

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
COUNCIL

Minutes of the Meeting held on 09 June 2020 at 7.00 pm

Present:-

Cllr D A Flagg – Chairman
Cllr G Farquhar – Vice-Chairman

Present: Cllr H Allen, Cllr L Allison, Cllr M Anderson, Cllr S C Anderson, Cllr M Andrews, Cllr J Bagwell, Cllr S Baron, Cllr S Bartlett, Cllr J Beesley, Cllr D Borthwick, Cllr P Broadhead, Cllr M F Brooke, Cllr N Brooks, Cllr D Brown, Cllr S Bull, Cllr R Burton, Cllr D Butler, Cllr D Butt, Cllr J J Butt, Cllr E Coope, Cllr M Cox, Cllr M Davies, Cllr N Decent, Cllr L Dedman, Cllr B Dion, Cllr B Dove, Cllr B Dunlop, Cllr M Earl, Cllr J Edwards, Cllr L-J Evans, Cllr D Farr, Cllr L Fear, Cllr A Filer, Cllr N C Geary, Cllr M Greene, Cllr N Greene, Cllr A Hadley, Cllr M Haines, Cllr P R A Hall, Cllr N Hedges, Cllr P Hilliard, Cllr M Howell, Cllr M Iyengar, Cllr C Johnson, Cllr T Johnson, Cllr A Jones, Cllr J Kelly, Cllr D Kelsey, Cllr R Lawton, Cllr M Le Poidevin, Cllr L Lewis, Cllr R Maidment, Cllr C Matthews, Cllr S McCormack, Cllr D Mellor, Cllr P Miles, Cllr S Moore, Cllr L Northover, Cllr T O'Neill, Cllr P Parrish, Cllr S Phillips, Cllr M Phipps, Cllr K Rampton, Cllr Dr F Rice, Cllr C Rigby, Cllr R Rocca, Cllr M Robson, Cllr V Slade, Cllr A M Stribley, Cllr T Trent, Cllr M White, Cllr L Williams and Cllr K Wilson

1. Apologies

No apologies were received for this meeting.

2. Declarations of Interests

Councillor Mike Brooke, in respect of agenda item 9B Recommendations from Cabinet and Other Committees – Cabinet 27 May 2020 – Minute no 173 Bournemouth Town Centre Vision (TCV): Winter Gardens Site – Regeneration Opportunities, declared a local interest that he was a Member of the Bournemouth Development Company.

3. Confirmation of Minutes

The Minutes of the Council meeting held on 18 February 2020 were confirmed as a correct record.

4. Announcements and Introductions from the Chairman, Leader of the Council and Chief Executive

The Chairman confirmed that he would take agenda items 4 and 5 together. There were no announcements from the Leader of the Council or the Chief Executive. The Chairman reported on the following:

A – Death of Mike Fisher former Borough of Poole Councillor

The Chairman with great sadness reported on the recent death of former Borough of Poole Councillor Mike Fisher who was elected in 2015 and served as a UKIP Councillor for the Alderney ward until 2019. The Chairman on behalf of the Council offered his condolences to his loved ones. He called on Councillor Diana Butler who paid tribute to former Councillor Mike Fisher.

B – Death of Councillor Colin Bungey

The Chairman reported that it was with great sadness that the Council pays tribute to Councillor Colin Bungey this evening.

Colin was first elected to Christchurch Borough Council on 5 May 1983 and was re-elected in every subsequent election, representing the constituents of the Jumpers ward who valued his dedication and hard work.

Colin died at the beginning of April and served over 37 unbroken years as a councillor he represented the very best in public service.

He was a man of principle, unfailingly courteous, listened to everybody and always did his best to help and to stand up for Christchurch.

He was Mayor of Christchurch Borough Council twice and was recognised for his eminent services to the Borough of Christchurch with the title of Honorary Freeman, something he was immensely proud of.

Colin was a great public servant he was a Justice of the Peace for many years, it was first and last about public service, not politics. He was a long-standing member of The Christchurch and District Sports Council and was Chairman as Cllr Geary and I recall for more than twenty years.

He was a long-standing member of the Christchurch Sailing Club and was also a volunteer at the National Motor Museum Beaulieu.

