BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL

COUNCIL

Minutes of the Meeting held on 24 November 2020 at 7.00 pm. The meeting adjourned at 11.15pm and reconvened at 7.00pm on 8 December 2020 concluding at 10.35pm.

Present:-

Cllr D A Flagg – Chairman

Cllr L Fear – Vice-Chairman

Present: Cllr H Allen, Cllr L Allison, Cllr M Anderson, Cllr S C Anderson, Cllr M Andrews, Cllr J Bagwell, Cllr S Baron, Cllr S Bartlett, Cllr J Beesley, Cllr D Borthwick, Cllr P Broadhead, Cllr M F Brooke, Cllr N Brooks, Cllr D Brown, Cllr S Bull, Cllr R Burton, Cllr D Butler, Cllr D Butt, Cllr J J Butt, Cllr E Coope, Cllr M Cox, Cllr M Davies, Cllr N Decent, Cllr L Dedman, Cllr B Dion, Cllr B Dove, Cllr B Dunlop, Cllr M Earl, Cllr J Edwards (8 December only), Cllr L-J Evans, Cllr G Farguhar, Cllr D Farr, Cllr A Filer, Cllr N C Geary, Cllr M Greene, Cllr N Greene, Cllr A Hadley, Cllr M Haines, Cllr P R A Hall, Cllr N Hedges, Cllr P Hilliard, Cllr M Howell, Cllr M Iyengar, Cllr C Johnson, Cllr T Johnson, Cllr A Jones (24 November only), Cllr J Kelly, Cllr D Kelsey, Cllr R Lawton, Cllr M Le Poidevin, Cllr L Lewis, Cllr R Maidment, Cllr C Matthews, Cllr S McCormack, Cllr D Mellor, Cllr P Miles, Cllr S Moore, Cllr L Northover, Cllr T O'Neill, Cllr S Phillips, Cllr M Phipps, Cllr K Rampton, Cllr Dr F Rice, Cllr C Rigby, Cllr R Rocca, Cllr M Robson (24 November only), Cllr V Slade, Cllr A M Stribley, Cllr T Trent, Cllr M White, Cllr L Williams and Cllr K Wilson

49. <u>Apologies</u>

The Chief Executive reported that Councillor J Edwards may join the meeting later.

On 24 November 2020 it was agreed that the Council meeting be adjourned to a suitable alternative date to be agreed. Voting: For 45: Against 25 and 1 Abstention. The meeting was then reconvened on 8 December 2020.

In light of the above the Chief Executive reported that apologies had been received from Councillors A Jones and M Robson. It should be noted that Councillor J Edwards was in attendance for the adjourned meeting.

50. Declarations of Interests

There were no declarations made for this meeting.

51. <u>Confirmation of Minutes</u>

The Minutes of the Ordinary Council meeting on 15 September 2020 and the Extraordinary Council meeting held on 1 October 2020 were confirmed.

52. Announcements and Introductions from the Chairman

The Chairman reported on the following:

A – Complaint against Councillor J Butt

The Chairman reported that following an incident at the Extraordinary meeting of the Council on 1 October 2020 a subsequent complaint was made to the Standards Committee against Councillor Butt. He explained that Councillor Butt had made an apology which he had accepted. The Chairman read out the letter of apology. In addition, he reported that in order to time speeches for virtual meetings arrangements had been made for a virtual clock to be visible to assist Councillors.

B – Former Councillor Mike Wise

The Chairman with great sadness reported the recent death of former Borough of Poole Councillor Mike Wise. He called on Councillor Mike Brooke who paid tribute to Mike Wise as follows:

"Mike Wise was first elected to Poole Borough Council in 1983 as a Conservative Councillor representing Creekmoor ward, but in 1985 he crossed the floor to join the SDP and Liberal opposition. Although he did not stand for re-election in 1987, he remained loyal to the Liberal Democrats for the rest of his life.

He made his mark on both the Amenities and Housing Committees where his passion for community and those less fortunate than himself shone through. He was a long-standing governor at Longspee Special School; Chairman of Poole Council for Voluntary Service from 1981 – 1986, and later became a non-executive director of South East Dorset Primary Care Trust, chairing its Palliative Care group.

Mike was truly inspirational. He had the ability and determination to turn dreams into reality. When the opportunity arose to lease an old farmhouse and buildings in Lytchett Minster he quickly set about converting them into a centre for local crafts, and in mid-1987 'The Courtyard Centre' opened its doors to the public for the first time. It was here that Mike met, and subsequently developed, a strong friendship with Julia Perks, a local children's nurse whose aspiration was to provide a hospice and respite care service for Dorset children. Sadly, Julia died prematurely from cancer, but Mike subsequently dedicated all his time and energy ensuring Julia's dream would be realised. He established the Charity "Julia's House" in 1997 and was awarded an MBE for his work in 2007.

Mike died on 16 November aged 84 after a long battle with Parkinson's disease. So many families and individuals will be forever grateful for Mike's passion and commitment and no one can doubt the immense legacy he leaves.

Our thoughts and prayers go out to his family. Mike, Rest in Peace."

The Council paid silent tribute to Former Borough of Poole Councillor Mike Wise.

53. <u>Public Issues</u>

The Chairman reported as follows:

A – Public Questions

In accordance with the Constitution the following public questions 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:

- Marion Pope Green Belt
- Helen Ash TROs
- Susan Lennon Overview and Scrutiny
- Climate Change and other associated issues Louisa Lindsey-Clark, Dr Phillipa Gillingham, Emma Appleton, Dr Ceri Edwards-Hawthorne, James Appleton, Julia Card, Clare Anderson, Mrs Wilkinson, Tina Cresswell, Dan Willis, Peter Estall, Melissa Carrington, Helen Woodall, Mary Thornton, Marcus Fidge, Ellen Dexter, Helen Nicol, Amanda Dilworth, Emma Draper, Hannah Hueston, Mike Oates, Francesca Hall, Pat Mathie, Clive Block, Anita Rose, Louise Kenchington, Alasdair Keddie, Mark Sanders
- Conor O'Luby noise levels
- **B** Statements

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

- Conor O'Luby proportional voting system
- C Petitions

There were no petitions submitted for this Council meeting.

54. <u>Recommendations from Cabinet and other Committees</u>

6a - Health and Adult Social Care Overview and Scrutiny Committee -2 March 2020 - Minute No 59 - The Big Plan 2018-21 Commissioning Strategy for Adults with Learning Disabilities Progress Report – Bill of Rights

The Portfolio Holder for Adults presented the report on the Bill of Rights from the People First Forum as set out on the agenda. The Portfolio Holder reported that the Bill of Rights had been adopted by the preceding Councils and that a briefing session had been held in October for all Councillors which gave representatives from the Forum the opportunity to present the Bill of Rights and to highlight the work that the Forum do prior to consideration of the document requesting that the Bill of Rights be adopted by the Council. Councillor Butler in seconding the recommendation welcomed the document and felt that it was a fantastic piece of work which should be supported by the Council. The recommendations arising from the meeting of the Health and Adult Social Care Overview and Scrutiny Committee on 2 March 2020 relating to the above were approved.

Voting: Unanimous

6b – Licensing Committee – 17 September 2020 – Minute No 8 – Licensing 2003 – Review of Statement of Licensing Policy (SOLP)

The Chairman of the Licensing Committee presented the report on the review of the Statement of Licensing Policy as set out on the agenda. In presenting the recommendations Councillors were advised of the obligations of the BCP Licensing Authority under the Licensing Act 2003 which were responsible for the following:

- The sale of alcohol by retail
- Supply of alcohol by or on behalf of a club, or to the order of a member of the club
- The provision of regulated entertainment
- The provision of late-night refreshment

The BCP Licensing Authority was required to carry out its functions under the Licensing Act 2003 with the view to promoting the four stated licensing objectives being the prevention of crime and disorder, public safety, the prevention of public nuisance and protection of children from harm. The Licensing Authority of BCP Council was required by section 5 of the Licensing Act 2003 at five-year intervals to determine and publish a Statement of Licensing Policy. The devolved Boroughs of Bournemouth, Christchurch and Poole had all previously published individual policies. The Chairman explained that the Local Government Structural Changes General Amendment Regulations 2018 provided that the Licensing Authority had 24 months from the date of reorganisation being 1 April 2019 to prepare and publish a Statement of Licensing Policy for the new local government area. Councillors were advised of the requirements within the Licensing Act 2003 under section 5 sub section 3 to undertake the relevant consultation and the review arrangements detailed in section182 of the 2003 Act. The Chairman of the Committee explained the process undertaken in developing the Statement of Licensing Policy, the consultation and the associated timelines. In conclusion she presented the Statement of Licensing Policy for adoption.

