. The

Portfolio Holder undertook to provide an update on this issue to the Councillor **(see action sheet)**.

- In response to a question regarding how the situation was going to be managed post lockdown with regards to care homes the Director of Public Health advised that the Health Protection Board assesses the infection rate within the community and regular letters go out to care homes with advice on whether it is safe to continue visiting, public health would want to ensure people can continue to visit their loved ones safely, which measures such as rapid testing should support.
- A Councillor asked about the numbers recovering from Covid and how they were being dealt with moving back into the community from hospital and the length of hospital stays. The Director advised that there was work going on to review the discharge from hospital processes and the Director undertook to provide this information in a briefing note following the meeting **(See action sheet)**.
- A concern was raised about the mental health impact of the current lockdown. In terms of public health data the Director advised that it wasn't possible for them to evaluate data on this yet. The Director advised that he had looked at data from the first lockdown but that this would be a good question to put to those providing relevant services. In this lockdown there had been guidance on continuing support groups which recognised the importance of this support and social contact.
- In response to a question on rapid testing a Councillor asked if you could infect others before it was picked up as a positive on a test. It was noted that they did work better with a higher viral load. They were designed to work on people who were asymptomatic. They were more likely to give a false positive than a false negative.
- A Councillor enquired about how rapid testing would be utilised within homeless shelters and for those living on the streets as they were among the most vulnerable. The Board was advised that it was early days as the health protection board had only just certified them. People would need to be supported to understand the test result and supported through the consequences of a positive result. The Director undertook to provide an update to the Board following the meeting **(see action sheet)**.

Then Portfolio Holder recorded her thanks to the Director for Public Health and his team for working in the current extraordinary circumstances.

A Board member asked about the Covid Marshalls on the streets to ascertain what they were doing and to where they reported.

- The Portfolio Holder outlined some of the measures taking place during the current lockdown which included that:
  - parks, gardens, beaches and where possible, takeaway concessions, car parks and toilets were remaining open during the lockdown period;
  - Schools were remaining open and only closing when required;
  - The local universities were also remaining open although a number of lectures were currently on-line;
  - Support groups of up to 15 people could continue to meet, particularly for vulnerable children and domestic violence.

- Hospitals were currently continuing their elective work.
- There was a difference in retail in terms of what has been able to stay open and what hasn't from the last lockdown.
- Homelessness services were not anticipating everyone being rehomed during this lockdown, however there were fewer people on the streets many have had very positive outcomes. Those remaining on the streets are now mostly known to St Mungo's. The severe weather emergency protocol would probably utilise hotel accommodation.

The Portfolio Holder for Community Safety gave an update to the Board on compliance and enforcement and explained that since March 2020 there had been multiple changes in legislation. The Board was informed that there was multi agency working with police and Town Centre Rangers in the town centre. Environmental Health Officers were visiting businesses and checking that they were Covid secure as part of a strategy to ensure compliance with Covid regulations. There were seven Covid Marshals who were deployed to focus on areas of higher transmission. They were working BCP wide to encourage social distancing and to educate and explain guidelines in the public realm and with businesses. Once the lockdown period ended, they would be able to assist with queue management where required.

A Board member asked about the Covid Marshals to ascertain type of activities they were undertaking and to where they reported. The Portfolio Holder explained that the Covid Marshals started just before lockdown on 31 October, and on this date they focussed on the Bournemouth night time economy area. Since their inception they had reported 15 businesses not following Covid regulations and dealt with large groups needing to be disbursed.

The Board were advised that from the 5 November the local authority was now duty bound to in law to enforce non-compliance with legislation. Environmental Health and Trading Standards officers had been diverted to deal with large scale non-compliance. Three enforcement notices had been issued.

A Board Member raised a concern about the amount being spent on enforcement and whether they provided value for money. It was suggested that this needed to be done in a light touch way. The Portfolio Holder advised that Covid Marshals were funded from a central government grant. Not all of which was spent on Marshals, some was being used to support business compliant officers, who supported businesses in operating in a Covid secure way. Ultimately, they reported to Andy Williams. In assessing value for money, the Board was advised that it was still early days but would take this point on board. The main reason for employing these measures was to ensure the safety of the whole community. Covid Marshals do not have any enforcement powers so is a light touch approach.

A Board member raised concerns about the support available to the night-time economy. There was a support grant available provided by funding from central government to support business who have had to close or

business further down the supply chain whose operation had been impacted. A press release had gone out today to encourage businesses to apply. The night-time economy, which was previously left out, would be included in the scheme this time.

The Portfolio Holder for Covid Resilience updated the Board on the Together We Can initiative to support the most vulnerable within the community. The central mission to support those who would otherwise be struggling was its key aim. Over the last week at peak demand the service was receiving about 300 calls per day, at its peak in March or April it was 800 and community resilience had grown over the past few months. Welfare calls were taking place for those who had tested positive to check they were ok and these were normally well appreciated. The extremely clinically vulnerable cohort, who were part of the shielding cohort needed to isolate and they were for the most part coping well. The Portfolio Holder also updated the Board on the mental health and support which was available to people. Information was also given on access to food measures and schemes which were in place and the provision which was being planned for Christmas. The Portfolio holder noted the good will of businesses, individuals and groups in this regard. The Portfolio Holder undertook to provide the Board with an email on the status of leisure facilities at Hengistbury Head and Stanpit **(see action sheet)**.

The Portfolio Holder also updated the Board on the recovery programme including the needs of the business sector but also the impact that they had on employment and the community more generally. There was ongoing engagement with business and the Rediscover Safely online programme had been launched to support local businesses.

The Leader advised that they were pleased to see the furlough scheme extended so that businesses would hopefully be able to come out of it in a position to grow stronger in 2021. With the support schemes in place it was noted that they wanted to ensure that business were not falling through gaps and as this was the second time round the discretionary schemes were launched there was the benefit of past experience in dealing with it. The Leader wanted to ensure that those sectors who hadn't had a lot of support before were provided for this time round.

A Councillor advised that under the previous scheme there was quite a lot of restrictions under the previous scheme and asked whether this scheme gave genuine discretion. The Leader advised that there was significantly more discretion in this scheme than previous scheme. It was also available to those who did not have a rateable premise and would include freelancers.

A Board member asked if the Council was ready for provision of meals during the Christmas holidays for those entitled to free school meals. The Portfolio Holder advised that they were looking to make sure no one fell through the gaps and that families were being supported in a more streamlined way. The Council was currently working with schools and school meal providers to deliver this. The current number of children eligible

for free school meals was about 9000, However it was expected that the October census in schools would give higher numbers of families claiming free school meals. It was also noted that free school meals was not the only indicator of need. Some would not be able to recognise that they have a need in advance. A proposal on this would be consulted on in the next few days.

In regard to an enquiry about communications the Portfolio Holder advised that there was work ongoing on this but that there was always more which could be done. The Portfolio Holder advised that they would make sure through the wider partnership that everybody was exploiting all available contacts.

A Councillor asked about the support businesses that were not on the front line but were providing services to those businesses who had had to close. It was noted that a lot of support business fell through the provision last time and there was a push to make sure they were included but that if there were any particular concerns the Leader asked Councillors to contact him.

In response to a question the Portfolio Holder advised that the schools meal programme would cover the school holidays, including February Half Term, funding had to be spent by the end of the financial year. The funding could be used to target families, but it must be through the lens of the children. The Board members were advised to direct people to the 'Let's Talk Money' programme through citizens advice.

A Board member asked about the provision of other services through libraries such as citizens advice, support groups and community fridges. The Councillor was waiting for the go ahead on whether community fridges could operate from the libraries. The Portfolio Holder agreed to respond on this specific issue to the Councillor. Some services were able to continue online and there was a need to get the libraries up and running post lockdown. The Portfolio holder for Community Safety agreed to speak to Environmental Health on whether there was anything which could be done in terms of operating a service from the libraries.

The Board was informed that local authorities would come out of lockdown into a tiered system and there was debate on where the boundary for those tiers would lie. The NHS was leading on the vaccination programme but the Council stood ready to help with this in whatever way it could. It was not yet known what reduction in restrictions was likely to be.

The Chief Executive commented that the scale of impact on local government, the economy and society could not have been predicted and the scale of change, which BCP as a new council had withstood well could not have been expected. The Chief Executive expressed his appreciation for all staff at the Council, Councillors and volunteers.

The Chairman noted his thanks to the Portfolio Holders and to the Director of Public Health for their presentations.

95. Forward Plan

The Chairman advised that this had been discussed in the training and development session held earlier in the afternoon and that this would be amended and reported back to the next meeting of the Board.

96. Future Meeting Dates 2020/21

The Board noted the future meeting dates for the remainder of the 2020/21 municipal year.

The meeting ended at 7.54 pm

CHAIRMAN

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

Minute number	Item	Action* *Items remain until action completed.	Benefit	Outcome
<b>Actions Arising from Board Meeting: February 2020</b>				
<b>113 2019/ 2020</b>	<b>Chairman's Update</b>	<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"> <li>1. To recommend that the Children's O&amp;S Committee should maintain an overview of this matter;</li> <li>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&amp;S Board as required.</li> </ol> <p><b>Actioned:</b> Added to the Board's Forward Plan following the Board meeting on 2 November</p>	To enable continued overview and scrutiny during this project and if felt necessary, a report back to O&S Board.	Item to be removed from action sheet
<b>Actions Arising from Board Meeting: 2 November 2020 – 2.00pm</b>				
75	Items requested by Councillors for Scrutiny	<p>The Board agreed that the following items should be added to the Board's Forward Plan:</p> <ul style="list-style-type: none"> <li>• Road maintenance across BCP</li> <li>• Tree Management across BCP</li> </ul> <p><b>Action:</b> Items added to the Board's Forward Plan</p>	To allow the Board to maintain an oversight of the issue it has included on its Forward Plan.	Item to be removed from action sheet
77	Development of the Overview and Scrutiny Board	<ol style="list-style-type: none"> <li>1. The Board agreed to hold a development session at 2.00pm on 16 November. The first part of the session to be open to all non-executive councillors</li> <li>2. The Board agreed that the meeting scheduled for 6.00pm on 16 November 2020 should be used to consider an update on the impact of and local response to Covid-19.</li> </ol>		Actions completed – to be removed from action sheet.