Colin's knowledge and experience will be sadly missed.

Councillor Margaret Phipps paid tribute to Councillor Colin Bungey as his ward colleague. Councillor Eddie Coope said a few words in tribute to Colin Bungey.

The Chairman asked the Council to pay silent tribute to Councillor Colin Bungey and former Borough of Poole Councillor Mike Fisher.

C – Members Scheme of Allowances

The Chairman made an announcement in respect of the Members Scheme of Allowances. He reported that given the current coronavirus crisis he did not consider this to be an issue that the Council should be debating at this

time and advised that he had asked for it to be deferred until October 2020 at the earliest.

D – Death of George Floyd

The Chairman on behalf of the Council acknowledged the death of George Floyd who was killed in Minneapolis, Minnesota by Police Officers. He explained that as everyone was aware this had led to demonstrations across the World including in the BCP Council area of the issues raised by this tragic event. The Chairman reported that it should be highlighted that the BCP Council continues to work within the community to promote equality on all levels.

5. Public Issues

The Chairman reported as follows:

A – Public Questions

In accordance with the Constitution the public questions received from Bob Eveleigh, Kimbal Furnidge and Paul Owen on the Beach House, Mudeford have been published on the website and a link circulated to all Councillors. Responses to these questions have also been published on the Council's website.

B – Statements

In accordance with the Constitution statements received as follows have been published on the website and a link circulated to all Councillors:

Alix Digby West – Holes Bay recommendation
Harbour Ambition – Holes Bay recommendation
Susan Chapman – Climate Resilience
Conor O'Luby - Vote of no confidence
Geoff Ash – Vote of no confidence
Marylyn Cropley – Vote of no confidence
Sara Armstrong – Vote of no confidence
Sharen Green – Vote of no confidence
Jonathan Turner – Vote of no confidence

C – Petitions

In accordance with the Constitution the following petitions have been received and published on the website and a link circulated to all Councillors.

Maria Marra on Vote of no confidence
Dr Emma Jenkins on Pine Park, Winton

RESOLVED that the Petition on Pine Park, Winton be referred to the relevant Director for discussion with the appropriate Portfolio Holder and response.

Voting: Agreed.

6. Record of Decisions of Cabinet and Minutes of other Committees

The Committee Minutes for the last cycle of meetings were received.

Voting: Agreed.

7. Decisions taken by the Chief Executive in accordance with the urgency powers

The Chairman advised Members of the decisions taken by the Chief Executive in accordance with relevant urgency powers as follows:

- Community Governance Review – Holdenhurst and Throop - Final Recommendations
- Dorset Heathland Planning Framework 2020-25 SPD
- Revised Financial Regulations
- Article 16 – Covid-19 Interim Decision-Making Arrangements

The Council was asked to ratify the decision taken by the Chief Executive to appoint Anne Brown as the Interim Director Law & Governance and Monitoring Officer. Councillor Slade, Leader of the Council formally welcomed Anne Brown to the Council.

RESOLVED that the urgent decisions detailed above be noted and the decision taken by the Chief Executive to appoint Anne Brown as the Interim Director Law & Governance and Monitoring Officer ratified.

Voting: Agreed.

8. Recommendations from Cabinet and Other Committees

A - Audit and Governance Committee 23 January 2020

The recommendations arising from the meeting of the Committee held on 23 January 2020 relating to the BCP Constitution were considered and approved acknowledging the proposed review referred to below:-

Minute No 63 – BCP Constitution

The Chairman of the Committee presented the report on amendments to the Constitution and proposed approval as set out on the agenda.

Councillors commented on the recommendations including the process and criteria for 'Calling-in' planning applications to Planning Committee. A Member raised concerns on aspects of the process which they would

feedback to the Constitution Working Group including the 30-day limit. The Chairman of the Audit and Governance Committee reported that he had written to all Councillors asking for feedback on any issues.

A Councillor expressed her concern relating to recommendation v – minutes in Council agenda which she did not agree with. That view was also supported by another Councillor. A Councillor explained that all minutes were available on the Council's website and the option may be to provide a link to the minutes on the Council agenda. The Chairman of the Audit and Governance Committee reported that there was no intention to make the minutes inaccessible. He indicated that the suggestion to provide a link could be considered and taken forward with officers.