In seconding the motion Councillor Julie Bagwell thanked all members of the Licensing Committee for the work undertaken to collate and contribute to the three preceding Council's policies and the dedication of the Licensing Officer team. Councillor Bagwell paid special thanks to Frank Wenzel, past BCP Licensing Manager, after a long successful career with the Borough of Poole, whose last task was to rewrite and collate the three preceding authorities policies in to the document that you have before you today.

Councillors made comments on the detail of the statement including the following:

- Section 8.16 refers to Morris Dancing confirmation was requested on whether this would also include traditional dances from other cultures. The Chairman of the Licensing Committee indicated the need to be diverse in the application of the exemption.
- Section 9.1 queuing for outlets within cumulative impact area where should complaints be referred to. The Chairman of the Licensing Committee indicated that it would not be appropriate to use licensing powers to respond to the above issue.
- Section 10.7 asking for an explanation of a vertical drinking establishments. Councillors were advised that these were premises where drink was served.
- with little to no seating.
- Section 7.5 is the wording appropriate.
- Section 8.17 suggestion that the wording relating to travelling circuses and exemptions was ambiguous and confusing. The Chairman reported that she would ask officers to clarify the position in respect of this section.
- Section 10.10 some text had been left in red

A Councillor reported that he had been pleased to work on the policy and also suggested that Nananka Randle, Licensing Manager be thanked for the work that she had undertaken on the Policy.

The Chairman reported that she would ensure that any typographical errors would be addressed.

The recommendations arising from the meeting of the Licensing Committee on 17 September 2020 relating to the above were approved subject to the above comments.

Voting: Unanimous

6c Cabinet – 30 September 2020 – Minute No 239 – Highway Maintenance Funding 2020/21 Report

The Portfolio Holder for Transport and Sustainability presented the report on the Highways Maintenance Funding 2020/21 as set out on the agenda. He explained that the Council was requested to confirm the planned programme of maintenance for highways and structures, the spend comprised of capital funding of £7m which was part of the Government's pothole and challenge fund issued earlier in the summer together with a further £700k of previously awarded capital. The Portfolio Holder reported that the issue had been examined by the Overview and Scrutiny Board in September and recommended by the Cabinet on 30 September 2020.

The recommendations arising from the meeting of the Cabinet on 30 September 2020 relating to the above were approved.

Voting: Unanimous

6d Cabinet – 30 September 2020 – Minute No 241 – Flood Defences – Poole Bridge to Hunger Hill

The Portfolio Holder for Environment, Cleansing and Waste presented the report on the flood defences for Poole Bridge to Hunger Hill as set out on the agenda. He reported that the Overview and Scrutiny Board had considered the report in September 2020 and was recommended by Cabinet on 30 September 2020. The Portfolio Holder reported that the proposal would improve flood defences from Poole Bridge to Hunger Hill and fit with the work undertaken by the Environment Agency and Poole Harbour Commissioners on the flood alleviation work they had undertaken. Councillors were informed that scheme had been sent to the Environment Agency and considered by the large project group on 12 November. The Portfolio reported that he hoped that the scheme would be agreed in the near future.

A Ward Councillor for Poole Town welcomed the project. He explained that the project had previously been rated as zero CIL and he asked for assurance that the Council would be looking to reintroduce CIL so there was community benefit for any development taking place. Another Ward Councillor and previous Portfolio Holder echoed the views of his ward colleague and highlighted that the project would aid regeneration in the area.

The recommendations arising from the meeting of the Cabinet on 30 September 2020 relating to the above were approved.

Voting: Unanimous

6e Cabinet - 11 November 2020 - Minute No 249 - Western Gateway Rail Strategy

The Portfolio Holder for Transport and Sustainability presented the report on the Western Gateway Rail Strategy as set out on the agenda. He explained that the Strategy has been developed by the Western Gateway Sub National Transport Body which was a group of a dozen or so Local Authorities stretching from Christchurch to Bristol set up in 2018 in response to the Government's indications that they would expect future funding of major transport infrastructure to follow a regional approach. He explained that it was a major piece of work whilst not a detailed wish list it provided the collective hopes and aspirations for the next 20-25 years of the representatives on the above body. Councillors were reminded of the themes of the strategy namely decarbonisation, social mobility, productivity, connectivity and growth. The Portfolio Holder thanked officers and the previous portfolio holder for their work on the strategy which had been approved by the Western Gateway Sub National Transport Body which was with the constituent authorities for approval.

The Portfolio Holder in response to a question provided further detail on the "route maps" referred to in the Strategy.

The previous Portfolio Holder reported that the plans were welcomed he referred to the proposal to achieve 4-6 trains per hour, but one of the challenges was the limitations of the Poole level crossing. He explained that

Bournemouth and Poole had been highlighted as two of the worst connected stations in Western Gateway area. He highlighted that BCP Councillor Officers were taking a leading role in the development of the strategy.

The recommendations arising from the meeting of the Cabinet on 11 November 2020 relating to the above were approved.

Voting: Unanimous

6f Cabinet – 11 November 2020 - Minute No 250 - Recladding of Sterte Court blocks - HRA

The Portfolio Holder for Housing presented the report on the recladding of Sterte Court blocks as set out on the agenda. In presenting the recommendations the Portfolio Holder reported on the guidelines that had been issued by the Ministry of Housing Communities and Local Government regarding cladding on buildings over 18 metres earlier in 2020. As a result of the guidelines it was recommended to award a contract for the removal of the cladding and installation of new cladding. The Portfolio Holder acknowledged the large investment in this project but highlighted that you cannot put a price on residents' safety. He thanked the Officers and the previous Portfolio Holder for the work undertaken in bringing this report forward.

The Chairman referred to the exempt appendix and reminded Councillors that if they wished to discuss the detail of this document then the press and public would be excluded.

Councillors commented on the recommendations to maintain the safety of residents, the proposal to waive the rights to charge leaseholders, the use of the HRA which was funds paid in by tenants and the role of tenants in PHP.

The Portfolio Holder thanked the previous speakers for their comments and highlighted that tenant involvement was at the heart of his portfolio and he would take on Board the comments that had been made by Councillor Trent.

The recommendations arising from the meeting of the Cabinet on 11 November 2020 relating to the above were approved.

Voting: Unanimous

6g Cabinet - 11 November 2020 - Minute No 254 - 2020/21 Budget Monitoring & Medium-Term Financial Plan (MTFP) Update

The Leader of the Council presented the report on the 2020/21 Budget Monitoring & Medium-Term Financial Plan (MTFP) Update as set out on the report. He explained that the report had been through the Overview and Scrutiny Board process, provided an update on the refresh of the MTFP period, highlighted that he was proud of the work undertaken by Officers, referred to the £49.1m deficit which had been reduced to £13.4m acknowledged that there was more work to do and reported that the Council was awaiting the Government's funding settlement.

Councillor Brooke whilst supporting the two recommendations set out on the agenda sought clarification on a couple of issues. He expressed his concern about the dependency on not filling staff vacancies, the potential impact on service delivery, referred to member priorities to be delayed including the climate ecological emergency and proposed new priorities areas. The Leader of the Council reported on the transformation programme and the aim of achieving £43.9 m in savings a large part of which would be a reduction in head count and the analysis of job families with the overall aim of providing head room to prioritise frontline services. In response to the second question the Leader explained that the administration had not delayed spending programmes in relation to the climate and ecological emergency and would be bringing forward new priority areas in a Cabinet report to the next meeting of the Cabinet. He emphasised that priorities were not being cancelled and the budget reset paper had referred to potential for further funding for the climate and ecological emergency through the community municipal bond.

Councillor Cox indicated that the setting of a robust and lawful budget would be a challenge. He highlighted that it was pleasing to report the conclusions of the Council's external auditors in respect of the first year of BCP Council and the UAs approach to financial sustainability and its response to the Pandemic.

The recommendations arising from the meeting of the Cabinet on 11 November 2020 relating to the above were approved.

Voting: Agreed

Councillor Diana Butler abstained from the above decision.

6h Cabinet - 11 November 2020 - Minute No 256 - Estates and Accommodation Project

The Leader of the Council presented the report on the Estates and Accommodation project as set out on the agenda. He explained that this was about reducing the exposure to a large and inefficient office accommodation estate and more importantly it was about delivering the single council identity through transformation. He reported on the significant investment through the three town centre Libraries to deliver customer services and the decoupling of the civic piece from the office accommodation strategy to consider how the Council wanted the civic accommodation to look. He also commented on the Member Working Group that would look at this issue. In seconding the proposal Councillor Broadhead highlighted the protection of the civic heritage and service provision which would be closer to the public.