Minute number	Item	Action* *Items remain until action completed.	Benefit	Outcome
78	Forward Plan	<p>Overview and Scrutiny Board members to send any ideas or suggestions for the Forward Plan to the Chairman of the Board – in particular the Board was asked to consider the issues on the forthcoming Cabinet Forward Plan for its meeting in December and looking forward for particular issues to overview.</p> <p>It was agreed that the working group on Economy and Tourism should remain on the Forward Plan.</p> <p>It was agreed to add an item to the Forward Plan to consider the development of the BCP Local Plan.</p> <p><b>Action: Forward Plan document to be updated and considered further at the meeting on 16 November.</b></p>	To ensure that the Board maintains an oversight of relevant issue and prioritises resources for effective overview and scrutiny.	The Forward Plan for the Board was considered at the development session. A revised Forward Plan is included on the agenda for the 7 December Board meeting.
<b>Actions Arising from Board Meeting: 2 November 2020 – 6.00pm</b>				
86	<b>Scrutiny of Homes Related Cabinet Reports – Housing Allocations Policy</b>	<p>The Overview and Scrutiny Board recommend to Cabinet:</p> <p>That paragraph 8.1 of the Housing Allocations Policy document be amended to include the following wording:</p> <p>“...will be able to approve minor technical amendments to the allocations policy. Where a change will negatively impact on any single tenant group or any group covered by the Equalities Act this should be referred back to cabinet for approval?”</p> <p>That section 18 of Appendix C to the Housing Allocations Policy be amended to include the following wording:</p> <p>“You currently live in the BCP council area and have done so for at least two years continuously prior to the</p>	To enable O&S views to be taken into account by Cabinet when making decisions.	See Cabinet minutes of 11 November for outcome of recommendations

Minute number	Item	Action* *Items remain until action completed.	Benefit	Outcome
		<p>application. Where there is a break in occupancy during this time of up to 6 months due to enforced family move this can be considered on a case by case basis where the household has been a long term (10yrs plus) resident in the BCP Council area.”</p> <p><b>Action: Recommendation reported to the Cabinet meeting due to take place on 11 November.</b></p>		
		The Portfolio Holder for Homes undertook to review the recent legislation regarding homelessness and rough sleeping for non-UK citizens and provide his response to Cllr Rigby – Cllr Rigby undertook to provide a link to the information to the Portfolio Holder.	To fully respond to a request for information from a Member of the Board	Response provided to Cllr Rigby
87	<b>Scrutiny of Regeneration Related Cabinet Reports – Lansdown Programme</b>	<p>The Overview and Scrutiny Board resolved that:</p> <ol style="list-style-type: none"> <li>1. Officers be requested to review the cabinet report and amend it accordingly in light of concerns raised by the Board regarding the inclusion of all options for the programme within the report. <i>Note: The board also raised further concerns regarding the accuracy of Appendix A to the report and that there wasn't further detail included with the report on the risk register.</i></li> <li>2. The administration be urged to publish the results of the consultation in advance of the Cabinet meeting on November 11 broken down to reveal the views of respondents including business and local stakeholders.</li> </ol> <p><b>Action: Recommendations reported to the Cabinet meeting on 11 November 2020</b></p>	To ensure that all relevant information as pertaining to the Cabinet decision is available to both Cabinet, other Councillors and the public prior to the decision being taken	

Minute number	Item	Action* *Items remain until action completed.	Benefit	Outcome
		The Portfolio Holder undertook to respond to the request from Cllr Slade for further information regarding the 'bearpit' improvements.		
88	<b>Scrutiny of Transformation Cabinet Reports – Estates and Accommodation Project</b>	The Corporate Director of Resources undertook to provide a response to Councillor Rigby's comments regarding environmental issues and for this to be shared with the other members of the Board.	That full details on the issue raised within the meeting can be shared with all Board members for completeness.	Response provided to Cllr Rigby and shared with the Board
<b>Actions Arising from Board Meeting: 16 November 2020</b>				
94.	<b>Update on BCP Council's Response to the Covid 19 Pandemic</b>	The Director of Public Health undertook to provide information on: <ul style="list-style-type: none"> <li>• Rapid testing</li> <li>• Discharges from hospitals</li> <li>• Outbreaks in hospitals</li> </ul>	That full details of the issue raised within the Board meeting can be shared.	Information circulated to the Board
		To provide an update on provision of equipment for children entitled to support who needed to self-isolate or where the school has closed to allow them to continue accessing school provision.	That full details of the issue raised within the Board meeting can be shared.	
		Response to be provided to Cllr Earle regarding provision of services (in particular regarding community fridges) in Libraries from the Portfolio Holder	That full details of the issue raised within the Board meeting can be shared.	
		The Portfolio Holder undertook to provide the Board with an email on the status of leisure facilities at Hengistbury Head and Stanpit.	That the Board can receive the full details on this issue.	Information sent to Board members



## OVERVIEW AND SCRUTINY BOARD

Report subject	<b>Forward Plan</b>
Meeting date	7 Decemb er
Status	Public Report
Executive summary	The Chairman and Vice Chairman of the Overview and Scrutiny (O&S) Board have worked with Officers to identify the priority areas of work for the Board with contributions from the Board members. The work priorities of the Board have been developed on the basis of risk. The proposed Forward Plan is attached at Appendix A. The Board is asked to consider the proposals contained in the Forward Plan and approve or amend the contents. The current published Cabinet Forward Plan is attached at Appendix B to aid the Board in deciding on its priorities for scrutiny.
Recommendations	<b>It is RECOMMENDED that the Overview and Scrutiny Board amend as appropriate and then approve the Forward Plan attached at Appendix A to this report.</b>
Reason for recommendations	The Council's Constitution requires all Overview and Scrutiny bodies to set out proposed work in a Forward Plan which will be published with each agenda.

Portfolio Holder(s):	Not applicable
Corporate Director	Graham Farrant, Chief Executive
Contributors	Lindsay Marshall, Overview and Scrutiny Specialist
Wards	N/A
Classification	For Decision

## Background

1. All Overview and Scrutiny (O&S) bodies are required by the Constitution to consider work priorities and set these out in a Forward Plan. When approved, this should be published with each agenda.
2. The Constitution requires that the Forward Plan of O&S bodies shall consist of work aligned to the principles of the function. The BCP Council O&S function is based upon six principles:
  1. Contributes to sound decision making in a timely way by holding decision makers to account as a 'critical friend'.
  2. A member led and owned function – seeks to continuously improve through self-reflection and development. Enables the voice and concerns of the public to be heard and reflected in the Council's decision-making process.
  3. Engages in decision making and policy development at an appropriate time to be able to have influence.
  4. Contributes to and reflects the vision and priorities of the council.
  5. Agile – able to respond to changing and emerging priorities at the right time with flexible working methods.
3. The O&S Board may take suggestions from a variety of sources to form its Forward Plan. This may include suggestions from members of the public, Officers of the Council, Portfolio Holders, the Cabinet and Council, members of the Board, and other Councillors who are not on the Board.
4. The Constitution requires that all suggestions for O&S work will be accompanied by detail outlining the background to the issue suggested, the proposed method of undertaking the work and likely timescale associated, and the anticipated outcome and value to be added by the work proposed. No item of work shall join the Forward Plan of the O&S Board without an assessment of this information.

### **Summary of financial implications**

5. When establishing a Forward Plan, the Constitution requires the Overview and Scrutiny Board to take into account the resources, including Councillor availability, Officer and financial resources, available to support their proposals.
6. To ensure sufficient resource availability across all O&S bodies, Officer advice is that, in addition to agenda items, one additional item of scrutiny inquiry work may be commissioned by an Overview and Scrutiny body at any one time. This may take the form of a working group or task and finish group, for example. Bodies commissioned by the Overview and Scrutiny Board may have conferred upon them the power to act on behalf of the parent body in considering issues within the remit of the parent body and making recommendations directly to Portfolio Holders, Cabinet, Council or other bodies or people within the Council or externally as appropriate.

### **Summary of legal implications**

7. The Council's Constitution requires all Overview and Scrutiny bodies to set out proposed work in a Forward Plan which will be published with each agenda.

### **Summary of human resources implications**

8. N/A to this decision

### **Summary of environmental impact**

9. N/A to this decision

### **Summary of public health implications**

10. N/A to this decision

### **Summary of equality implications**

11. Any member of the public may make suggestions for Overview and Scrutiny work. Further detail on this process is included with Part 4 of the Council's Constitution.

### **Summary of risk assessment**

12. N/A to this decision.

### **Background papers**

None

### **Appendices**

Appendix A – Overview and Scrutiny Board proposed Forward Plan  
Appendix B – Published Cabinet Forward Plan

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## Forward Plan – BCP Overview and Scrutiny Board

Updated 25.11.2020 including proposals from the Chairman and Vice Chairman for consideration by the O&S Board

	Subject and background	Anticipated benefits and value to be added by O&S engagement	How will the scrutiny be done?	Lead Officer / Cabinet Portfolio Holder
<b>Meeting Date – 7 December 2020</b>				
1.	<b>Officer Decision – Durley Road Car Park Development</b> To scrutinise the decision to approve the final terms and the grant of a lease of the Durley Road Car Park site to Durley Road Development LLP. The published officer decision is attached to this agenda.	This decision is not subject to call-in and is listed for post decision scrutiny following a request from a member of the Overview and Scrutiny Board, to enable the Board to look into the issues surrounding the decision,	Scrutiny of the Officer decision notice and invitation to the Officers involved.	Graham Farrant, Chief Executive
2.	<b>Scrutiny of Cabinet Items</b> To consider the following Cabinet items as part of pre-decision scrutiny: <ul style="list-style-type: none"> <li>• Organisational Design - Acceleration of Transformation Savings for 2021/22 Budget</li> <li>• Wessex Fields Site Development Strategy</li> <li>• BCP Parking Standards Supplementary Planning Document</li> <li>• Climate Action Annual Report 2019/20</li> <li>• Domestic Abuse Strategy</li> <li>• Bereavement Services Business Plan Phase 1</li> </ul>	To enable the Board to consider proposed Cabinet decisions and to make recommendations to Cabinet as appropriate.	Scrutiny of Cabinet reports and invitations to Cabinet Portfolio Holders to respond to questions.	Cllr Drew Mellor - Transformation and Finance; Cllr Philip Broadhead - Regeneration, Economy and Strategic Planning; Cllr Mike Greene - Transport and Sustainability; Cllr Mark Anderson - Environment, Cleansing and Waste; Cllr May Haines – Community Safety
<b>Meeting Date – 4 January 2021</b>				
3.	<b>Scrutiny of Cabinet Items</b> Items for scrutiny are still to be determined but will include the following:	To enable the Board to consider proposed Cabinet decisions and	Scrutiny of Cabinet reports and invitations to Cabinet	To be confirmed

	Subject and background	Anticipated benefits and value to be added by O&S engagement	How will the scrutiny be done?	Lead Officer / Cabinet Portfolio Holder
	<ul style="list-style-type: none"> <li>• Cultural Compact</li> </ul>	to make recommendations to Cabinet as appropriate.	Portfolio Holders to respond to questions.	
4.	<p><b>Overview and Scrutiny of a Cabinet Portfolio: Deputy Leader of the Council, and Portfolio Holder for Regeneration, Economy and Strategic Planning</b></p> <p>To hear from the Deputy Leader of the Council on current and proposed priorities within the remit of this Portfolio, including risks, challenges and opportunities. Questions to the Leader are invited in advance from all non-Executive councillors to inform the Deputy Leader's discussions with the Board.</p> <p>Areas of the Council covered by this Portfolio: regeneration, major projects, business-sector, employer liaison, jobs, employment, economy, liaison with LGA and other partners, Brexit transition, strategic planning and house building.</p>	<p>One of a number of proposed themed sessions with Portfolio Holders, this will allow the Board to gain an understanding of Cabinet priorities across the full range of council services and provides opportunity for in depth discussion and challenge.</p> <p>The Board can use the information to understand where it can add value to the work of the council in its scrutiny Forward Plan.</p> <p>All non-Executive councillors, via the Board, have the opportunity to raise matters with the Cabinet Member and fulfil the role of critical friend to the Cabinet.</p>	<p>Written report provided by the Cabinet member and published with the Board agenda, based on a remit set by the Board. Discussion at the Board to be based on this report.</p> <p>Questions in advance invited from all councillors – to be provided to the Cabinet Member to inform the preparation of his report.</p>	Councillor Philip Broadhead – Deputy Leader of the Council, and Portfolio Holder for Regeneration, Economy and Strategic Planning.
<b>Meeting Date - 1 February 2021</b>				
5	<p><b>Scrutiny of Cabinet Items</b></p> <p>Items for scrutiny are still to be determined but will include the following:</p> <ul style="list-style-type: none"> <li>• 2021/22 Budget and Medium Term Financial Plan (MTFP)</li> </ul>	To enable the Board to consider proposed Cabinet decisions and to make recommendations to Cabinet as appropriate.	Scrutiny of Cabinet reports and invitations to Cabinet Portfolio Holders to respond to questions.	To be confirmed