Councillors also commented on the proposed number of representations required to call-in a planning application and the importance of allowing residents to have a say. Members were reminded of the current provisions in the Constitution which included a call-in being undertaken via a Ward Councillor. A Councillor emphasised that it was the value of the objection that matters but felt that call-in should still be through the Ward Councillors.

A Councillor referred to recommendation vi concerning the call-in period which she indicated was 30 calendar days from when the application was published on the Council's website and should be referenced in the Constitution. The Chairman of the Audit and Governance Committee confirmed his discussions with the Portfolio Holder and Officers about some of the issues raised and the need to fine tune the detail. He referred to the proposed number of public representations of 20 for automatic referral and the need for this to be monitored alongside the other issues. The Chairman of the Audit and Governance Committee explained that it was proposed following any review that recommendations would be submitted to Council by the end of this calendar year.

It should be noted that as a result of the changes agreed by the Council the necessary and consequential technical and formatting updates and revisions to the Bournemouth, Christchurch and Poole Council Constitution would be made by the Monitoring Officer in consultation with relevant members and officers in accordance with the powers delegated to her.

Voting: Agreed.

Councillor Diana Butler requested that her dissent be recorded in respect of recommendations (v) and (viii) as detailed on the agenda

B – Cabinet 27 May 2020

The recommendation arising from the meeting of the Cabinet held on 27 May 2020 relating to the following was considered and approved.

Minute no 172 – Holes Bay, Poole (former power station site) acquisition strategy

The Portfolio Holder for Regeneration and Culture presented the report on the above strategy and proposed approval as set out on the agenda. He outlined the financial implications of the project and the funding arrangements.

Councillors commented on the potential of the project for Poole. A Member expressed her worry about the cost implications and asked if the project could be deferred. The Leader of the Council indicated it was reasonable to be nervous about such a large project. She explained that this project was receiving investment via Homes England and provided great opportunities including the creation of a new community. She referred to the working groups that the Portfolio Holder for Regeneration and Culture had created and encouraged Members to get involved. The Portfolio Holder responded to issues raised and the ‘whole town’ approach being undertaken.

Voting: Agreed

Councillor Diana Butler abstained from the above decision.

The recommendation arising from the meeting of the Cabinet held on 27 May 2020 relating to the following was deferred to the next meeting of the Council to enable consideration of the risk assessment.

Minute no 173 – Bournemouth Town Centre Vision (TCV): Winter Gardens Site - Regeneration Opportunities

The Portfolio Holder for Regeneration and Culture presented the report on the above project and proposed approval as set out on the agenda. He referred to the debate at the Overview and Scrutiny Board and the development of the project in Central Bournemouth.

A Councillor referred to the need to assess the risk of the project and analyse market conditions in view of the level of borrowing that the Council was proposing and the impact of the pandemic. Members commented on the proposed project compared to the previous scheme including the retail provision and the standard applied to the proposed apartments. A Councillor indicated that a draft risk assessment had been prepared details of which were confidential. Councillor Drew Mellor proposed, seconded by Councillor Stephen Bartlett **that the recommendations be deferred until the July Council meeting to enable consideration of the risk assessment.** The Portfolio Holder for Regeneration and Culture indicated that he would support the deferral of the recommendations until the next Council. He explained that the risks were understood.

Voting: Agreed

Councillor Tony Trent abstained from the above decision.

The meeting was adjourned from 8.31 pm – 8.36 pm

9. Voting on Appointments

The Chairman had previously reported that in accordance with the requirements of the Constitution this item would be the subject of a recorded vote.

The Chairman presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book on voting on appointments. He advised Members that the report had been requested by Council at its last meeting and contained a neutral recommendation as detailed below:

“Council considers whether it wishes to amend the Constitution to remove the requirement to hold a secret ballot for appointments, and if it does wish to do so authorises the Interim Monitoring Officer to amend the Constitution to remove the requirement.”