Councillor Le Poidevin reported that clearly the report related to the Bournemouth Town Hall, but the decisions required do not make that clear and suggested that reference should be made in recommendation 'b' that it related to Bournemouth Town Hall. She asked why there was no mention of Poole Civic Centre as it was clearly the intention to decouple the front listed section for Civic functions and Community use with the rear section being used for housing. Councillor Le Poidevin expressed her concern that the document referred to prudential borrowing to complete the work at Bournemouth and suggested that if the Poole section which was proposed for housing was included at this stage that may obviate the need for prudential borrowing.

Councillor Butler referred to the Poole Civic Centre which was not mentioned and the core assumptions which referred to the disposal of estates without identifying specific buildings. She requested that assurance be provided.

Councillor Moore acknowledged that the paper was about the future use of Bournemouth Town Hall and that the most important change was that customer services were to transfer to the town centre libraries which would be an improvement for her residents. She referred to the future of Poole Civic Centre, the approach taken previously in utilising the Guildhall at Poole and highlighted that this could be done again for the Civic Centre to preserve and protect this historic building. She welcomed the recommendation to set up a working group and hoped that this would be cross party.

The Leader of the Council in summing up explained that the paper was predominantly about the Bournemouth Town Hall but also about the Council's entire accommodation stock. He referred to previous discussions where he had confirmed maintaining the Poole Civic Centre. In respect of prudential borrowing he reported that this mechanism would be used more frequently to spread the cost. The Leader of the Council referred to the championing of the heritage assets by Councillor Butler and reported that he had confirmed through public forums his aspirations for the Poole Civic Centre. In conclusion he reported that the Member Working Group would be cross party.

Councillor Slade explained that it had always been the intention to maintain parts of the Poole Civic Centre. She referred to the ageing and environmentally inefficiency of legacy buildings of Poole and Christchurch and that there was no commitment to improve the environmental credentials of the Town Hall building. She requested that future reports should identify how the Council would proactively improve the sustainability of the building together with addressing the commitment to improve the working environment.

The Leader of the Council disagreed with the comments on the Poole Civic Centre made by Councillor Slade and referred to the history of the accommodation project up until June, the proposals to maintain the Poole Civic Centre and the reduction in the carbon footprint of the Town Hall.

The recommendations arising from the meeting of the Cabinet on 11 November 2020 relating to the above were approved.

Voting: Agreed

Councillors Lewis Allison, George Farquhar and Lisa Lewis voted against the above decision.

55. <u>Review of the political balance of the Council and the allocation of seats</u>

The Leader of the Council, Councillor Mellor presented a report on the review of the political balance of the Council and the allocation of seats, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Council was asked to consider and approve the review of the political balance of the Council, the allocation of seats on Committees to each political group and the appointment of Councillors on Committees following the change in administration and two resignations from the Poole People and All Group.

The Leader of the Council outlined the proposal that the administration would not have the majority of seats on the Overview and Scrutiny Board. Members were referred to recommendation (f) and the Leader proposed that Councillor Steve Baron take up the unaligned seat on the Dorset and Wiltshire Joint Fire Authority. The Leader reported that currently there was no unaligned member identified to take the seat on the Lower Central Gardens Trust Board unless a nomination came forward for the Council to consider this seat would remain vacant. The proposal was seconded by Councillor Broadhead.

Councillor Rice reported that she no longer had a seat on the Dorset Pension Fund Committee following the review of the political balance of the Council but had thoroughly enjoyed her role on the Committee. In particular she highlighted the influence of Pension Funds and the impact on climate change. Councillor Brown expressed his concerned about recommendation (e) and the proposed change in the allocation of seats on the Pension Fund. In doing so he highlighted the significant training required and level of work as a member of the Committee. He paid tribute to Councillor Rice for her contribution which had been highly significant. Councillor Brown reported that he was not pleased with how this change had been managed in particular with regard to the circulation of papers for an upcoming meeting.

Councillor Earl proposed the following amendment to (c) and (d) of the recommendations in the report which she indicated would better reflect the proportionality of the Council:

Amendment:

- (c) the allocation of seats to each political group, as set out in Table 2, be approved *with the following amendments:*
 - *(i)* The Liberal Democrat Group's allocation of seats on Audit & Governance Committee is reduced from three to two.
 - (ii) The Conservative Group's seats on Audit & Governance Committee is increased from four to five.
 - (iii) The Conservative Group's seats on Overview & Scrutiny Board is reduced from seven to six.
 - *(iv)* The Liberal Democrat Group's allocation of seats on Overview & Scrutiny Board is increased from three to four.

(d) the appointment of Councillors to Committees and Boards, taking into account the membership, as detailed in Table 3, and any nominations submitted by political groups, be approved *apart from those Lib Dem and Conservative seats on Audit & Governance and Overview & Scrutiny Board.*

Councillor Earl outlined the reasons for the above amendment taking account of the legislative requirements and felt there was currently a glaring imbalance in the proportionality on particular bodies. Councillor Phipps confirmed that she would second the amendment and highlighted the importance of scrutiny of the administration by the opposition and therefore felt that the unity alliance opposition should have a majority on the Overview and Scrutiny Board.

Councillors discussed the amendment as detailed above and the basis on which the political balance of the Council was calculated upon. A Councillor referred to ensuring that every single committee was balanced and the need for flexibility in the size of the Committee. The Leader of the Council indicated that it was not appropriate to make alternative proposals and clarified his proposal to reduce the conservative members on the Overview and Scrutiny Board from eight to seven.

The Chairman reported that the amendment was a variance to the proposals and would ask Members to vote on the amendment. He called on Councillor Earl to sum up who highlighted that proportionality was the issue.

The amendment was lost

Voting: For – 32; Against – 39; Abstention - 2

Members then spoke on the substantive motion.

Councillors commented on the role of pension funds and the effect on climate change. Councillors comments included the approach by a number of Pension Funds to divest from fossil fuels.

The Leader of the Poole People Group referred to the allocation of outside bodies and in particular the allocation of a seat on the Lower Central Gardens Trust Board to the Group which he had not been consulted upon.

The Chairman indicated that Councillor Brown had previously spoken on the amendment and had a right to speak on the substantive motion. However, he requested that Members focus on the political balance of the Council. A Councillor asked for clarification on the right of reply and how it applied. The Chairman confirmed that Councillor Brown did not have a right of reply.

A Councillor indicated that he was confused by the approach taken in respect of the appointments to outside bodies and indicated that none of these positions should be amended until annual council and suggested that this was not the correct approach and not open and transparent. The Monitoring Officer reported that outside bodies can be changed at the discretion of the Leader of the Council in accordance with the BCP Council's Constitution.

The substantive motion as follows was carried

Voting: For – 47; Against – 25; Abstentions - 1

It was RESOLVED that:-

- (a) the revised political balance of the Council, as set out in Table 1 of this report, be approved;
- (b) the number of seats on the Investigation and Disciplinary Committee be reduced from 7 to 6;
- (c) the allocation of seats to each political group, as set out in Table 2, be approved;
- (d) the appointment of Councillors to Committees and Boards, taking into account the membership, as detailed in Table 3, and any nominations submitted by political groups, be approved;
- (e) the allocation of seats to each political group to the outside bodies as detailed in Table 4, be approved and the Group Leaders advise the proper officer of their representatives;
- (f) subject to (e) above Councillor Steve Baron is appointed as the unaligned Member of the Dorset and Wiltshire Fire and Rescue Authority and Councillor Stephen Bartlett is appointed to the Lower Central Gardens Trust Board.

The meeting was adjourned from 9.18pm to 9.30pm

56. Members' Allowances Scheme 2020-2021

The Council considered a report on the Members' Allowances Scheme 2020, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

The report incorporated the recommendations of the Independent Remuneration Panel (IRP) on their review of the Members' Scheme of Allowances for 2020/21. The report was deferred for consideration from the meeting of Council in June 2020 by the Chairman of Council due to the Coronavirus pandemic.

Following the change of political administration, a further review was commissioned and undertaken by the same IRP to consider the role of the Lead Members.

The Chief Executive advised members that in preparing the report the figures did not take account of the national pay award of 2.75%. He reported that these allowances would be uplifted effective from 1 April 2020 and payment would be made to Councillors in December.

John Quinton, Chairman of the Independent Remuneration Panel (IRP) presented the Panel's report. He explained that it has been acknowledged that post the election in May 2019 a further review would be necessary as the governance structure developed and this had been undertaken in December 2019. Mr Quinton reported on the method of consultation, the outcome of the review which suggested that there had been an increase in workload and that the basic allowance may be on the low side, and the

recommendations from the IRP indicated that the basic allowance be increased. Councillors were referred to paragraph 13.1 c of the report which referred to school admission appeals and with the consent of the Council asked to delete this reference in the Scheme of Members Allowances. Mr Quinton referred to appendix 2 and the proposals for the appointment of 6 Lead Members following the request from the Leader of the Council. He outlined the consultation which included Group Leaders and reported on the key findings which were set out in paragraph 5 of the report. Councillors were informed that the Panel had some concerns about the reporting arrangements, accountability and how success would be measured for the Lead Members and for that reason recommended an allowance of £5,000. The Chairman thanked John Quinton for his report and asked him to pass on his thanks to the Panel.