	Subject and background	Anticipated benefits and value to be added by O&S engagement	How will the scrutiny be done?	Lead Officer / Cabinet Portfolio Holder
<b>Commissioned Work</b> Work commissioned by the Board (for example task and finish groups and working groups) is listed below: Note – to provide sufficient resource for effective scrutiny, one item of commissioned work will run at a time. Further commissioned work can commence upon completion of previous work.				
6.	<b>Working Group – Organisational Development and Estates and Accommodation Strategy</b>  At its meeting of 6pm on 10 February 2020, the Overview and Scrutiny Board scrutinised a Cabinet report which outlined options and a recommendation for a Council hub at the Town Hall. The Board felt that further understanding of the evidence base and methodology was required and agreed to establish a working group.	1. To give opportunity for a 'deep dive' into the estates strategy in order to understand the evidence base, methodology and rationale behind the decision; 2. To understand the detail behind the proposed next steps for this work; 3. To understand how O&S may helpfully engage in this work going forward in order to add value to the related decisions and outcomes.	Working Group – Note: This working group met just prior to the Covid-19 epidemic resulted in considerable changes the working group undertook the first stage of this work but has not met again.  This working group is currently on hold. The O&S Board will determine if and when it should be reconvened	Julian Osgathorpe, Corporate Director of Resources
7.	<b>Working Group – Economy and Tourism Impact of Covid 19</b>  Proposed at the Board meeting in July by the Chairman.	TBC	Working Group has not yet met. The Board needs to determine if the Group is still required and how it would be reconstituted.	TBC
<b>Items to be programmed</b> The following items have been identified by the Overview and Scrutiny Board as requiring further scrutiny. Dates are TBC.				
<b>Items previously agreed by the Board for Pre-Cabinet decision Scrutiny</b>				

	<b>Subject and background</b>	<b>Anticipated benefits and value to be added by O&amp;S engagement</b>	<b>How will the scrutiny be done?</b>	<b>Lead Officer / Cabinet Portfolio Holder</b>
<b>8.</b>	<b>Pay and Reward Strategy</b> The Board considered this issue prior to a Cabinet decision in September 2019. The Board requested that they have an opportunity for further scrutiny prior to Cabinet agreeing the final Strategy.	To enable the Board to test, challenge and contribute to the development of the Strategy.	Scrutiny of Cabinet report and invitation to Cabinet Portfolio Holder to respond to questions.	Matti Raudsepp, Director of Organisational Development. Cllr Drew Mellor – Transformation and Finance
<b>9.</b>	<b>Poole Town Centre Master Plan</b> At its meeting in December 2019 the Board requested to undertake further scrutiny of the Masterplan for Poole town centre prior to its further consultation	To enable the Board the opportunity to further scrutinise the detail of the Master Plan for Poole Town Centre regeneration in further detail once drawn up and prior to further consultation.	TBC	Phil Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning
<b>Other items previously agreed by the Board</b>				
<b>10.</b>	<b>Lansdowne Digital Pilot</b> The Board requested, at its meeting in November 2019, that the findings of the continuous monitoring for the Lansdowne Pilot.	To enable the Board to maintain an oversight of the findings.	Chairman and Vice-Chairman to consider and determine the best method for O&S Board to monitor this.	TBC
<b>11.</b>	<b>Acquisition and Compulsory Purchase Order (CPO) Strategy</b> At its meeting in December 2019 the Board requested to undertake further scrutiny of this strategy, which was referred to as part of the Poole Regeneration report.	To enable the Board to test, challenge and contribute to the development of this strategy prior to its final adoption.	TBC	TBC
<b>12.</b>	<b>Review of Leisure Centre Management</b> At its meeting in December 2019 the Board agreed to receive information from the consultants appointed to undertake the	To enable the Board to have an early opportunity to contribute to the development of the Leisure Centre Review.	TBC	Cllr Mohan Iyengar, Portfolio Holder for Tourism, Leisure and Culture

	<b>Subject and background</b>	<b>Anticipated benefits and value to be added by O&amp;S engagement</b>	<b>How will the scrutiny be done?</b>	<b>Lead Officer / Cabinet Portfolio Holder</b>
	Leisure Services Review prior to its report back to Cabinet.			
<b>13.</b>	<b>Tricuro</b> To consider the partnership arrangements and in particular the overall business case for the company.	TBC	Possibly joint scrutiny with the Health and Adult Social Care Overview and Scrutiny Committee	Cllr Karen Rampton, Portfolio Holder for Adults
<b>14.</b>	<b>Road maintenance across the BCP area</b> At its meeting on 2 November the Board agreed to include this item following consideration of a Councillor request.	To enable the Board to have overview of this issue and contribute to the development of the related policy for BCP Council.	TBD	Cllr Mark Anderson – Environment, Cleansing and Waste
<b>15.</b>	<b>Tree management across the BCP area</b> At its meeting on 2 November the Board agreed to include this item following consideration of a Councillor request.	To enable the Board to have overview of this issue and contribute to the development of the related policy for BCP Council.	TBD	Cllr Mark Anderson - Environment, Cleansing and Waste
<b>16.</b>	<b>Carter Expansion Project Update</b> Item considered by the Board in February 2020. Board agreed that the item should be added to the Board's Forward Plan for further consideration.		TBD	Cllr Nicola Greene
<b>Recurring Items</b>				

	Subject and background	Anticipated benefits and value to be added by O&S engagement	How will the scrutiny be done?	Lead Officer / Cabinet Portfolio Holder
17.	<b>Crime and Disorder Scrutiny</b> To include scrutiny of the Community Safety Partnership annual report	To fulfil the Board's statutory responsibility for Crime and Disorder Scrutiny	Annual report – August	Cllr May Haines – Community Safety
18.	<b>Green Credentials</b> An annual report on the Council's progress to assess our performance against targets in respect of climate change.	To enable the Board to retain oversight of the Council's performance against climate change targets and make regular recommendations as required.	Annual Report to O&S in December	Mike Greene, Portfolio Holder for Transport and Sustainability

# CABINET FORWARD PLAN – 1 DECEMBER 2020 TO 31 MARCH 2021

(PUBLICATION DATE – 17 November 2020)



What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Wessex Fields Site Development Strategy	To determine a viable delivery option for the site following the soft market testing exercise.	No	Cabinet 16 Dec 2020	Littledown & Iford			Rachel Doe	Open
Bereavement Services Business Plan - Phase 1	To approve phase 1 of a business plan for BCP Bereavement Services	Yes	Cabinet 16 Dec 2020	All Wards	Corporate Management Board Director of Environment and BCP Officers Funeral Directors	July 2019 to January 2020	Andy McDonald	Part exempt

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Approval of contract award for redevelopment of Cynthia House site delivering new council housing - HRA	This paper brings forward the recommendation of the award of a new contract to the preferred bidder for the delivery of works on the Cynthia House site. These works will deliver the demolition of the current empty building and construction of 22 new council homes at affordable rents and shared ownership comprising 10 houses and 12 flats. These homes will help to deliver much needed Council housing across Poole and will be built to the Passive House Institute (PHI) Low Energy Building standard ensuring the highest quality build and impact on local lives	No	Cabinet 16 Dec 2020  Council 5 Jan 2021	Alderney & Bourne Valley; Newtown & Heatherlands			Su Spence, Jonathan Thornton	Open



What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
2020/21 Mid Year Performance Report	To provide an update on performance at the mid-year point	No	Cabinet 16 Dec 2020				Graeme Smith	Open
Towns Fund application for Boscombe	To provide a full update on the proposals being submitted for Boscombe under the Towns Fund.	Yes	Cabinet 16 Dec 2020	Boscombe East & Pokesdown; Boscombe West; East Cliff & Springbourne	Residents, businesses and visitors within the wards.	28 day consultation undertaken in June 2020. 28 day consultation 17th August to 14th September 2020.	Kelly Ansell, Cat McMilan	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Housing and Property Compliance Update (Housing Revenue Account)	To provide assurance that Council homes within the Bournemouth and Poole Neighbourhoods are being managed in accordance with health and safety legislation and best practice and that the Council is compliant with current regulations and standards.	No	Cabinet 16 Dec 2020	All Wards			Lorraine Mealings	Open
HWRC Policy Alignment - Charity Waste Acceptance & Van Permit	To make recommendations to Cabinet on aligning Charity Waste Acceptance and Van Permit policies across all BCP Council Household Waste Recycling Centres (HWRC)	No	Cabinet 16 Dec 2020	All Wards			Ian Poultney	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Quarter 2 Budget Monitoring Report 2020-21	To provide budget monitoring information for the end for quarter 2 with explanations for significant variances. The report may also include budget virements for approval by Cabinet or Council.	Yes	Cabinet 16 Dec 2020  Council 5 Jan 2021	All Wards	CMB	CMB	Nicola Webb	Open
Climate Action Annual Report 2019 20	Annual report on Climate Action in response to the Climate and Ecological Emergency.	No	Cabinet 16 Dec 2020  Council 5 Jan 2021	All Wards	Portfolio Holder for Environment and Climate Change, Climate Action Steering Group, Climate Action Members Working Group.	Regularly scheduled Group meetings and Portfolio Holder briefings.	Larry Austin	Open
Bournemouth Christchurch Poole Parking Standards Supplementary Planning Document	To adopt the Bournemouth Christchurch Poole Parking Standards Supplementary Planning Document	No	Cabinet 16 Dec 2020  Council 5 Jan 2021	All Wards			Alexis Edwards, Rebecca Landman	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Dorset Nature Park	To provide grant funding towards the creation of a Dorset Nature Park in order to mitigate the impact of housing development.	Yes	Cabinet 16 Dec 2020  Council 5 Jan 2021	Alderney & Bourne Valley; Bearwood & Merley; Broadstone; Canford Cliffs; Canford Heath; Creekmoor; Hamworthy; Newtown & Heatherlands ; Oakdale; Parkstone; Penn Hill; Poole Town; Talbot & Branksome Woods; Wallisdown & Winton West			Steve Dring	Open
Domestic Abuse Strategy	To agree and adopt a new BCP Domestic Abuse Strategy	No	Cabinet 16 Dec 2020	All Wards	Community Safety Partnership		Andrew Williams	Open

<b>What is the subject?</b>	<b>What is the purpose of the issue?</b>	<b>Is this a Key Decision?</b>	<b>Decision Maker and Due Date</b>	<b>Wards</b>	<b>Who are the key stakeholders to be consulted before the decision is made?</b>	<b>What is the consultation process and period</b>	<b>Officer writing the report</b>	<b>Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?</b>
Housing Development Scheme at Wilkinson Drive	To approve the construction of 9 flats and 3 houses at Wilkinson Drive	Yes	Cabinet 16 Dec 2020  Council 5 Jan 2021	Muscliff & Strouden Park	Public consultation complete.	Public consultation complete.	Jonathan Thornton	Open
Housing Development Scheme at Duck Lane	To seek approval for the construction of a block of 12 flats for affordable rent.	Yes	Cabinet 16 Dec 2020  Council 5 Jan 2021	Kinson	Public consultation complete	Public consultation complete	Jonathan Thornton	Open
Organisational Design – Acceleration of Transformation Savings for 2021/22 Budget		No	Cabinet 16 Dec 2020					Open
Development Agreement - Dolphin Shopping Centre		No	Cabinet 16 Dec 2020					Part exempt