The Chairman reported that unless he received a motion removing the requirement for a secret ballot the status quo would prevail. Councillor Mike White proposed **“that the Council remove the requirement to hold a secret ballot for all appointments”** which was seconded by Councillor May Haines. Councillor Mike White in making his proposal explained that the current arrangement was against the Nolan Principles and not consistent with the approach taken by neighbouring Councils and the views of the Local Government Association. Councillors discussed the implications of the current arrangements included in the Constitution by the Shadow Council compared with the proposal to remove the requirements.

The Chairman of the Audit and Governance Committee explained in light of the debate that the Committee had felt that this was a matter for Council to consider and determine hence the recommendation for a report to be prepared which had been agreed by Council on 18 February 2020.

A recorded vote was taken on the motion detailed above

For

| | | |
|-----------------------|---------------------|--------------------|
| Cllr Hazel Allen | Cllr Malcolm Davies | Cllr Drew Mellor |
| Cllr Mark Anderson | Cllr Norman Decent | Cllr Tony O'Neill |
| Cllr Sarah Anderson | Cllr Bryan Dion | Cllr Karen Rampton |
| Cllr Stephen Bartlett | Cllr Jackie Edwards | Cllr Roberto Rocca |
| Cllr Derek Borthwick | Cllr May Haines | Cllr Ann Stribley |
| Cllr Philip Broadhead | Cllr Andy Jones | Cllr Mike White |
| Cllr Eddie Coope | Cllr Bob Lawton | |

Against

| | | |
|---------------------|----------------------|------------------------|
| Cllr Lewis Allison | Cllr George Farquhar | Cllr Marion LePoidevin |
| Cllr Marcus Andrews | Cllr Duane Farr | Cllr Lisa Lewis |
| Cllr Julie Bagwell | Cllr Laurence Fear | Cllr Rachel Maidment |
| Cllr Steve Baron | Cllr Anne Filer | Cllr Chris Matthews |
| Cllr John Beesley | Cllr David Flagg | Cllr Simon McCormack |
| Cllr Mike Brooke | Cllr Nick Geary | Cllr Pete Miles |

| | | |
|----------------------|---------------------|------------------------|
| Cllr Nigel Brooks | Cllr Mike Greene | Cllr Sandra Moore |
| Cllr David Brown | Cllr Nicola Greene | Cllr Lisa Northover |
| Cllr Simon Bull | Cllr Andy Hadley | Cllr Pete Parrish |
| Cllr Richard Burton | Cllr Peter Hall | Cllr Susan Phillips |
| Cllr Diana Butler | Cllr Nigel Hedges | Cllr Margaret Phipps |
| Cllr Daniel Butt | Cllr Paul Hilliard | Cllr Felicity Rice |
| Cllr Judes Butt | Cllr Mark Howell | Cllr Chris Rigby |
| Cllr Mike Cox | Cllr Mohan Iyengar | Cllr Mark Robson |
| Cllr Lesley Dedman | Cllr Cheryl Johnson | Cllr Vikki Slade |
| Cllr Bobbie Dove | Cllr Toby Johnson | Cllr Tony Trent |
| Cllr Beverley Dunlop | Cllr Jane Kelly | Cllr Lawrence Williams |
| Cllr Millie Earl | Cllr David Kelsey | Cllr Kieron Wilson |
| Cllr L-J Evans | | |

Abstentions – None
The motion was lost

Voting: For – 20; Against – 55; Abstentions - 0

RESOLVED that in respect of voting on appointments the status quo remains.

10. Notice of Motions in accordance with Procedure Rule 13

The Chairman had previously reported that in accordance with the requirements of the Constitution this item would be the subject of a recorded vote.

Councillor Mellor put on record his appreciation of the enormous effort and tireless dedication to this Council of the Leader over the last year and in particular through the initial phase of the pandemic.

The Council was advised of the following motion proposed by Councillor Drew Mellor and seconded by Councillor Philip Broadhead:-

Vote of No Confidence

“Due to the unprecedented challenges ahead and the need for decisive action, this Council has no confidence in the current administration’s capability to continue to deliver for the Residents of Bournemouth, Christchurch and Poole. Therefore this motion seeks the removal from office of the Leader.”