The Leader of the Council shared the following revised proposal with the Council and based on the principles proposed a revised set of recommendations:-

- 1. No increase in the Basic Allowance for 21/22 (IRP £1k or any further inflationary pay award)
- 2. Linking any future increases to the Local Government National Pay Award but not starting before 22/23
- 3. The Leader foregoing the additional Leader SRA in full for the length of this term
- 4. The ten Cabinet members having a reduction of £2,000 each
- 5. The introduction of an additional SRA for Lead Members of £10,000
- 6. An increase in the SRA for the Chairman of Licensing Committee to be on par with the Chairman of Planning Committee.

Councillor Drew Mellor moved the following revised proposals which were seconded by Councillor Philip Broadhead.

RECOMMENDED that:-

- (a) Council notes the former decision of the Council to apply the Employees' National Salary Award for 2020/21;
- (b) no members be entitled to a pension;
- (c) the basic allowance remains unchanged for 2020/21 at £12,844;
- (d) that the following special responsibility allowance be paid in recognition of the additional workload and levels of responsibility and accountability placed upon members appointed to these roles with immediate effect:-
 - (i) Leader Reduced to £18,550;
 - (ii) Cabinet Members (including Deputy Leader) Reduced to £18,550;
 - (iii) Lead Members £10,275 (New);
 - (iv) Chairman of the Council £10,275 (no change);
 - (v) Vice-Chairman of the Council £5,138 (no change);

- (vi) Chairman of Audit and Governance Committee £10,275 (no change);
- (vii) Chairman of Planning Committee £10,275 (no change);
- (viii) Chairman of the Overview and Scrutiny Board £10,275 (no change);
- (ix) Chairman of the Children's Services Overview and Scrutiny Committees Reduced to £7,706;
- (x) Chairman of the Health and Adult Social Care Overview and Scrutiny Committees Reduced to £7,706;
- (xi) Chairman of Licensing Committee increased to £10,275;
- (xii) Vice-Chairman of Licensing Committee £2,569 (New);
- (xiii) Chairman of Appeals Committee £3,083 (no change);
- (xiv) Chairman of Standards Committee £3,083 (no change);
- (xv) Group Leaders £3,083 (no change);
- (e) no SRAs be paid to vice-chairmen of committees (with the exception of the vice-chairman of Council and the Licensing Committee);
- (f) members may not receive more than one SRA (and may elect which SRA to receive) with the exception that a Group Leader's SRA can be payable as a second SRA;
- (g) no increase be applied to the Basic and Special Responsibility Allowances for 2021/22, and subsequently increased in line with the Employees' National Salary Award from 2022/23 onwards;
- (h) travel allowances continue to be paid to members in line with MAP for undertaking official business;
- (i) travel allowances be paid to members travelling to the BCP Council Offices for meetings and official business as set out in paragraph 12A of the current scheme of allowances;
- (j) subsistence allowances be paid to members as set out within paragraph 11.3 of the appended report;
- (k) carers' allowance be paid to recompense the actual cost expended as set out within paragraph 12.2 of the appended report (and is not payable to a member of the claimant's own household subject to the Monitoring Officer having the discretion to approve claims on a case by case basis);
- (I) an allowance of £1,028 per annum be paid to co-optees and independent members as set out in paragraph 13.1 of the appended report.
- (m) the Scheme of Members' Allowances for 2020/21 be amended to transfer the entitlement of a special responsibility allowance to an elected vice-chairman where the relevant chairman is permanently unavailable to perform their duties.

Councillor Evans indicated that all Members had an interest and therefore she did not understand why the Council was debating the issue as it should be agreed as written. She indicated that she was surprised by the proposed amendment by the Leader on his own paper and requested that it should be deferred which was seconded by Councillor Ann Stribley. The Chairman following legal advice from Officers confirmed that only the Leader of the Council could defer this item. The Leader confirmed that he was not prepared to defer the item.

Mr Quinton, in response to a question on the revised proposal which was contrary to the IRPs recommendations reported that the IRP lives in an 'ideal world' and bases its recommendations on the evidence it receives whilst the Council lives in the real world and has budget responsibilities to consider and therefore every recommendations made by the IRP need to be considered in the context of the budget implications.

The Chairman requested that the Leader of the Council email his revised proposals to all Councillors.

Councillors discussed in detail the recommendations and advice of the IRP compared to the proposals from the Leader of the Council and commented on the timing of the submission of the revised recommendations, the budget implications and particular roles including the proposed allowances for the Lead Members.

The Monitoring Officer clarified that Councillors always had to vote on their own remuneration, and the reason for this was the Monitoring Officer gives a dispensation to vote which was provided for in law and in the Council's Constitution. The Monitoring Officer explained that this was not the Leaders report it was from the Monitoring Officer and the Head of Democratic Services and the IRP appointment was a requirement of the law.

Councillor Broadhead in seconding the proposal pointed out that this was a paper receiving the IRP recommendations and therefore needed to be amended if there were changes required. He referred to the full year budget implications of the IRP recommendations of £150K and emphasised that this was not the right time to implement such changes at the time of the pandemic. Councillor Broadhead confirmed the detail of the revised proposals which included a reduction in allowances for the Executive.

A Member referred to the proposed range of changes which he felt were not equitable. Councillor Brooke highlighted that it was the wrong time to implement these proposals due to the pandemic, expressed concerns about the proposed level of the lead members allowances, how the lead Members SRA would be funded and the cost of the overall revised proposals. A Member highlighted that he felt that the Leader of the Council was trying to progress the issue quickly following a previous comment that the Lead Member roles would be funded from the Cabinet SRA.

A Member expressed her concern about the language being used by some Councillors during the meeting. The Monitoring Officer addressed the Council and requested that when raising a point of order Councillors should identify the relevant part of the Constitution which was being breached. The Chief Executive reported that the Council can only work within the Constitution and therefore Councillors must specify the procedural rule or statutory provision and the way in which it has been breached when raising a point of order. The Monitoring Officer clarified that the IRP recommendations had not been moved and the Leader of the Council had proposed different recommendations and therefore it would be appropriate if a Member wished to propose an amendment.

Two Leader Members explained their role and the work that they undertake in working with the Leader and Portfolio Holders. A Cabinet Member emphasised the level of work and commitment being demonstrated by Lead Members and supported the revised SRA being proposed by the Leader of the Council. A Councillor stressed that in accordance with the Constitution Councillors should have all the relevant information available to them before making a decision and felt that such information was not available in respect of the revised proposals circulated by the Leader of the Council.

Councillor Marcus Andrews proposed that the meeting be adjourned which was seconded by Councillor George Farquhar.

Clarification was sought on where this discussion would sit in light of the above proposal. The Chairman reported that if the meeting was adjourned when the meeting was reconvened the debate would continue and those Councillors that had spoken would not be able to speak again.

A Councillor raised a point of order that the 'motion be put'. The Chief Executive reported that as there was now a motion to adjourn the meeting that would be the motion that is put to the vote.

The motion to adjourn the meeting having been put to the vote was lost.

Voting: For – 33; Against – 38, Abstentions - 0

Councillors Susan Phillips and Ann Stribley did not vote.

Councillor Nicola Greene proposed that the question should now be put which was seconded by Councillor Bobbie Dove. The Chief Executive clarified the process. The majority of Councillors agreed the motion – Councillor Tony Trent wished to be recorded as voting against this motion.

The Leader of the Council summed up prior to the vote explaining the impact of his revised proposals as detailed above.