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
St Aldhelms	Purpose: St Aldhelms Ambitions Academy Trust is to expand with 5 classrooms, access, toilet block and small office space to accommodate additional pupils. BCP Council requires these spaces to be available from September 2021.	No	Cabinet 13 Jan 2021	All Wards			Neil Goddard	Open
Setting up the BCP Cultural Compact	Setting up the BCP Cultural Compact	No	Cabinet 13 Jan 2021				Michael Spender	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Council Fleet Replacement Programme & Sustainable Fleet Management Strategy	To acknowledge the financial impact of the varied approach to fleet replacement by legacy Councils on the BCP Sustainable Fleet Strategy.  Approve a long term financing strategy to support a rationalised BCP Sustainable Fleet Strategy.	Yes	Cabinet 13 Jan 2021  Council 23 Feb 2021		Front line service units, finance and legal services.		Kate Langdown	Open
Playing Pitch Strategy 2018-2033		Yes	Cabinet 13 Jan 2021				Paul Mitchell	Open
BIC Long Term Strategy		No	Cabinet 13 Jan 2021				Trudy Hicken	Open
Tourism and Destination Strategy	To agree the strategy for BCP	Yes	Cabinet 13 Jan 2021	All Wards	Portfolio Holder for Tourism, Leisure and Communities		Amanda Barrie, Chris Saunders	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Council Tax - Taxbase 2021/22	Present the proposed council tax base for council tax setting purposes in line with legislation and guidance	No	Cabinet 13 Jan 2021	All Wards			Adam Richens	Open
Community Regeneration Strategy	Approval of the strategy.	Yes	Cabinet 13 Jan 2021	All Wards	The Community, internal departments, partner organisations and the Health & Wellbeing Board.	Public Consultation summer 2020.	Cat McMilan	Open
BCP Council Economic Development Strategy	To approve BCP Council's Economic Development Strategy	No	Cabinet 10 Feb 2021	All Wards	N/A	N/A	Chris Shephard	Open



What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Quarter 3 Budget Monitoring Report 2020-21	To provide budget monitoring information for the end of quarter 3 including explanations for significant variances. The report may also include budget virements for approval by Cabinet or Council.	Yes	Cabinet 10 Feb 2021  Council 11 May 2021	All Wards	CMB	CMB	Adam Richens	Open
2021/22 Budget and Medium Term Financial Plan (MTFP)	Present the budget for 2021/22 including the annual resolution in respect of council tax.	No	Cabinet 10 Feb 2021	All Wards			Adam Richens	Open
Housing Revenue Account Budget Setting 2021/22	To set the HRA budget for 2021/22	Yes	Cabinet 10 Feb 2021	All Wards			Kate Ryan	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Western Gateway Sub-national Transport Body (STB)- Strategic Transport Plan	To advise Cabinet of the STB's intention to adopt its Strategic Transport Plan at its Board meeting in December 2020 subject to agreement of all its constituent members. This is also subject to the outcome of an active consultation period which will close on 31st July 2020.	No	Cabinet 10 Feb 2021	All Wards	Portfolio Holders for Transport and Infrastructure and Environment and Climate Change.	A public consultation is active until 31 July 2020 <a href="https://westerngatewaystb.org.uk/">https://westerngatewaystb.org.uk/</a>	Julian McLaughlin, Ewan Wilson	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Dedicated Schools Grant (DSG) Schools and Early Years Formulae 2021/22	To decide the funding formulae for mainstream schools and early years providers for 2021/22.	Yes	Cabinet 10 Feb 2021	All Wards	All maintained schools, academies and early providers in the BCP area with final recommendations to be provided by the Schools Forum.	Schools Forum is to consider the consultation approach in early autumn. Consultation papers will be issued to stakeholders in late October/early November with the response and final proposals put forward for Schools Forum consideration by the January 2021 meeting.	Neil Goddard	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Significant Changes to Linwood and Winchelsea Schools for September 2021	For Cabinet decision making whether to support the proposed changes	No	Children's Services Overview and Scrutiny Committee 26 Jan 2021  Cabinet 10 Feb 2021	Alderney & Bourne Valley; Winton East	Local Schools, Ward Councillors, Portfolio Holder for Children and Families, neighbouring LA's, special schools BCP places children within, families of schools affected, Governing body, staff and trade union representatives of schools affected.	Statutory notice in local paper (Bournemouth Echo), proposal document to be emailed to all key stakeholders, schools to share with families and to sign-post at schools, inclusion of documents at local libraries. Consultation period will run for 6 weeks.	Jack Cutler	Open
Crime & Disorder Reduction Strategy	To agree & adopt a BCP Crime & Disorder Reduction Strategy	No	Cabinet 10 Mar 2021	All Wards	Community Safety Partnership		Andrew Williams	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Recommendations following the public selective and additional licensing consultation	To review and consider the results of the 12 week public consultation and present recommendations to cabinet for the proposals whether to implement additional and/or selective licensing	Yes	Cabinet 10 Mar 2021	All Wards	Public	Public consultation underway 13/1/206/4/20	Sophie Ricketts	Open
BCP Homelessness Strategy	To co-produce a comprehensive and proactive homelessness strategy and related action plan for BCP.	Yes	Cabinet 10 Mar 2021	All Wards	BCP residents, Housing Portfolio Holder, All BCP Members, Adult Social Care, Children's Social Care, CCG, Police Homelessness Reduction Board and associated Partnership (included lived experience).	Launch event (Jan 2020), Public consultation and series of stakeholder workshop/ events Jan to June 2020.	Lorraine Mealings	Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Corporate Asset Management Plan	To approve the Corporate Asset Management Plan	Yes	Cabinet 14 Apr 2021				Chris Shephard	
BCP Housing Strategy 2021-2026	To share with members the new BCP Housing Strategy which will detail the current and anticipated future housing issues, setting out the priorities and delivery options to address local needs	No	Cabinet 14 Apr 2021	All Wards	All other BCP Services as well as many external stakeholders	Public consultation (12 weeks) with options paper along with a number of stakeholder engagement sessions	Lorraine Mealings, Kerry-Marie Ruff	Open
Suicide prevention	To approve a suicide prevention plan for BCP Council	Yes	Cabinet Date to be confirmed	All Wards	Plan has been developed taking a cross directorate approach with BCP Council Members and officers	Plan has been in development for 4 months	Sam Crowe	Open

<b>What is the subject?</b>	<b>What is the purpose of the issue?</b>	<b>Is this a Key Decision?</b>	<b>Decision Maker and Due Date</b>	<b>Wards</b>	<b>Who are the key stakeholders to be consulted before the decision is made?</b>	<b>What is the consultation process and period</b>	<b>Officer writing the report</b>	<b>Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?</b>
Library Strategy	To produce a library strategy across all BCP libraries and the development of libraries as neighbourhood hubs.	No	Cabinet Date to be confirmed					Open

What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Dorset Flood & Coastal Partnership	To seek approval to evolve from the existing Dorset Coastal Engineering Partnership Agreement (between BCP Council and Dorset Council) to a Shared Service Agreement. This would include working to a single budget for the resourcing and management of the service, including a longer term shift to BCP acting as host employer. It is also proposed for the Shared Service to expand to include surface water management and therefore operate as the Dorset Flood and Coastal Partnership.	No	Cabinet Date to be confirmed	All Wards	Cabinet consideration is required by both BCP Council and Dorset Council.		Catherine Corbin, Matt Hosey, Julian McLaughlin	Open



What is the subject?	What is the purpose of the issue?	Is this a Key Decision?	Decision Maker and Due Date	Wards	Who are the key stakeholders to be consulted before the decision is made?	What is the consultation process and period	Officer writing the report	Is the report likely to be considered in private (i.e., it contains confidential or exempt information)?
Russell Coates Arts Gallery Museum Governance Report		No	Cabinet Date to be confirmed				Sarah Newman, Chris Saunders	Open
Beach Hut Policy	Harmonisation of policy, pricing, team location and booking system	No	Cabinet Date to be confirmed				Andrew Brown	Open

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## OFFICER DECISION RECORD

This form should be used to record Executive decisions taken by Officers

<b>Decision Ref. No:</b>			
<b>Service Area:</b>	Regeneration and Economy	<b>Date:</b>	13th November 2020
<b>Contact Name:</b>	Sam Munnings	<b>Tel No:</b>	WFH
<b>E-mail:</b>	<a href="mailto:sam.munnings@bcpcouncil.gov.uk">sam.munnings@bcpcouncil.gov.uk</a>		
<b>Subject:</b>	Durley Road Car Park Development – Lease to a development subsidiary of Bournemouth Development Company LLP ( <b>BDC</b> )		
<b>Decision taken:</b>			
<p><b>To approve the final terms and the grant of a lease of the Durley Road Car Park site to Durley Road Development LLP (the Subsidiary) at less than the best consideration reasonably obtainable and otherwise on terms in accordance with the Option Agreement dated 17th February 2011.</b></p> <p><b>To approve the final terms and the entry into of the Council Loan Note and Additional Council Finance Loan Note, together with the associated security agreement between the Council and BDC LLP (BDC).</b></p>			
<b>Reasons for the decision:</b>			
<p>To comply with the terms of the Option Agreement dated 17th February 2011 between Bournemouth Borough Council and BDC (<b>the Option Agreement</b>), and section 123 of the Local Government Act 1972 (<b>Section 123</b>), to enter into a lease and to comply with the decision made by Cabinet on 24<sup>th</sup> June 2020, which authorised the Corporate Property Officer in consultation with the Council's Section 151 Officer and Monitoring Officer to agree the detailed provisions of the legal documentation, including and not limited to the lease and the loan agreements.</p>			
<b>Background:</b>			
<p>The background to the matter was set out in detail in the Cabinet report dated 24 June 2020. However, in brief the Council's statutory predecessor entered into an Option Agreement with BDC on 17 February 2011, which is binding on the Council. Durley Road Car Park was one of the sites within that agreement. In 2014 Bournemouth Borough Council approved the Durley Road Site Development Plan and BDC progressed with obtaining planning permission for the site for residential development. Following a lengthy planning process, development of the site was granted planning permission for 44 flats and associated car parking through appeal in January 2020.</p> <p>BDC intend to serve notice exercising their rights under the Option Agreement for the grant of a long lease of Durley Road Car Park to the Subsidiary, which is required to proceed with the Durley Road scheme.</p>			

The Site Lease Value (i.e., the market value using a Red Book residual value calculation and assumptions set out in the Option Agreement) has to be agreed or determined by an expert. The Development Appraisal at the time of the Cabinet report showed a Site Lease Value at a minimum of £250,000.

#### **Consultations undertaken:**

The Durley Road Scheme is located within the Westbourne & West Cliff Ward. The Ward Councillors have been consulted as part of the Cabinet approval process and recognise that this site falls within the Option Agreement.

#### **Finance and Resourcing Implications:**

A valuation has been undertaken by a suitably qualified RICS Valuer who has determined that the restricted value in accordance with the terms of the Option Agreement is £350,000. The unrestricted value of the site, i.e., the value that the site would achieve in the open market and ignoring the terms of the Option Agreement, is £550,000.

The Site Lease Value, calculated in the final Development Appraisal dated 30<sup>th</sup> October 2020 is £382,500.

The Council is required by Section 123 to dispose of land (including by way of a lease of seven years or more) only for the best consideration reasonably obtainable, unless the Secretary of State has consented to a disposal at less than best consideration. The valuation mentioned above was arranged to ascertain whether the grant of the lease was at an undervalue, and if so by how much.

Whilst the Site Lease Value exceeds the restricted value which recognises that the Council is contractually bound to comply with the terms of the Option Agreement, there is an argument that the grant of the lease could constitute a disposal at an undervalue on the basis that the Site Lease Value does not exceed the unrestricted value of the site.