Members in considering the motion took into account the statements and petition that had been received on the above, discussed the current political structure, the opportunity to work together, the timing of bringing the motion forwarded to the Council and the work undertaken by Councillor Slade and the Unity Alliance in the last year.

A recorded vote was taken on the motion:

For

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

Against

| | | |
|---------------------|------------------------|----------------------|
| Cllr Lewis Allison | Cllr L-J Evans | Cllr Simon McCormack |
| Cllr Marcus Andrews | Cllr George Farquhar | Cllr Pete Miles |
| Cllr Julie Bagwell | Cllr David Flagg | Cllr Sandra Moore |
| Cllr Steve Baron | Cllr Nick Geary | Cllr Lisa Northover |
| Cllr Mike Brooke | Cllr Andy Hadley | Cllr Pete Parrish |
| Cllr Nigel Brooks | Cllr Paul Hilliard | Cllr Margaret Phipps |
| Cllr David Brown | Cllr Mark Howell | Cllr Felicity Rice |
| Cllr Simon Bull | Cllr Toby Johnson | Cllr Chris Rigby |
| Cllr Richard Burton | Cllr Marion LePoidevin | Cllr Mark Robson |
| Cllr Daniel Butt | Cllr Lisa Lewis | Cllr Vikki Slade |
| Cllr Mike Cox | Cllr Rachel Maidment | Cllr Tony Trent |
| Cllr Lesley Dedman | Cllr Chris Matthews | Cllr Kieron Wilson |
| Cllr Millie Earl | | |

Abstentions

| | | |
|-------------------|--|--|
| Cllr Diana Butler | | |
|-------------------|--|--|

Voting: For – 37; Against – 37; Abstentions – 1

The Chief Executive following the recorded vote clarified each Councillors vote before announcing the result.

The Chairman used his casting vote which he dedicated to Councillor Colin Bungey and voted against the motion which was lost.

11. Questions from Councillors

Question from Councillor Diana Butler

Poole Crematorium is a well-used facility – can you give an update on when the furnace will be repaired, in order for cremation to take place on site again.

Response by Councillor Felicity Rice (Portfolio Holder for Environment and Climate Change)

Officers are working on a Bereavement Services Business Plan which will fully consider options for infrastructure and investment opportunities across the BCP portfolio. Unfortunately this work has been significantly delayed by the COVID-19 pandemic and the refocusing of officers capacity on support for excess deaths management. Given the current position of reducing cases there is an expectation that the business plan will be able to be presented to Cabinet in the Autumn.

I would like to stress that there will be full engagement with all funeral directors and the public.

It is also helpful to be aware that a provisional cost for replacement of two cremators at Poole crematorium, with NOX and mercury abatement, is in the region of £1.2 million.

At present, the deceased are being cremated in Bournemouth crematorium instead of Poole, however I would like to emphasise for the public, that we are still holding the same number of cremation services and ceremonies at Poole crematorium as normal.

Question from Councillor Diana Butler

The 5G Testbed proposed for Lansdowne, now referred to as the Smart Place Project, was agreed by Cabinet on 15 January 2020

- Why was such an important issue not brought to Full Council for a vote?

Response from Councillor Vikki Slade (Leader of the Council)

This decision (which was actually made by Cabinet in December 2019) related to a specific Smart Place pilot project over a relatively small geographical area (The Lansdowne), with a limited anticipated duration (less than 18 months). It was therefore a project decision and not a policy decision as it did not seek to establish the Council's policy in regard to the deployment of 5G networks across the Council area.

Evidence around the deployment of 5G had already been comprehensively examined as part of the Overview & Scrutiny Panel's 5G Call for Evidence, which looked at potential health concerns and importantly the statutory responsibilities of local authorities in regard to wireless communications. These statutory responsibilities primarily relate to planning and are set out in 'Section 10. Supporting high quality communications' of the National Planning Policy Framework. The decision was not related to amending or interpreting national policy at the local level (but rather adhering to it) and therefore it did not require to come before Full Council.

Just for noting, the Council's deployment of the 5G network at the Lansdowne will follow the recommendations made by the Overview and

Scrutiny committee and subsequently by Cabinet to ensure that it is deployed in accordance with Public Health England and International Guidance.

The meeting ended at 10.49 pm

CHAIRMAN