The motion on the revised proposals made by Councillor Drew Mellor and seconded by Councillor Phillip Broadhead as detailed above was carried

Voting: For – 37, Against – 32, Abstained – 3

Councillor Chris Rigby wished to be recorded as voting against

It was **RESOLVED** that:-

- (a) Council notes the former decision of the Council to apply the Employees' National Salary Award for 2020/21;
- (b) no members be entitled to a pension;
- (c) the basic allowance remains unchanged for 2020/21 at £12,844;
- (d) that the following special responsibility allowance be paid in recognition of the additional workload and levels of responsibility and accountability placed upon members appointed to these roles with immediate effect:-

- (i) Leader Reduced to £18,550;
- (ii) Cabinet Members (including Deputy Leader) Reduced to £18,550;
- (iii) Lead Members £10,275 (New);
- (iv) Chairman of the Council £10,275 (no change);
- (v) Vice-Chairman of the Council £5,138 (no change);
- (vi) Chairman of Audit and Governance Committee £10,275 (no change);
- (vii) Chairman of Planning Committee £10,275 (no change);
- (viii) Chairman of the Overview and Scrutiny Board £10,275 (no change);
- (ix) Chairman of the Children's Services Overview and Scrutiny Committees Reduced to £7,706;
- (x) Chairman of the Health and Adult Social Care Overview and Scrutiny Committees Reduced to £7,706;
- (xi) Chairman of Licensing Committee increased to £10,275;
- (xii) Vice-Chairman of Licensing Committee £2,569 (New);
- (xiii) Chairman of Appeals Committee £3,083 (no change);
- (xiv) Chairman of Standards Committee £3,083 (no change);
- (xv) Group Leaders £3,083 (no change);
- (e) no SRAs be paid to vice-chairmen of committees (with the exception of the vice-chairman of Council and the Licensing Committee);
- (f) members may not receive more than one SRA (and may elect which SRA to receive) with the exception that a Group Leader's SRA can be payable as a second SRA;
- (g) no increase be applied to the Basic and Special Responsibility Allowances for 2021/22, and subsequently increased in line with the Employees' National Salary Award from 2022/23 onwards;
- (h) travel allowances continue to be paid to members in line with MAP for undertaking official business;
- (i) travel allowances be paid to members travelling to the BCP Council Offices for meetings and official business as set out in paragraph 12A of the current scheme of allowances;
- (j) subsistence allowances be paid to members as set out within paragraph 11.3 of the appended report;
- (k) carers' allowance be paid to recompense the actual cost expended as set out within paragraph 12.2 of the appended report (and is not payable to a member of the claimant's own household subject to the Monitoring Officer having the discretion to approve claims on a case by case basis);
- (I) an allowance of £1,028 per annum be paid to co-optees and independent members as set out in paragraph 13.1 of the appended report.

(m) the Scheme of Members' Allowances for 2020/21 be amended to transfer the entitlement of a special responsibility allowance to an elected vice-chairman where the relevant chairman is permanently unavailable to perform their duties.

57. Calendar of Meetings 2021-22 and 2022-23

The Leader of the Council presented a report on the calendar of meetings 2021-22 and 2022-23, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

The Council was asked to consider and approve the schedule of meetings for the 2021-22 and 2022-23 municipal years and any associated issues.

In moving the recommendations in the report, the Leader of the Council amended recommendation (c) to read "authority be delegated to the Chairman of the Licensing Committee to review and agree dates" this was seconded by Councillor Philip Broadhead.

Councillor David Kelsey moved that the remainder of the meeting be deferred to another date which was seconded by Councillor Judes Butt

The proposal to adjourn the meeting having been put to the vote was carried

Voting: For – 45; Against – 25; Abstention – 1

2 Councillors were unable to vote

The Chairman reported that every effort would be made to reconvene the Council meeting this side of Christmas. The meeting was adjourned at 11.15pm.

The meeting was reconvened on 8 December 2020 at 7.00pm.

The Chairman asked Councillor Mellor to remind Councillors of his proposal as detailed above seconded by the Councillor Philip Broadhead

It was RESOLVED that:-

- (a) the schedule of meetings for 2021-22 and 2022-23 municipal years as attached at Appendix 1 to the report be approved.
- (b) the revised schedule of dates for the Planning Committee for the remainder of the 2020-21 municipal year, taking account of the move to a monthly cycle, effective from January 2021 as detailed in paragraph 2 below be approved.
- (c) the Chairman of the Licensing Committee be delegated be delegated authority to review and agree dates.

Voting: Unanimous

58. Notice of Motions in accordance with Procedure Rule 12

The following motions were submitted in accordance with Procedure Rule 12:-

A - Islamophobia Definition

Councillor Drew Mellor in accordance with the relevant provisions within the Constitution, through the Chairman, and with the consent of the Council moved the altered motion as follows which was seconded by Councillor Chris Rigby

This Council resolves to:-

- (a) Adopt the widely and nationally adopted definition of Islamophobia. For Councillors information and ease of reference, set out below is the All Party Parliamentary Group definition of Islamophobia: "Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.";
- (b) Ensure that all councillors and officers undertake regular race equality training which will include, as a minimum, a working understanding of our public sector equality duty and unconscious bias;
- (c) To reaffirm BCP Council's commitment to eliminate discrimination. To lead on developing positive relationships across our communities, tackling prejudice and ensuring the public sector equality duty remains at the heart of decision making so that fairness is central to all that we do.

Councillor Rigby in seconding the motion was proud to highlight how this cross-party motion had been developed. He thanked Councillors Dove, N Greene, Earl, Farquhar and Slade for their support. Councillor Rigby highlighted part (c) of the motion and the need to eliminate discrimination and prejudices.

The Chairman reported that full Council needed to consent to debating the altered motion which was confirmed by Members.

Members in considering this cross-party motion commented on the importance of the Council having no prejudice and respecting and welcoming everyone in the BCP area, highlighted the need to engage with all communities and demonstrate tolerance, arrange and support events that demonstrate the diversity of cultures and religious practices in the area and emphasised that the motion provided a clear and unambiguous statement.

The Chairman asked Councillors to confirm if they supported the request for a recorded vote. The Chief Executive reported that the requisite 25% of Councillors had agreed to the recorded vote.

In accordance with the Constitution the following was recorded on the altered motion:

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

For

The altered motion was carried

Voting: For – 72; Against – 0; Abstentions – 0

B Fireworks

Councillor Lisa Lewis moved the following motion as set out on the agenda on Fireworks which was seconded by Councillor Tony Trent:

This Council resolves:-

- (a) to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (b) to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;

- (c) to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays;
- (d) to encourage local suppliers of fireworks to stock 'quieter' fireworks for public private display.

A recorded vote was requested by Councillor Lewis

Councillor Bull sought clarification on the wording of the final bullet point and asked if it should be for public display or private use. Councillor Lewis suggested that it should be for private use.

The Chairman asked Councillor Lewis to confirm if she wished to make any amendment to her motion. Councillor Lewis had changed "public" to "private" in the last bullet point. A Councillor indicated that he felt that the motion was not clear and should be rewritten.

Members in considering the motion commented on the impact on veterans, enabling residents to manage such events and the impact on animals, the clarity and strength of the motion, felt that the motion was outside the jurisdiction of the Council and should be dealt be local MPs or Central Government.

Councillor Brooke had requested that the Council now go to the vote. The Chairman asked if any Councillors wished to vote against going to the vote.

Councillor Lewis in summing up clarified the key issues of the motion as amended above.

Councillor Brooks left at 7.46 pm

The Chairman asked Councillors to confirm if they supported the request for a recorded vote. The Chief Executive reported that the requisite 25% of Councillors had agreed to the recorded vote.

Cllr Lewis Allison	Cllr L-J Evans	Cllr Chris Matthews
Cllr Marcus Andrews	Cllr George Farquhar	Cllr Simon McCormack
Cllr Steve Baron	Cllr Anne Filer	Cllr Pete Miles
Cllr Stephen Bartlett	Cllr David Flagg	Cllr Sandra Moore
Cllr Derek Borthwick	Cllr Nick Geary	Cllr Lisa Northover
Cllr Mike Brooke	Cllr Andy Hadley	Cllr Margaret Phipps
Cllr David Brown	Cllr Paul Hilliard	Cllr Felicity Rice
Cllr Simon Bull	Cllr Mark Howell	Cllr Chris Rigby
Cllr Richard Burton	Cllr Cheryl Johnson	Cllr Vikki Slade
Cllr Diana Butler	Cllr Toby Johnson	Cllr Tony Trent
Cllr Mike Cox	Cllr Marion LePoidevin	Cllr Kieron Wilson
Cllr Lesley Dedman	Cllr Lisa Lewis	
Cllr Millie Earl	Cllr Rachel Maidment	

For

Against

Cllr Mark Anderson	Cllr Beverley Dunlop	Cllr Tony O'Neill
Cllr Eddie Coope	Cllr David Kelsey	Cllr Ann Stribley
Cllr Bryan Dion	Cllr Drew Mellor	Cllr Lawrence Williams

Abstentions

Cllr Hazel Allen	Cllr Bobbie Dove	Cllr Mohan Iyengar
Cllr Sarah Anderson	Cllr Jackie Edwards	Cllr Jane Kelly
Cllr Julie Bagwell	Cllr Duane Farr	Cllr Bob Lawton
Cllr John Beesley	Cllr Laurence Fear	Cllr Susan Phillips
Cllr Philip Broadhead	Cllr Mike Greene	Cllr Karen Rampton
Cllr Daniel Butt	Cllr Nicola Greene	Cllr Roberto Rocca
Cllr Judes Butt	Cllr May Haines	Cllr Mike White
Cllr Malcolm Davies	Cllr Peter Hall	
Cllr Norman Decent	Cllr Nigel Hedges	

The amended motion was carried:

Voting: For – 37; Against – 9; Abstentions – 25

C – Ban on Badger Cull on BCP Land

Councillor Vikki Slade moved the following motion as set out on the agenda on the proposal to ban badger culling on BCP land which was seconded by Councillor Chris Rigby:

This Council therefore resolves to:-

- (a) confirm a ban on the culling of badgers on land owned by or leased from BCP Council with immediate effect;
- (b) offers access to Dorset Wildlife Trust, Badger Trust and other professionals to land for the purpose of badger vaccination
- (c) work with landowners and farmers on promoting biosecurity measures to prevent transmission;
- (d) ask the portfolio holder to write to DEFRA to accelerate research into alternatives to control TB in cattle.