The Council has received an expression of interest from a third party for the Site in a sum which far exceeds the Site Lease Value. In considering the disposal of the Site to a third party, the Council would need to take into account that:

- (i) the site is subject to the Option Agreement (further referred in the legal implications section below)
- (ii) the Council would have to cover the costs incurred to date of securing the planning;
- (iii) the Council would have to negotiate a release of the Site from the Option Agreement; even if the Council's partner in BDC were willing to release the Site from the Option Agreement, it would be reasonable in those circumstances to expect it to seek sufficient consideration to compensate it for any loss of anticipated development profit from the Durley Road Scheme.

Therefore, if the Council were able to accept an offer in the region of that referred in the expression of interest, once the costs set out above had been deducted from that amount, the Council would receive considerably less than the Site Lease Value and the anticipated profit share. It is therefore not recommended to proceed with any such negotiation for release of the Site from the Option Agreement or to try to agree terms with a third party.

In the event that the grant of the lease would constitute a disposal at an undervalue, a general consent (The Local Government Act 1972: General Disposal Consent (England) 2003) has been made by the Secretary of State under section 128(1) of the Local Government Act 1972. This permits local authorities to dispose of land at an undervalue if: (a) the purpose of doing so is to promote the economic, social and/or environmental well-being of their areas; and (b) the difference between the consideration obtained and the unrestricted value of the land does not exceed £2 million.

The grant of the lease for the Site Lease Value (which is £167,500 below the unrestricted value) is supported by the Council for the following reasons:

- The Council will take a 50% share in the profit from the site. This is currently calculated through the Development Appraisal, which has been checked and agreed by the Valuer, as £913,406. When added to the Site Lease Value, this equates to a potential return to the Council of £1,295,906, which is in excess of the unrestricted value.
- The unrestricted value does not take account of the cost of gaining an implementable planning permission. If planning permission had not been gained the value of the site would be less than the reported unrestricted value and there would be no guarantee that redevelopment with housing could be possible.  
If the Council had undertaken the work to obtain planning permission, they would have had to incur the significant cost of that process. In addition, as planning permission for the scheme was granted through appeal, it is unlikely that the Council would have achieved such a valuable permission.
- The disposal is to be made in line with the Option Agreement with BDC, a development joint venture partly owned by the Council; the objectives of BDC include benefitting the economy through regeneration, improving Bournemouth as a place to live, work, visit and shop, driving demand for homes and jobs in the area and increasing sustainable job opportunities, creating residential and visitor communities and improving the physical landscape, access and public transport in the town.
- The provision of housing within the Town Centre, will promote sustainable living, with those occupying the properties living in close proximity to services and facilities. In addition, the development is well placed for use of public transport to access the BCP area as well as further afield. This will promote economic activity in the area, while reducing the need for reliance on personal vehicles for both social and work purposes. This also results in increased local spend.
- The development will result in increased Council Tax receipts and New Homes Bonus to the Council, which will provide funding for council delivered services. In addition, the development provides a considerable s106 receipt to support projects that improve social and environmental wellbeing. This includes affordable housing contribution, pedestrian highway improvements, speed reduction measures in relation to the local school and, heathland mitigation.
- Of the spend associated with the construction of the development, typically 70% goes to business with a BH postcode. This improves economic activity in the area and supports local businesses of varying sizes.
- A number of other social, economic and environmental benefits will be achieved as referred in the Impact Assessment section below.

The existing use value of Durley Road Car Park has been calculated as £1,000,000 by capitalising car parking income. The public parking displaced by the redevelopment of this site should be redirected to other BCP owned car parks in the locality. Therefore, the loss of the Durley Road car parking revenue will be mitigated by an increase in revenue at these other car parks. This will result in an uplift in revenue and therefore existing use value of those sites.

Therefore, the redevelopment of the Durley Road Car Park site will see the Council

benefit from a land value receipt of £382,500; a profit share of £913,406, and; an uplift in car park revenue and capital value of other Council-owned car parks.

Consideration has been given to protecting the Council's interests whilst it supports the Durley Road scheme via the provision of Additional Council Finance. In this regard, the Council has taken the decision to include a longstop date for repayment of the Additional Council Finance Loan Note on the earlier of the date which is five years after the date of the loan note and the date which is nine months after the sale of the final property.

It should also be noted that in order to reduce BDC's funding costs, following repayment of third-party funding but before repayment of the Additional Council Finance, up to a maximum amount of £402,553 in sales proceeds from the site (the **Retention**) will be permitted to be used by BDC to pay specified development costs (agreed by the Council) which arise following completion of the scheme.

**Name: Adam Richens**

**Date: 13/11/20**

Redacted

**Signature:**

#### **Legal Implications:**

The terms of the lease and the authority to grant it have been delegated to the Corporate Property Officer under the Cabinet resolution dated 24<sup>th</sup> June 2020. The form of lease is in accordance with the Option Agreement, including the calculation of the Site Lease Value.

The Council is empowered to dispose of land pursuant to section 123 of the Local Government Act 1972. The Council's powers to dispose of the site at less than the best consideration reasonably obtainable have been set out in the previous section and are not repeated here. The total income from the Site Lease Value and profit share is in excess of the unrestricted market value and this, together with the assessed economic, social and environmental benefits outlined above, provides the rationale for the Council's decision to dispose of the site for the Site Lease Value (in line with the General Consent, if applicable) notwithstanding the fact that this is slightly below the section 123 unrestricted valuation obtained.

Furthermore, the Site is subject to an Option Agreement between the Council and BDC. Upon satisfaction of the Option Conditions, the Council can be required to grant a lease of the Site to BDC. In respect of the Site, the Option Conditions have been satisfied and the Site is subject to a binding contract for sale pursuant to the terms of the Option Agreement.

Where it is alleged that a local authority has failed to comply with its statutory or fiduciary duties or has improperly exercised its power to dispose of land pursuant to section 123 LGA 1972, the remedy would ordinarily be sought by way of judicial review of the Council's decision. Such a challenge could be brought by anyone with sufficient interest; in this instance any Council tax or business rate payer within the administrative area of the Council.

In usual circumstances, if land were disposed of at an undervalue, the undervalue would be at risk of being considered to be an advantage for the purpose of the State aid rules. However, in this circumstance and as mentioned above, the Council is bound to comply with the terms of an Option Agreement entered into pursuant to an OJEU compliant tender process undertaken circa. 2010 and the criteria for State aid are therefore not considered to be present.

The site was appropriated for planning purposes by Cabinet resolution on 27th January 2016, which converted third party rights (including a number of express drainage and similar rights reserved by the 1971 Conveyance under which the site was acquired) to the payment of compensation in order to enable a development to take place in accordance with a planning permission. The resolution will enable development to take place without risk of injunction from third parties who would otherwise have the benefit of private rights over the site.

There are no express rights to light burdening the site, but as a general rule such rights can sometimes be acquired after 20 years' uninterrupted enjoyment. Under section 204(1) of the Housing and Planning Act 2016 and clause 3.9 of the lease, the Subsidiary is responsible for payment of any compensation arising from the appropriation. While the payment of compensation will impact on the profit from the development, the amount calculated to cover this eventuality was considered negligible and therefore its impact on the profit will be minimal, if any.

The Council will receive a Council Loan Note from BDC LLP in a sum equal to the Site Lease Value and this will be secured in accordance with the Members' Agreement.

The Council also approved the grant of a loan £950,000 Additional Council Finance directly to the Subsidiary on the basis that the Additional Council Finance would not have a fixed repayment date and would be repayable out of sales proceeds following repayment of all third party funding in respect of the scheme. It was anticipated that the Additional Council Finance would be secured by way of second ranking fixed and floating charges over the assets of the Subsidiary.

It is instead agreed that the Additional Council Finance will be lent to BDC and then on lent to the Subsidiary. It will therefore be documented by way of secured loan notes issued by BDC to the Council (the **Additional Council Finance Loan Notes**). The on lending of the Additional Council Finance to the Subsidiary will be documented by second ranking and subordinated loan notes issued by the Subsidiary to BDC (the **Subsidiary Loan Notes**).

The Additional Council Finance Loan Notes will be repayable out of repayments of the Subsidiary Loan Notes. The Subsidiary Loan Notes will be repayable out of sales proceeds of units within the Scheme after repayment of the senior debt and after withholding of the Retention (referred to in the Financial Implications section above).

The Subsidiary will grant first ranking fixed and floating charges over all its assets (including the Lease) to a third-party funder.

The Council and the PSP will also hold security over BDC's membership interests in the Subsidiary (per the Members' Agreement and associated security arrangements); however, in line with the principle that the third-party debt will be repaid and secured in priority to the Council and PSP debt, security will also be

granted to the third-party lender over BDC's membership interests in the Subsidiary and that security will rank ahead of the Council and PSP security.

In accordance with legal advice, the terms of the agreements are such that the Council will not be in a materially different position as a result of the above-mentioned changes to the debt structure

**Name:** Susan Zeiss

**Date:** 13 November 2020

**Signature:**

Redacted

**Risk Assessment:**

An initial risk assessment has been undertaken for the scheme which outlines it as high risk due to the value.

There is a risk that the development is not profit making. This is a risk to which the Council is exposed, but this has been considered within the valuation as this takes account of recent sale data from similar schemes. The valuation suggests that the Gross Development Value put forward by BDC is appropriate in the current market.

**Name:** Sam Munnings  
2020

**Date:** 10th November

Redacted

**Signature:**

**Impact Assessments:**

The Equality Impact Needs Assessment indicates that the Town Centre Vision, the at the BDC developments are part of, provides substantial opportunities to create a positive Equalities Impact, particularly by improving accessibility of the town centre.

A key objective of the Corporate Plan is to reduce the town centre's carbon footprint, whilst improving its competitiveness. The scheme presents many opportunities to do this by having more people living in the town centre thereby giving them better access to town centre amenities. This reduces the need for a private car. The location of the scheme within the town centre has easy access to key retail and leisure attractions, the main Bournemouth transport terminal at the station and regular bus routes make this a very sustainable location. The Environmental impact analysis indicates that this is likely to have a positive impact on the carbon footprint.

The evolution of the construction industry demands that buildings are delivered more economically, within shorter time frames, more cost-effectively and with reduced impact on the environment. BDC currently uses Building Information Modelling (BIM) to deliver benefits on its projects but, going forward, would look



to integrate BIM more to increase the opportunity for offsite prebuild. This includes engaging and supporting the supply chain to adopt BIM standards and processes on a typical project, and delivery of data to drive automated manufacture and offsite production.

BDC seeks to work closely with local suppliers, clients, designers to procure sustainable materials wherever possible. Rather than just optimising the acquisition, use and disposal of resources, BDC looks to create a loop of reusable resources and assets for their clients. This is demonstrated on existing projects from choosing materials and components to optimise operation as well as build, to promoting training and employment within the local community.

BDC will procure environmental risk assessments, through the supply chain, for each project that address the construction, commissioning and handover phases. Every project, once on site has an environmental management plan that describes the systems, monitoring and auditing to achieve the project's objectives in a sustainable manner.