In presenting the motion Councillor Slade referred to the ban imposed by the Borough of Poole in the summer of 2014, highlighted the number of badger culls year on year and the cruel and inhumane way in which they were culled and emphasised the importance that such activity was banned on land owned and leased by BCP Council.

In considering the motion Councillors comments included asking for clarification on the current Council policy, the impact of the over intensification of farming, having access to all the necessary information, the research being undertaken in other areas of the UK and the views expressed by other organisations on sources of food for badgers.

Councillor Slade in summing up explained that statistics associated with the cause of Tuberculosis indicated that over 93% come from sources other than badgers. She explained that the Council Policy's only restriction was around open shooting which would require a licence and there was a risk that it took place on our land. She referred to the outcomes from other areas of the UK and stressed the importance of controlling it on BCP Council land.

The motion was carried.

Voting: Unanimous

Councillors Mark Anderson and George Farquhar wished to be recorded as voting for the motion.

D – Lead Members and Scrutiny on BCP Council

Councillor Millie Earl moved the following motion as set out on the agenda on Lead Members and Scrutiny on BCP Council which was seconded by Councillor Simon McCormack:

BCP Council believes that:-

- (a) Lead Members appointed by the Leader to assist the executive in their decision making cannot be members of scrutiny committees and cannot substitute for absent members of scrutiny committees
- (b) If this motion is passed by the council, the constitution shall be amended to reflect this.

Councillor Earl in presenting the motion referred to the role description for Lead Members, the need for clarity and the relationship with the Executive and Overview and Scrutiny. She highlighted the reference to the crosscutting nature of the role and the work with all Cabinet Members. Councillor Earl indicated that they were directly related to each and every Cabinet Member and managed by the Leader of the Council. She emphasised that the motion sought clarification and aimed to mitigate against any weakening of Overview and Scrutiny. Council Earl reported that she would like to see more detail in the job description and the national guidance but that was not the case, so it was a matter for the Council determine.

A Member welcomed the role of Lead Members but felt that they should not be involved in scrutiny, the two roles should be kept separate. Another Councillor reported that the Council should be working within the spirit of the law and be demonstrating transparency. She reported that "Cabinet plus" should not be involved in scrutiny and should be undertaken by those Councillors for whom that was their role and therefore ensure there was no conflict.

Councillor Drew Mellor proposed the following amendment to i) above which was seconded by Councillor Philip Broadhead. He referred to the

guidance provided by the Monitoring Officer but explained that by restricting membership on other Committee there would be a loss of talent.

Lead Members appointed by the Leader to assist the executive in their decision making cannot be members of the Overview and Scrutiny Board and cannot substitute for absent members of the Overview and Scrutiny Board.

The Chairman reported on the opportunity for Councillor Earl to speak at the end of the amendment.

In considering the amendment Councillors made various comments including the role of Lead Members to make a decision on any potential conflict of interest, the role and function of Lead Members, the impact on the Overview and Scrutiny function, working within the spirit of the law, the need for transparency and the impact on the other Overview and Scrutiny Committees compared to the Board.

Councillor Mike White moved that the amendment be now put which was seconded by Councillor Beverley Dunlop.

The Chairman called on Councillor Mellor to sum up. Councillor Earl was called on by the Chairman to respond to the debate. Councillor Dunlop raised a point of order to seek clarification on Councillor Earl responding to the amendment. The Chairman reported that he had discretion to deal with points of order and that Councillors should identify the paragraph where the constitution has not been complied with. The Monitoring Officer referred to Appendix 3, page 4-42 paragraph 11 of the Constitution on the right of reply. Councillor Earl continued and referred to the failure of a Lead Member to declare an interest at the Overview and Scrutiny Board in November 2020 despite a direct conflict in an item on the agenda as a Lead Member. Councillor Earl indicated that it took objections from Members of the Board for the Lead Member to remove herself and in view of the confusion for Lead Members clarity was needed and she requested that Councillors support the original motion.

The amendment was voted on and carried:

Voting: For – 38; Against – 32; Abstentions – 1

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

Councillors then debated the substantive motion. In response to a question the Monitoring Officer reported that the Leader had the authority to appoint Cabinet Assistants or Lead Members but that the Council was voting on the principle on whether they should sit on Overview and Scrutiny Committees and as there were no financial benefits the Monitoring Officer did not believe there was a conflict.

Councillor Dunlop for clarity in response to Councillor Earl's comments confirmed that she did not have any conflict of interest to declare at the Overview and Scrutiny Board in November 2020.

The Chief Executive advised Members that when raising a point of order Councillors shall specify the relevant procedure rule and or statutory provision and how it had been breached. The Chairman in response to a point of order clarified that the Council was now debating the substantive motion as amended.

A Councillor suggested that the Constitution now required amending in light of the introduction of Lead Members.

Councillor Nicole Greene raised a point of order and moved that the question now be put which was seconded by Councillor Philip Broadhead.

The vote was taken on the substantive motion as amended detailed below which was carried:

BCP Council believes that:-

- (a) Lead Members appointed by the Leader to assist the executive in their decision making cannot be members of the Overview and Scrutiny Board and cannot substitute for absent members of the Overview and Scrutiny Board.
- (b) If this motion is passed by the council, the constitution shall be amended to reflect this.

Voting: For – 57; Against – 9; Abstentions – 4

Councillor George Farquhar wished his name to be recorded as against.

The meeting was adjourned from 9.43pm to 9.48pm

59. <u>Questions from Councillors</u>

Question from Councillor Mark Howell

A recent Active Travel press release by the Council stated that the Keyhole Bridge measures are to be removed as "ward councillors have received reports from local residents of incidents between pedestrians and cyclists and also of motorcyclists taking advantage of the closure to considerably increase their speed, causing danger to pedestrians.

- 1. Did the Transportation Portfolio Holder receive a report from officers analysing and advising on the impact of the measures on public safety prior to making his decision or did he only act on anecdotal reports from ward councillors and residents?
- 2. Why were Poole Town councillors (who are supportive of the closure) not consulted considering the bridge spans the boundary of Poole Town and Parkstone wards?
- 3. What are the percentages for and against closure of consultation responses filed since implementation of the measures?

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

I have been involved in various discussions about Keyhole Bridge with officers, councillors and members of the public. Most of these have involved the subject of public safety among other items. I have also examined the reported collisions at and around the bridge. These include the latest

incident between a motor vehicle and a pedestrian or cyclist, which occurred in 2013.

I would note that the relevant guidance for the Keyhole Bridge ETRO, <u>Local</u> <u>Transport Note 1/20: Cycle Infrastructure Design</u>, clearly states that effective engagement with the local community, particularly at an early stage, is essential to ensuring the political and public acceptance of any scheme. The Department for Transport advises engagement as good practice even where there is no legal requirement to do so for the measures being proposed. This was clearly not undertaken by the previous Administration in the case of Keyhole Bridge and the other closures introduced under Tranche 1 of the Emergency Active Travel Fund.

The road closure is in Parkstone Ward, very close to its boundary with Poole Town Ward. All homes in close proximity to the closure lie in Parkstone Ward. However, all Poole Town ward councillors were invited to a meeting on Friday 9 October 2020 to discuss the topic of Traffic through Poole Park including the Keyhole Bridge measure. It is unfortunate that Cllr Howell could not attend, although his views were previously recorded and considered. The other two Poole Town Ward councillors did attend.

In the 7-week period of closure up to 8 October, when it was reported that I would not support it continuing, around 48% of the consultation responses received were in support of the closure, with 49% opposing it. After my public announcement that I hoped to reopen the route, further responses were received which were 79% in support of the closure and 18% against. Taking into account all responses, 60% are in support; 37% opposed.

As someone who believes passionately that BCP's congestion problems can only be solved by a significant modal shift to sustainable transport, the ETRO episode has been thoroughly depressing. If we are going to achieve the necessary behaviour change, we need to take the public with us. The crass way the previous Administration introduced the Tranche 1 measures, including Keyhole Bridge, did precisely the opposite. It set neighbour against neighbour and reignited the conflict between motorists and cyclists which we have spent years trying to defuse. Thankfully, the new Administration's more balanced approach and promise to do better seems to have persuaded Government not to carry out their threat to disallow further Active Travel Funding to councils which behaved like BCP did in the summer; and we have been awarded over £1m for Tranche 2. We now have to persuade the public that we can invest it better than our predecessors.