### **Information for publication**

#### **Background Papers**

Cabinet Report Dated 24 June 2020

Any declaration of interest by the Officer responsible for the decision		Nature of Interest	
No			
Any conflict of interest declared by a Cabinet Member who is consulted by the Officer taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
No			

**Decision taken by: Graham Farrant, Corporate Property Officer**

Redacted

**Signature:**

**Date of Decision: 13 Nov 2020**

**Decision taken by: Adam Richens, S151 Officer**

**Signature:**

**Date of Decision: 13/11/20**

Redacted

**Date Decision Effective:**

**Note: A record of this decision should be kept by the Service Area within which the decision falls.**

## CABINET



Report subject	<b>Organisational Design – Acceleration of Transformation Savings for 2021/22 Budget</b>
Meeting date	16 <sup>th</sup> December 2020
Status	Public Report
Executive summary	Cabinet and Council have previously adopted our Organisational Design and Operating model as the basis of the BCP Council Transformation Strategy. This paper sets out an approach to accelerate the identification and delivery of savings that are consistent with both the ambitions and approach of our Transformation Programme in order to help the Council address the impact of the pandemic on the financial position.
Recommendations	<p><b>It is RECOMMENDED that Cabinet:</b></p> <p><b>a) Approves the proposed approach for the identification of accelerated savings proposals based on the wider transformation approach of the Council;</b></p>
Reason for recommendations	To support the delivery of the Council's Medium Term Financial Plan while accelerating the delivery of benefits already identified within the Council's Transformation Strategy.
Portfolio Holder(s):	Councillor Drew Mellor, Leader of the Council and Portfolio Holder for Transformation and Finance
Corporate Director	Julian Osgathorpe, Corporate Director Resources
Report Authors	Julian Osgathorpe, Corporate Director Resources
Wards	Council-wide
Classification	For Decision

### Background

1. In November 2019 Cabinet considered the output from the Organisational Design Project. This was facilitated by KPMG and co-designed with Members and Officers

and expressed a view of the potential Operating Model for BCP Council following the successful delivery of the Local Government Reorganisation of Dorset.

2. Accompanying the Operating Model was a high-level business case which showed potential net benefits of up to £36 million per annum (£43.9 million per annum gross) of savings in return for an estimated one-off investment of up to £29.5 million.
3. Cabinet approved the next stage in the development of an implementation programme for the Organisational Design and Operating Model programme, which was to
  - a. Carry out a Pre-Market Engagement exercise with potential partners and/or suppliers to test the underlying assumptions, costs and delivery models for the implementation of the programme, and
  - b. Assess the impact of the costs and benefits arising from the implementation of the programme on the Medium Term Financial Plan (MTFP) and develop a financial strategy to support them
4. In June/July 2020 Cabinet and Council endorsed and adopted the Organisational Design and Operating Model programme and budget as the basis of the Transformation Strategy for BCP Council. However, given the impact of the pandemic there was a clear expression of the need to accelerate the delivery of some aspects of the programme. This included a need to consider the potential to bring forward some of the benefits realisation, subject to the needs of the MTFP which would be clarified later in the year.
5. In November 2020 Cabinet considered the MTFP outlook and the forecast budget deficit for 2021/22, and preserved the assumption within the Financial Strategy of a savings target of £15m for the 2021/22 financial year to be realised from "Transformation". In addition, Cabinet requested that the Director of Corporate Resources/Transformation bring forward a report to outline the approach to be adopted to identify, quantify and realise savings to meet this target in a way that was consistent with the ambition and approach to transformation already adopted by the Council.

### **The Benefit Classes**

6. The KPMG report referred to in the reports above, outlines three principal sources of benefit realisation that when combined produce the anticipated total of (up to) £43.9m. These are
  - a. Reduction in the number of FTE's (Full time Employees, i.e. salaries/wages costs) of the Council over the next four years;
  - b. Reduction in the Third Party Spend (e.g. external spending; procured contractual relationships) of the Council over the next four years;
  - c. Optimisation of our income levels (e.g. commercial activities; Fees; Charges)
7. With regard to c. above, this is the smallest anticipated source of benefit and is dependent of the harmonisation of the Council's policy framework. All service areas of the Council are currently working on this and the impact of will begin to be felt in the coming years as these revised Policies are approved, adopted and implemented. The pandemic has caused some delay with this process, and an extension to the two year time horizon for the harmonisation exercise has been agreed with MHCLG where appropriate.

8. For the purposes of realising £15m in savings for the 2021/22 financial year, it is therefore proposed that the focus of the effort will be in the benefit classes outlined in a. and b. above. We will use the output from the KPMG activity for both of these classes, but we will also develop them further through the use of
  - a. With regard to the FTE reductions, we have done a huge amount of work within our Pay & Reward Programme to identify, develop and map common Job Families, Roles and structures across the organisation. We will utilise this work to identify opportunities for savings;
  - b. With regard to Third Party Spend reductions, we will utilise the first full year outturn for BCP Council (this was not available during the work undertaken with KPMG) in order to identify opportunities for savings.
9. Each of these benefit classes will be considered in turn below. However, it must be understood that everything that is outlined below is consistent with the transformation ambitions and approach for the Council. Furthermore, each of the proposed approaches below were scheduled to be delivered within the wider transformation programme – the change that is being proposed is to change the point at which they are delivered within the wider transformation programme.

### **Reductions in FTE (Full Time Equivalent) Employed by the Council**

10. It is critical to remember that both the Local Government Reorganisation (LGR) proposals and programme, as well as the Organisational Design and Operating Model Programme, are predicated on the Council reducing the number of people that it employs.
11. While the LGR Programme met its savings predictions for the “Transition” phase, it is also important to note that the work to further consolidate structures and roles is by no means complete. The conclusion of this process will be facilitated by the transformation of the Council through the Organisational Design and Operating Model Programme, and as a result it has always been completely clear that this programme anticipated a reduction in FTE's of up to 622 (£22.6m) over the next four years.
12. This reduction is believed to be possible as a result of two principal forms of transformation
  - a. The identification and consolidation of roles across all parts of the organisation that are undertaking similar tasks within small, discrete teams across the Council. By bringing them together it is possible to reduce both the number of roles as well as the management and supervisory structures that support them; and
  - b. Investing in technology, business process change and new ways of working to improve the efficiency and effectiveness of the work being undertaken by these roles/structures.
13. The interaction between these two forms of transformation is why the anticipated profile of the benefits realisation presented to Cabinet in November 2019/June 2020 showed the majority of the benefits being realised in the last two years of the programme, i.e. the investment in technology, business change and new ways of working would be made and then these changes would allow the reduction in FTE to be undertaken in return for the efficiency and effectiveness improvements.

14. However, given the impact of the pandemic on the financial position of the Council, it is proposed to change this sequencing within the programme. The effect of this change will be to bring forward a significant proportion of the FTE reductions to be prior to the delivery of the technology, business process change and full introduction of the new ways of working.
15. The Corporate Management Board (CMB) has established a project to review each of our twenty five newly defined Job Families. These reviews will be focussed on developing proposals to deliver savings within each of these Job Families applying the core principles referred to in the Organisational Design and Operating Model Programme and outlined above, e.g. consolidation of similar work and role types; the rationalisation of these roles and the management/supervisory structures that support them.
16. Proposals will be presented to CMB for initial review and consideration over the next two months before making their way into and through the budget setting process for the Council and beyond that into implementation should they be approved. While it is not possible to be specific about the level of savings that this process will produce at this early stage, it is anticipated that the majority of the £15m target for 2021/22 is likely to come from this source.
17. It must be clearly understood that while this approach is possible, it presents some significant issues for the Council should the proposals be accepted by Cabinet and Council through the budget setting process for 2021/22. These are
  - a. It will involve a reduction in capacity and capability within the organisation without the full effect of the wider transformation programme to offset these reductions through improved efficiency and effectiveness; and
  - b. It may involve consequential impacts and therefore changes to some services delivered by the Council. Where this is the case, these consequences will be identified for Cabinet and Portfolio Holders to assess throughout the budget setting process for 2021/22; and
  - c. We will be undertaking these changes while responding to the effects of the pandemic.
18. However, and accepting the issues referred to above, given the scale of the financial impact of the pandemic the Council would have to consider the rationalisation of structures and roles in order to meet the savings requirements expressed within the MTFP. The way in which the Council has approached this in the past would be to expect each individual service and/or team to identify and deliver their own restructuring and reductions in FTE. The effect of this approach has been, through the last ten years of delivering significant budget savings, to create smaller and less sustainable teams that cannot be further reduced without potentially significant negative impacts on our service outputs.
19. The benefit of the approach that is being proposed in this paper by comparison to our historical practice is that
  - a. By undertaking it within the wider transformation programme we can identify and deliver reductions in consolidated teams while preserving an appropriate level of capacity and capability for the Council going forward;
  - b. By building larger, professional “Job Families” we can provide more attractive career paths while also providing more focussed learning and development opportunities. These improvements, when combined with the final delivery of

our Pay & Reward Programme, will help us address some of our recruitment and retention issues in some job family and/or role areas;

- c. By delivering these changes within the transformation programme at an enterprise level, we are more effectively able to identify and deliver the required changes to technologies, business processes and ways of working that will complete the transformation of the Council in line with the vision and ambitions expressed in both the LGR proposal and the Organisational Design and Operating Model Programme.

### **Reductions in Third Party Spend**

- 20. The LGR proposal and programme clearly anticipated that the newly formed BCP Council would have the opportunity to realise savings by
  - a. Rationalising contractual spend across the four preceding Councils into single, new contractual relationships over a period of time as the legacy contracts expired and are re-procured; and
  - b. Benefitting from a significantly increased scale of Council operations and the enhanced attractiveness of BCP Council to the market when/where relations are procured/re-procured; and
  - c. Removing some contractual spend through the wider and ongoing transformation programme for BCP Council
- 21. While some savings were delivered through the “Transition” phase of the LGR programme, the expression of anticipated benefit in the KPMG work on the Organisational Design and Operating Model programme shows that there is still a great deal of work that can be done to improve our position. The upper range of benefits expressed is 7% of our influenceable spend or £19.8m over the next four years.
- 22. It is also the case that to a large extent our ability to significantly accelerate the delivery of these benefits is constrained by the contractual lifecycle of existing relationships, it is also clear that there are opportunities that are not necessarily dependent on these constraints.
- 23. CMB have established a project team to establish and implement a Procurement Category approach across all influenceable spend based on our first full year outturn for BCP Council. By applying similar principles to these Categories as those outlined above (e.g. enterprise rather than individual service level view; aggregation; consolidation of budgets; enhancing purchasing controls) it is believed that it is possible to identify opportunities to accelerate the delivery of savings for the 2021/22 financial year.
- 24. Proposals will be presented to CMB for initial review and consideration over the next two months before making their way into and through the budget setting process for the Council and beyond that into implementation should they be approved. While it is not possible to be specific about the level of savings that this process will produce at this early stage, it is anticipated that these proposals will contribute a smaller proportion of the £15m target for 2021/22.

### **Summary of financial implications**

- 25. At this early stage, it is not possible to accurately assess the financial implications of the activity outlined above. Notwithstanding this, the following points are salient

- a. The activity is intended to contribute to the delivery of the required savings expressed in the MTFP;
  - b. It is clear that some elements of the proposals outlined above will involve costs being incurred, for example the likelihood of redundancy costs for any staff whom are displaced by the process of reducing the size of the organisation.
  - c. While potential redundancies are likely to contribute to the majority of the costs of these proposals, it is neither appropriate or possible to speculate on the outcome of selection process and/or the specific costs attributed to individuals.
  - d. Through the development and approval of these proposals within the Council's budget setting process any such costs will be identified, calculated and submitted for approval along with a clear funding strategy to deal with them. In that regard, £6m of the total £37.62 million total transformation programmed costs has previously been earmarked to cover redundancy costs.
  - e. £1.5 million in employee costs was permanently removed from the establishment as part of the mitigation strategy put forward as part of the Covid19 2020/21 Budget Monitoring report to Cabinet in June 2020.
26. In setting the budget for 2021/22 and in determining the level of transformation savings that can legitimately be assumed, the council will need to differentiate between those savings that can be itemised and approved, and those savings which although they cannot be itemised there is sufficient evidence for their inclusion. In the budget statement on the robustness of the budget and the adequacy of reserves the s151 Officer will need to consider the risk associated with any savings not itemised and ensure that the level of reserves is set accordingly.

### **Summary of legal implications**

27. There are no direct legal implications arising from the approach outlined in this report.

### **Summary of human resources implications**

28. While there are no human resources implications arising as a result of the approach outlined in this report that were not explicit in the reports to Cabinet in September 2019 (Pay & Reward Programme) and November 2019 or June 2020 (Organisational Design Programme) the effect of accelerating the delivery of FTE reductions creates issues that have not previously been considered.
29. BCP Council has strong policies and procedures in place to ensure that any process that involves the potential to displace members of staff are conducted openly and fairly for everyone involved in those processes. However, the delivery of a potentially large scale programme of people change during a pandemic is a challenge that the organisation has not confronted before and as specific proposals are developed and approved for implementation there will be a real need to focus on engagement, consultation, support and wellbeing.
30. The combined effect of the pandemic response as well as accelerating the delivery of these proposals is likely to impact the delivery of the Pay & Reward Programme by



approximately three to six months. While there is a significant cross over between the two programmes (e.g. the development of Job Families and common role profiles for all staff) it is not advisable to try and implement a potentially large scale consultation on restructuring and redundancies while also engaging around, and holding a staff ballot on, the proposed new employment relationship that will be delivered through the Pay & Reward Programme.

### **Summary of sustainability impact**

31. There are no direct sustainability impacts arising from this report.

### **Summary of public health implications**

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

### **Summary of equality implications**

33. As with para 27 above, the high level equalities impacts of the Programmes that form the basis of the approach outlined in this report have been previously considered by Cabinet.

34. At this stage, and until specific proposals have been developed and considered, it is not possible to identify and therefore mitigate any potential equalities impacts that may arise. As these proposals are developed, it will be necessary to assess the equalities implications on all stakeholders (internal and external to the Council) and ensure that all appropriate actions are taken.

### **Summary of risk assessment**

35. While there may be proposal specific level risks that will have to be identified and managed, there are some high level risks to be conscious of and manage as we move forward.

36. Clearly, the approach outlined in this report is intended to contribute to the delivery of the savings that are required by the MTFP. In the event that the approach outlined in this paper is unsuccessful in identifying proposals that are capable of achieving this outcome, or that the consequences of delivering them are considered to be too onerous, alternative savings proposals will need to be identified, considered and implemented.

37. Based on previous exercise of large scale restructuring within the legacy authorities to BCP Council, the financial cost of delivering some of the proposals that may arise as a result of the approach outlined in this report could be significant. However, it is not possible to accurately forecast these costs until specific proposals are developed and approved. Furthermore, with the impending introduction of the public sector redundancy “cap” it is possible that the historic cost modelling referred to above may not be a reliable indicator of future costs of large scale restructuring.

38. The delay to the Pay & Reward Programme caused by the combined effect of the pandemic response and the adoption of the approach outlined in this paper represents a risk to the organisation. One of the principal outcomes of the Pay & Reward Programme, and the reason that it was the first major element of our wider transformation programme to be approved by Cabinet in September 2019, is the removal of the equal pay risk that was inherited by BCP Council as a result of the LGR process. The delay of approximately three to six months to the final delivery of

this programme extends this risk beyond what was originally intended and communicated to staff and Trade Unions.

### **Summary**

39. The Cabinet and Leader have been clear that they want to be more ambitious about the pace of our transformation journey and the benefits to be achieved. The quicker we can deliver the benefits of transformation then the quicker that our resources can be diverted to deliver the priorities for investment in front line services.
40. The proposals contained in this paper therefore represent the necessary next stage in BCP Council's already award winning transformation into a vanguard local authority. While it is acknowledged that delivery of these proposals will be happening outside of the intended sequence within the wider transformation programme, there must be no doubt that they were always intended to be a critical component within that programme.
41. The delivery of the proposals out of the originally intended sequence will be challenging for the organisation at both a Member and Officer level. These challenges must be acknowledged, embraced and overcome throughout the whole organisation and at every level if we are to be successful in delivering not only the required budget outcomes but also our wider transformation and change objectives.

### **Background papers**

### **Appendices**

None

## CABINET



Report subject	<b>Wessex Fields Site Development Update</b>
Meeting date	16 December 2020
Status	Public Report
Executive summary	<p>The land at Wessex Fields is located adjacent to the A338 in Bournemouth and between the University Hospitals Dorset NHS Foundation Trust (formerly Royal Bournemouth and Christchurch Hospital) and the Stour Valley way greenfield site.</p> <p>On 18 March 2020 Cabinet authorised officers to progress soft market testing in order to identify interested parties and viable delivery options which related to the preferred use themes of; health, care, research and education as well as seeking to include key worker or affordable housing and realisation of the vision of the Living Lab.</p> <p>Following a period of soft market testing undertaken by external agents Jones Lang LaSalle (JLL) an options appraisal has been produced which considers the range of delivery options, the advantages and disadvantages of each and outlines the preferred option for progression for the Council.</p> <p>The recommended option, proposes a disposal of part of this site to the adjoining landowner University Hospitals Dorset, another public sector body, in partnership with Bournemouth University to deliver their proposal for a strategically relevant development with a focus on Medtech, medical research &amp; education put forward via the soft market testing.</p> <p>Progressing this option enables BCP Council to develop the remainder of the Wessex Fields site in line with the preferred use themes and in the most strategically beneficial way to the conurbation and local community and supports the Council's desire to work with the NHS Trusts.</p> <p>Therefore, this report seeks consent in principle to dispose of part of the site adjoining the hospital boundary to University Hospitals Dorset NHS Foundation Trust in partnership with Bournemouth University and determine the exact future development structure and collaboration for the remainder of the site which will be subject to a further Cabinet approval.</p>

Recommendations	<p><b>It is RECOMMENDED that Cabinet:</b></p> <ul style="list-style-type: none"> <li><b>a. Agrees in principle to progress the development of the site at Wessex Fields in accordance with the recommended option and explore funding opportunities in collaboration with University Hospitals Dorset in partnership with Bournemouth University to facilitate the wider mixed-use development of the site which meets the preferred use themes.</b></li> <li><b>b. Authorises officers to enter into negotiations with University Hospitals Dorset NHS Foundation Trust in partnership with Bournemouth University on the detailed terms of the recommended option.</b></li> <li><b>c. Approve a £100k budget to cover external legal and professional advice and adjust the MTFP for 2020/21. This sum to be funded by capital receipt from disposal of part of the site.</b></li> </ul>
Reason for recommendations	<p>To contribute to the Council's Corporate strategy priorities, specifically helping to create dynamic places and fulfilled lives.</p> <p>The preferred option meets the aspirations of the Council and its key strategic partners, the local NHS trust and Bournemouth University to deliver the vision developed for Wessex Fields which is set out in a Memorandum of Understanding between the parties.</p>

Portfolio Holder(s):	Cllr Philip Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning
Corporate Director	Bill Cotton, Corporate Director, Regeneration and Economy
Report Authors	Rachel Doe, Project Manager
Wards	Littledown & Iford;
Classification	For Decision

## Background

1. In January 2020 a period of public consultation was undertaken in order to gauge opinion regarding how the land at Wessex Fields should or should not be used. The Local Plan review (currently in consultation) would enable the allocation of the land to be changed from employment use if required in order to accommodate a different use in the future, so the timing for this consultation was important.
2. The consultation concluded the majority of those who expressed an opinion were supportive of the following uses for the land:
  - a. A health care, research and education theme;
  - b. the development should seek to include key worker or affordable housing; and,
  - c. the vision of the Living Lab in a more deliverable format than originally represented.
3. The development should also incorporate plenty of open access green space to promote wellbeing and wildlife habitats, as well as improved controlled access to the University Hospitals Dorset and improved transport links in all forms fitting the essential criteria including buses, cycling and walking routes.
4. The recommendation to adopt the consultation results was approved by Cabinet on 18 March 2020 along with a further recommendation to conduct a soft market testing exercise. This would establish market interest in the site without obligation or commitment by any parties, including BCP.
5. In order to reflect this decision and inform the soft market testing exercise a Wessex Fields Key Development Principles guidance document was produced by BCP Council Planning Services. A copy is attached at appendix 1.
6. Following a formal procurement process Jones Lang LaSalle (JLL) were appointed as agents. The soft market test exercise, scope included at appendix 2, has now been concluded and the responses analysed. JLL have advised on the options for disposal the Council might wish to take, as outlined in their scope of work.
7. In total 15 responses were received for the soft market test from a variety of parties including developers, affordable housing providers, care providers, leisure operators, charities and an educational organisation. A summary of these responses is attached in the confidential appendix 3.
8. The soft market test highlighted some consistent themes which are;

- a. the constraints on the preferred uses for the site
  - b. participants requested that a disposal/development structure should be as simple as possible and that;
  - c. further detail would be required relating to vehicle movements and carbon neutrality.
9. The recommendations brought forward in this paper take into account the external advice by JLL and other officer-led discussions with stakeholders pertaining to the future of the site.
10. It is important to note that in addition to the Cabinet decision, and prior to the soft market test exercise a Memorandum of Understanding (MOU) between the University Hospitals Dorset, Bournemouth University and BCP Council was in place to:
- a. Facilitate economic development and job creation on and around the development site;
  - b. Evolve the sustainable expansion of University Hospitals Dorset and the wider health and care provision to the population, including the reconfiguration arising from the Clinical Services Review;
  - c. Reduce congestion and encourage sustainable travel to, from and around the immediate area;
  - d. Enhance the green belt bio-diversity and public amenity of the wider site;
  - e. Explore the wider benefits of health related research, education and key worker housing
11. Both Bournemouth University and University Hospitals Dorset have publicly stated that the Wessex Fields site, being next to the University Hospitals Dorset provides a unique opportunity to scale up their collaboration, for the benefit of creating more healthcare professionals, more research and economic development. Recent examples of their collaboration include the creation of the medical imaging institute, the orthopaedic institute and a joint clinical trials unit and each year University Hospitals Dorset provides hundreds of placements for Bournemouth University students, many of whom stay on to provide healthcare in Dorset.

### **Options Appraisal**

12. There are a number of options for Cabinet to consider which are outlined as follows:

#### **Option 1 – Disposal to University Hospitals Dorset (working with Bournemouth University).**

13. The University Hospitals Dorset has put forward an expression of interest in the whole site to bring forward a Medtech development, including medical education and academia in keeping with the agreed uses for the land. This development would include a “Living lab” and would also involve a land swap or collaboration with the existing nursing home to provide them an opportunity to realise their development aims.
14. University Hospitals Dorset and Bournemouth University plans include 500 key worker homes in the form of 2-3 bed units. The people living in these homes would be employed by the NHS and therefore would not contribute to peak hours traffic movements.

15. The proposal includes temporary staff car park which will be utilised during the University Hospitals Dorset upcoming expansion build as a proportion of the existing parking will be lost to contractors compounds during construction.
16. The target of 500 jobs, as required by the DLEP funding, is believed to be achievable through this development with 100 coming initially from the pathology lab build. The purchase of the land for this at the south west corner of the site is currently in progress and due to be completed by March 2021.
17. The site development would be over three phases with phase one, the Pathology Lab and associated infrastructure, during 2021-22. Phase two which includes the possible land swap with the Retired Nurses National Home, would take place 2022-2024 and phase three bringing forward the living lab, technical and academic areas with housing between 2025-2030.
18. University Hospitals Dorset and Bournemouth University are conscious of the Council's aspirations for the site to be a carbon-neutral development and to promote healthy use of green space while creating a landmark development. Bournemouth University has experience of bringing forward "Gateway" buildings in both Bournemouth and Poole and innovative learning spaces such as the Fusion Building on its Talbot campus.
19. Whilst this offer was for the whole site, University Hospitals Dorset and Bournemouth University recognise the Council's desire to maximise the value from its assets and are willing to consider an acquisition of part to enable the immediate development of the research and med tech and MSCP elements, and work in collaboration on the delivery of the remaining preferred uses and overall vision for the whole of the Wessex Fields site.
20. **Advantages** – adopting this option would allow the University Hospitals Dorset and Bournemouth University to progress delivery of the Council's vision at pace for some of the preferred uses and would be in accordance with those agreed by Cabinet in March 2020 and would deliver a capital receipt. It would underpin the broader advantages the University Hospitals Dorset transformation would bring to the area – leading-edge health care and research into some of societies health challenges.  
  