Councillor Howell confirmed the boundary of the two wards and the meeting referred to was about Poole Park.

Question from Councillor Mike Cox

The Conservative Reset Paper sets out a significant income for the council from investments and the sale of Community Bonds. Can the Leader explain how such income be relied on to provide a sound source of income for the council at this scale?

Response from Councillor Drew Mellor, Leader of the Council

You and I have both been vocal about further investments being the right approach for BCP Council to take in this economic environment so I look forward to your support as we bring forward an ambitious investment agenda that grows both our capital asset base as well as improves our revenue position yearly. This was described in our Budget Reset paper as a "Generation's fund" with the principle being that future investment profit was netted off against council tax deductions. The principle being that a sound investment strategy not only benefitted this generation as there was a commitment to leaving behind a significantly increased asset base than we inherited.

The ambition behind the community bond was to generate significant investment power in relation to carbon reduction projects to underline this Council and indeed this administration's commitment to our Climate and Ecological Emergency. Where we intend to deliver measurable actions and not rhetoric. Our reset paper also netted this income off against expenditure on these projects so in both cases, the Generations Fund and our Environmental CMB income nets off fully against expenditure so is entirely reliable and sound with nil impact on the MTFP at any point.

Councillor Cox asked a supplementary question stating that the Leader of the Council had indicated that costs were offset against profits. He asked that if you were making a net profit it implies you were raising bonds how much was that. Councillor Mellor reported that it was not against profit but against expenditure and nets off entirely.

Question from Councillor Mike Brooke

You have made much of your Reset Paper at both Overview and Scrutiny Board and Full Council as well as publicly. If I have read it correctly you claim significant savings, at least £48 million over a three-year period, can be made through an ambitious Transformation programme and that these savings can then fund your proposed spending commitments.

How realistic is this claim?

Response from Councillor Drew Mellor, Leader of the Council

The KPMG report uses a savings target of £43.9m and this is now adopted as our minimum requirement so I would comfortably suggest that savings in this region are realistic. Our reset paper included a Phase Zero suggested approach ahead of the three year window of achieving the full transformation savings programme. This Phase Zero approach was in part adopted by the previous administration in delivering savings as part of the Covid response. For clarity the MTFP now proposes a savings target of £15m in 2021/22 and a further £9.1m in both 2022/23 and 2023/24.

These savings are transformational, recurring and do enable this authority to move forward with confidence in terms of delivering both the most modern of councils but also towards a position of investment in much needed frontline priorities. This is why our administration's commitment to delivering this programme is both long standing and hugely important.

Councillor Brooke sought clarification on how the transformation programme would be funded and what will it mean for the transformation budget and the total cost the Council faces. Councillor Mellor referred to the paper which had recently been through the Overview and Scrutiny Board and Cabinet on the MTFP some of which would be funded by borrowing.

Question from Councillor Tony Trent

Local youth offending figures for 2018/19, presented to the Police and Crime Commissioners Panel earlier this year, present clear signs that areas with open access youth provision have a lower level of offending than areas without such provision. This is reflected nationally. Professional youth workers have also been able to spot emerging issues with young people – often before their schools do.

With this in mind, and the clear stated aim of putting community safety and the reduction of crime and disorder in the BCP area at the top of the agenda, will the Portfolio Holder and Cabinet give a clear commitment to restart open access youth provision post Covid-19, and use the skills and experience of youth workers employed by BCP Council, and retain them, to extend a provision to the whole of the BCP area using the most practical means available.

Response from Councillor Mike White, Portfolio Holder for Children and Young People

The current BCP Youth Offer has 3 core elements: positive activities; detached youth work and individual short-term targeted youth work sessions.

Under the current Covid restrictions the Council is unable to offer 'open access' positive activities and is instead providing small group work sessions for youth support by invitation only. These sessions are provided by BCP using a mixed delivery model of both in-house youth work provision and commissioned provision. The Council also delivers detached youth work across BCP as well as 1:1 individual sessions on request. Youth workers are also part of our Team working to identify early opportunities for youth work support to schools.

At the current time, the Council is unable to confirm when 'open access' positive activities will restart, however we are committed to restarting as soon as guidance allows.

Looking ahead, post Covid I will certainly consider at that time whether a review of the current delivery model for 'positive activities' should be undertaken and how this can be as inclusive as possible.

It is clear that the provision of 'positive activities' is far greater than simply open access youth centre sessions and can include many activities outside of a centre base. BCP has strong voluntary sector led groups the council can build upon for young people.

It would not be appropriate to give an unqualified commitment to the extension of a BCP led open access positive activities offer at this time, given both the uncertainty of the future of open access provision and the need for a full and inclusive review of the current mixed delivery model.

However, BCP remains committed to providing the current offer, within Covid restrictions, and ensuring that the youth offer is able to adapt and adjust to provide a variety of high quality youth work interventions for young people across BCP area.

Councillor Trent sought clarity that where figures provided that young people wanted access to a youth centre, they could, would that support continue to be available and where there was the need for intervention maintaining services would be a material consideration when look at the future. Councillor White reported on the services available and having inherited and overspend of £6m he would need convincing of any additional discretionary expenditure.

Question from Councillor Marion LePoidevin

I'm sure colleagues will join me in congratulating Marcus Rashford on his success in persuading the Government to reverse their initial refusal to provide funding during the Christmas holidays for food for children who are eligible for Free School Meals in term time.

I am pleased that BCP agreed to do what they could at half-term for families in this position following pressure from many residents and councillors and especially thank those businesses and individuals who also responded to the clear needs. Because this was only undertaken at short notice after schools had already closed for half-term it is likely that some in need fell through the cracks and got no help.

The Government announcement means that there is sufficient time to put in place a more structured approach.

I am therefore seeking assurance that not only every family with children eligible for Free School Meals but also all those not normally eligible but now in serious need will receive suitable help, thinking particularly of households who have faced a severe loss of income and are without recourse to public funds.

Response from Councillor Nicola Greene, Portfolio Holder for Covid Resilience, Schools and Skills

The Government have announced £170m to be provided nationally through the Covid Winter Grant Scheme. This aims to support children, families and the most vulnerable over the winter period.

The grant has been allocated to Councils to allow them to directly help the hardest-hit families and individuals, as well as to provide food for children who need it over the holidays. This recognises Councils as being best

placed to understand which groups need support and are best placed to ensure appropriate holiday support is provided.

The allocation for BCP Council is £1.068m which covers the period up until the end of March 2021. As such, planning in relation to Free School Meals must take into account not only for the Christmas holidays but also February half term.

BCP is working cross council and in partnership with key third sector partners to ensure a scheme is put in place that not only delivers Free School Meals to those who are eligible, but also enables professionals to refer in families and individuals who need this support. In line with the aims of the grant funding, this will seek to cover not only food costs but also help with bills and access to positive activities.

Further details of the scheme have been shared with schools, community groups and Members at last week's briefing and I am grateful for those who have made use of their contacts and social media to extend the reach.

Essentially, flexible School Meal Vouchers for eligible children will be issued to cover the school holiday periods between December and end of March 2021 at a rate of £15 per child per week. Registration is being taken through the schools directly who are reaching out assertively to their families who need this support.

In addition to those eligible for free school meals, there is other food support provision which can be found on the Together We Can webpage. Schools and Community Champions have also been provided with this information so that they can assist those who are not digitally enabled.

Chairman, albeit outside the scope of Councillor Le Poidevin's question I would be grateful if you would allow me the platform to mention the Access to Winter Warmth Support.

Citizen's Advice BCP will be providing a dedicated phone line between December 2020 and end of March 2021 to support residents with keeping warm through a range of measures including pre-payment vouchers, Fighting Fuel Poverty grants (£200), Surviving Winter Grants (£200) as well as a Discretionary grant funded by BCP Council to help with winter warmth costs until end of March 2021.

Such items include:

- Utility bills (heating, cooking, lighting)
- Water for household purposes (including drinking, washing, cooking, central heating, sewerage and sanitary purposes)
- Other related essentials that help with food and winter warmth, such as: a warm blanket or duvet, warm clothing, heater, boiler service/repairs, essential toiletries, purchase of equipment including fridges, freezers, ovens, etc. - in recognition that a range of costs may arise which directly affect a household's ability to afford or access food, energy and water.

And lastly, please remind your residents of the Let's Talk Money scheme run by Citizen's Advice which provides support and signposting for people who might be struggling with financial pressures over the winter months.