By retaining part of this asset, the Council has a continuing role in how the remainder of the site is developed to meet the remaining preferred use themes, whilst managing the risk and maximising the returns.
21. **Disadvantages** – The disposal of part will result in a reduced market value capital receipt. A piecemeal disposal approach to development could result in the overall vision not being realised, however this is mitigated by the collaboration with University Hospitals Dorset and Bournemouth University on the development of the remainder of the site.

## **Option 2 – Dispose of the land as a whole to a third party developer.**

22. The soft market testing brought forward a number of expressions of interest to develop the whole site. These could be structured under a variety of flexible models from sale to joint venture arrangements with a developer. Interest in the whole of the site had to cover all the land uses and therefore a plan was required to illustrate the outline areas devoted to the various uses. Some developers submitted more detailed proposals than others but all were broadly in keeping with the agreed uses.
23. **Advantages** - Undertaking a disposal in whole to a developer would deliver a lump sum cash injection for the Council. Alternatively, there was interest from other third

parties to enter into a joint venture. This could involve the Council transferring the land into a JV partnership at a guaranteed minimum payment figure. This option could deliver the preferred use themes and result in a share of developer profit.

24. **Disadvantages** – Disposal in whole to a developer would relinquish some of the control, even with mitigation measures put in place to satisfy the land use criteria. The vision for the site may not be achieved even if the land use criteria are broadly met. The opportunity to develop a Medtech focussed site adjacent to a leading university hospital would be lost. A joint venture arrangement, whilst retaining some control may not deliver the best solution for the benefit of the local community and the wider conurbation due to profit motivated targets and other private sector commercial drivers.

### **Option 3 – Dispose of the land in parts to a number of third party developers and organisations.**

25. Expressions of interest were received from parties looking to develop plots within the site. This arrangement would need to be managed by an agent or by the Council to piece together a jigsaw of the best opportunities most in keeping with the agreed land uses and fitting the individual's requirements regarding plot size and position.
26. This arrangement could deliver good value as the most lucrative deals could be sought from developers who fit the usage criteria. The returns would be relatively quick and easy to achieve. Covenants, overage and buy back clauses could be incorporated into sales contracts to help ensure the site is developed in line with the vision and correct use.
27. **Advantages** – quick returns at competitive levels with some control over the final development through contractual terms.
28. **Disadvantages** – a significant resource or planning input is required to coordinate the structure of the site in order to ensure a cohesive masterplan is achieved with the desired sense of place and community focus. As different developments come forward at different times there may be small plots or less attractive areas which are not “sellable” in any realistic sense. These plots may become orphaned or landlocked and cannot be utilised for any purpose in keeping with the agreed uses. Even with covenants and mitigation mechanisms in place to ensure the agreed land use, a developer may choose to bring forward a different project to that which was tabled at the time of purchase, albeit within the parameters of the land use, if the market drivers change. The Council would have little control over this, and it could lead to an imbalance in the overall site vision, which would be impossible to redress once the sales process was completed. This option does not provide a holistic approach to the site and would not capture the added value that is outlined in Option 1.

### **Option 4 - Open Market the site**

29. Following the soft market test exercise, it would be possible to progress with an Open Market exercise. This would result in similar offers and structures as outlined in options 1-3 above.
30. **Advantages** – The maximum consideration would be achieved for the site, dependant on proposed land use resulting in a large capital receipt for the Council.



31. **Disadvantages** - Further delays and costs are associated with this option. Officers feel this is an unnecessary step to achieve the most advantageous outcomes for the conurbation.

#### **Option 5 - Do Nothing**

32. The Council could retain the land and do nothing at this point in time. However, the opportunity to realise the vision in collaboration with key stakeholders University Hospitals Dorset and Bournemouth University may not be available as an option in the long term. The wider benefits to the area would not be achieved and the long term value in the development would not be released.
33. **Advantages** – The Council retain the asset and market values may improve in the future. The site remains as a field for the time being.
34. **Disadvantages** – The opportunity to work with University Hospitals Dorset and Bournemouth University could be lost, resulting in the vision for the site never being achieved. The broader health benefits for the region would also never be realised. The Council continues to incur borrowing costs.

#### **Recommended Option**

35. University Hospitals Dorset and Bournemouth University had expressed an interest in acquiring the whole site from BCP Council and become joint catalysts for master planning and development of the site.
36. However, as stated in paragraph 19 University Hospitals Dorset and Bournemouth University are willing to consider an acquisition of part to enable the immediate development of the research and med tech and MSCP elements, and work in collaboration on the delivery of the remaining preferred uses and overall vision for the whole of the Wessex Fields site.
37. It is therefore recommended BCP Council progress in principle with a disposal of part of the site and work in collaboration with these organisations on the longer term development of the remainder of the Wessex Fields site.
38. This option would enable the delivery of all the preferred uses identified for the site, create the employment opportunities required and include an extensive travel plan.
39. University Hospitals Dorset and Bournemouth University's proposals would enable the realisation of new educational and research facilities and develop medical sciences and technologies, a high value growth sector, of which Bournemouth University has a track record for being a med-tech anchor institution.
40. It would still facilitate the delivery of key worker housing, estimated at 500 units on the remainder of the site to provide affordable accommodation, help the NHS attract and retain staff, allow walk to work, thus reducing vehicle movements to the site.
41. This option is supportive of the existing MOU outlined in paragraph 9 and the Council's desire to work with the local NHS trust and Bournemouth University to bring forward the vision of the living lab and assist in achieving its strategic goals to improve the quality of life for residents, particularly those in later life.
42. The recommended option is that the Council progress with the principle of the disposal of part of the site to University Hospitals Dorset working with Bournemouth University as it will deliver the most beneficial outcomes for the conurbation and the local community.

43. The next steps will involve officers negotiating terms on the proposed disposal of part and identify ways of collaboration with University Hospitals Dorset and Bournemouth University on the development of the remainder of the site that seeks to maximise the preferred uses for the land and provide best long term benefits for all parties.
44. It is intended that further cabinet approval will be sought once the terms of the disposal have been agreed.

### **Consultation with Ward Councillors**

45. The site lies within the Littledown and Iford Ward. The ward Councillors have been consulted and are supportive of the preferred development option for this site.

### **Summary of financial implications**

46. The progression of the recommended option will incur some enabling costs. In particular, external surveyor, legal and valuation advice will be required in order to ascertain the development method for the remainder of the site. This is estimated at c £100k and will need to be factored into the 2020/21 budget. It is proposed that this cost is met from the capital receipt generated from disposal of part of the land.

### **Summary of legal implications**

47. At this stage, consent is being sought for the principle of the disposal of part of the site and the progression of development of the remainder of this site in collaboration with the preferred parties, University Hospitals Dorset and Bournemouth University.
48. The Council has the necessary statutory powers to dispose of this land under Section 123 of the LGA 1972. A disposal of land via private treaty to an adjoining landowner is acceptable provided that the Council can demonstrate it has received market value/best consideration from doing so and it is not a transaction under value. The Council could also give consideration to the social, environmental and economic benefits as well as the fulfilment of the Council's Corporate plans and objectives.
49. A disposal of land to another public body is also considered a suitable course of action and is in accordance with the Estates Code for Public Bodies.
50. The heads of terms and value is still to be negotiated and agreed and as such will be subject to further legal advice and the necessary cabinet approval.
51. Once a value has been negotiated and agreed, an independent RICS red book valuation report will need to be procured in order for the Council to satisfy its obligations under Section 123, Local Government Act 1972 in respect of the proposed disposal of this parcel of land and confirm the agreed sum represents best consideration.

### **Summary of human resources implications**

52. There are no People implications arising from the recommendations within this report. There is no Equality Impact Assessment required or any contractual consequences.

### **Summary of sustainability impact**

53. There are no further sustainability impacts arising from the recommendations within this report. The Council aspires to a carbon-neutral development at Wessex Fields and has already taken measures to reduce the impact of site development through previous cabinet decisions, such as a commitment to reducing vehicle movements on the site and to create green open spaces within the development.

### **Summary of public health implications**

54. The health and wellbeing of the local community will be enhanced through the recommendations in this report. The challenge of an ageing society here in Dorset (where the average age is 20 years older than the rest of the UK) is not something which can be ignored. Medical research, medtech developments and provision of sufficient care infrastructure for those not able to remain in their own homes is vital to give the local population the best quality of life possible in their later years. Bringing forward any of these recommendations has this essence at its heart and the previously undertaken consultation exercises have affirmed the appetite within the community to use the land in a way which enhances the options of the eldest sector of the community.

### **Summary of equality implications**

55. There are no equality implications associated with the recommendations brought forward in this report. However, we wish to continue to work with local community groups with specific needs in the longer term, to ensure all implications are identified and addressed.

### **Summary of risk assessment**

56. Cabinet should be mindful of the following specific risks attached to any transaction of land Wessex Fields:
57. Vehicle movements on the site will be limited with access limited to in and out at the same point, therefore an understanding of this must be reflected in any proposal.
- a. Management of this risk is through control of the use of the land. The agreed uses take this into account but deviation from these uses may create issues.
  - b. A mitigation can be made through a covenant on the land or through planning restrictions where applicable.
58. The financial risks associated with developing out the remainder of the site remain with the Council. Further sector, commercial and development advice will be sought as a matter of priority on how this is structured in the future in order to mitigate this risk and maximise returns.

### **Background papers**

None

## **Appendices**

### **Appendix 1 - Wessex Fields Key Development Principles guidance document**

<https://bcpcouncil.sharepoint.com/:b:/s/EconomicDevelopment/EUx4ULjCJuRNi5f1IAqUpq8B0jeJUQ5hN6BYIXWTWnC0tQ?e=DeyXrp>

### **Appendix 2 - Scope of soft market testing exercise**

<https://bcpcouncil.sharepoint.com/:b:/s/EconomicDevelopment/ETc6HhWtJ69BjavqOhGyq40BtbDG0OelbSMLW89OyTfOjQ?e=rXjaas>

### **Appendix 3 - Soft market testing report by Jones Lang Lasalle**

*Report:*

<https://bcpcouncil.sharepoint.com/:b:/s/EconomicDevelopment/EbsuZ19a2gZluUmGrztj708BaIxfJVr-JS4zCPQWwc15oQ?e=zhxWAt>

*Appendix 1 – Responses 1 - 3:*

<https://bcpcouncil.sharepoint.com/:b:/s/EconomicDevelopment/EcAorpg1zMdArUpDvCNH9d4B3T7rQ8PEvI9S9adPlvt2fg?e=xCkGBZ>

*Appendix 2 – Responses 4 - 7:*

<https://bcpcouncil.sharepoint.com/:b:/s/EconomicDevelopment/ERrQB41rOTdJrzQK4sYpeOEBGiOTQUMeHLsXHK-CI7oMDQ?e=ppuOqR>

*Appendix 3 – Responses 8 - 15:*

<https://bcpcouncil.sharepoint.com/:b:/s/EconomicDevelopment/EYxGsBwbn7NHqHOxSaxcJzIB54zN2Pj0QWfBQWiT2DO52Q?e=0GoDdi>