Question from Councillor Felicity Rice

The public consultation on the Climate Action plan was ready to go live on 30 September. Can you please update us on this piece of public consultation?

Response from Mike Greene, Portfolio Holder for Transport and Sustainability

As the Cabinet Member for Transport and Sustainability, BCP's response to the Climate Change Emergency is an extremely important part of my responsibilities.

I believe it is important that the Annual Report on the Council's Climate Action is endorsed and recommended to Council not just by myself but by Cabinet as a whole, and I intend to request this at the next Cabinet meeting on December 16th. This is an ideal opportunity to launch the public engagement on our 2050 BCP Area Climate Action Plan to which Cllr Rice refers and so I intend to ask Cabinet to approve that at the same meeting.

Provided that Cabinet gives its approval, the public engagement will be launched the following day. It will be online for eight weeks and I would encourage our residents and other stakeholders to participate.

I would also like to take this opportunity to thank officers, other Members and Cllr Rice in particular for helping us get to this stage on both the Annual Report and the public engagement survey.

Councillor Rice asked for access to the consultation document and other members of the cross-party working party. Councillor Mike Greene reported that the papers had been published.

Question from Councillor Andy Hadley

A recent Environment Agency report on the Water Companies rated our local supplier Wessex Water as "good", apart from their handling of storm overflow water drainage.

We have been approached by local fishermen concerned about food poisoning outbreaks, which they have tracked as closely relating to and following periods of heavy rainfall, when the Wessex Water system overflows. When in administration we called on the Environment Agency to work with the Wessex Water to increase storm water capacity to prevent dumping of raw sewage into our Harbours.

Can the Portfolio holder please advise how BCP Council are continuing the work with the Environment Agency and Wessex Water to:-

- (i) Understand the scale of the problem.
- (ii) Determine the impact on the natural environment, tourism and the food chain.
- (iii) Act on solutions to end the discharge of raw sewerage into our rivers and harbours.

And to recognise and resolve the pressures of permitting connections for new development making this issue worse.

Response from Councillor Mark Anderson, Portfolio Holder for Environment Cleansing and Waste

I thank Cllr Hadley for raising this issue. I can assure him and all members that addressing this long-term but worsening issue is a priority for me and this administration. We continue to meet with Wessex water and the Environment Agency to understand the issue and current programmes of research and investment.

He will be aware that the Council is not the regulatory authority for water quality and that the legislative framework is determined by Central Government working through the Environment Agency. The Government has made clear that the water companies need to act more quickly to improve water quality in our rivers and waters and the Environment Minister Rebecca Pow has set up a DEFRA task force on storm overflows. We will be making contact with this task force to raise the specific concerns of Poole Harbour as well as continuing to make the case for increased investment in storm drainage infrastructure with Wessex Water.

We continue to raise this issue and work with local stakeholders on the Poole harbour Catchment Initiative, and we also intend to hold a member briefing on this issue when regulatory service pressures ease in the New Year.

Councillor Hadley indicated that it was also an issue for Christchurch. He referred to the private members bill laid before parliament by Philip Dunn. Councillor Hadley asked if the Portfolio Holder would commit to write to the five local MPs to ask them to support the private members bill which receives its second reading on 15 January 2021 and to work with partners to fix this problem. The Portfolio Holder referred to feedback he had received from the Environment Agency on the Christchurch Avon Beach and proposal to manage the issue. He also confirmed the he would write to the Local MPs on the private member bills and he would liaise with Councillor Hadley outside of the meeting on the wording of the communication.

Question from Councillor L-J Evans

Last week Poole Town Councillors were informed of the cancellation of the New Year's Bath Tub Race just a couple of hours before the press release was sent out. Whilst we understand the reasons behind the decision, there was plenty of time for us to have been consulted.

In his Leadership speech, Cllr Mellor promised us "a council which is collaborative and fair, collaborative in a way in which we value the voices and opinions of those who work with us". Therefore, please may we have assurance that in future Ward Councillors will be involved in decisions impacting their residents.

Response from Cllr Mohan lyengar, Portfolio Holder for Tourism, Leisure and Culture

We are committed to being collaborative and fair. For the bath-tub race, it was a joint decision by Poole Harbour Commission and Council Officers. The matter was clear-cut on the grounds of health and safety during Covid-19 restrictions, and the scope to vary the decision or do anything alternative was near zero.

Ward councillors were informed quickly after I was informed, although I accept you might like to have known sooner. From the contacts I have along Poole Quay – and from the media coverage – it doesn't appear there has been any adverse reaction to the way this has been decided or communicated.

If this event might have had alternatives for its timing or delivery, we'd have considered them and consulted. This is what we'll look to do generally as our events programme re-starts hopefully in 2021.

He explained that he would collaborate on these events and we plan to expand the number of events.

Question from Councillor Vikki Slade

We are fortunate in Dorset to have an incredible charity that supports children through the loss of bereavement, and I can speak from personal experience with my own child having been supported by their specialist programme at the age of 7 following a close family death.

Along with many other Cllrs I was shocked to receive confirmation from Mosaic that BCP Council is now restricting support to families already known to our Early Help services rather than being funded via a contract with specialist workers assessing the need for support direct with the school or family.

What assurance can the Portfolio Holder provide around the provision of a contracted service for the whole of BCP to ensure that every child in need can access this life changing service as previously was the case when he was Portfolio Holder in Borough of Poole and continues to be the means of funding in the Dorset Council area?

Response from Councillor Mike White, Portfolio Holder for Children and Young People

I thank Cllr Mrs Slade for her question. There seems to be a lot of misinformation circulating on this subject so can i please make it clear that the support is open to any child regardless of whether or not they are known to us.

Can I also make it clear that the Council remains absolutely committed to working with Mosaic in providing support for Children in dealing with the ongoing impact of bereavement.

We had different approaches in the previous three authorities and are now establishing a single consistent contractual arrangement for the whole of BCP. Greater clarity has been brought to the routes by which families can be referred into this service. This allows for all families to be signposted and supported with access, but also recognises that the funding for this may come from a number of sources including the Council, health services, schools or the family themselves.

The aim of this is not to restrict or deny services where they are needed, but to ensure agencies work effectively together to support families to get the support they need.

Officers have recently met with representatives from Mosaic and have committed to work with them to provide reassurance that no families will be disadvantaged by these changes.

In summary this is about harmonisation across the original three councils, streamlining the access point and providing consistency. It is also about getting other agencies to step up to their responsibilities to provide some funding. I am determined that budget will not be a constraint and that any child that needs help will get the help they need.

Councillor Slade reported that the Chief Executive of the charity had advised that since October they had received 67 referrals and schools had been advised directly that BCP Council would no longer fund them. She asked that funding be committed via the covid grant for the last two years. Councillor White reported that any child that needs it would get the help that they need if Cllr Slade has examples of children that have been turned away to let him have them.

Councillor Pete Miles left at 10.25pm

Councillor Cheryl Johnson left at 10.28pm

Question from Councillor Tony Trent

Remembering how much controversy was generated following the award of the first tranche of "Active Travel" funding at the height of the previous lock down, and before the "virtual" system was fully set up in BCP to enable proper meetings to take place, what are the arrangements to involve members in this second tranche? For example...

Will the Transport Advisory Group, on ice since the late winter, be revived? – possibly as a fully constituted advisory group with a "politically balanced" membership (e.g. 5 UA [2, 1, 1, 1], 5 Con, & 1 non-aligned), making recommendations to the Portfolio Holder & Cabinet, and once able to do so, giving the interested members of the public the chance to have their say at the meeting. If this were a group with trained subs (a recommendation from the days when a similar committee operated in Poole) - able to react swiftly, it could not only look at new proposals, it could also be the body that reviews the first tranche of ETRA schemes (with representations from the public at the meetings, if able at the time) as they reach their anniversary reviews, and...

Could the portfolio holder confirm, without the tight deadlines imposed by Government on Tranche 1, that he will ensure meaningful engagement with the public be undertaken, and how that will be done?

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

It was extremely disappointing that when the first tranche of Emergency Active Travel funding was allocated, BCP's then Administration chose not to fully consult with either ward councillors nor residents before imposing road closures. My displeasure was clearly matched by the Secretary of State for Transport when he wrote to local authorities advising them that those, like BCP, which had failed to pre-consult were likely to miss out on Tranche 2 funding.

It was therefore a relief to hear that the new Administration's more balanced approach and our plea to DfT not to be punished for our predecessors' actions found favour and we have been allocated almost £1.1m for Active Travel Fund Tranche 2 projects. As previously approved by Cabinet, the delegation to decide which schemes to take forward, now that we have the award, lies with the Director for Growth and Infrastructure in consultation with the Portfolio Holder and the appropriate ward members.

I will be liaising with the Director and his officers over the next couple of weeks to decide which schemes from the proposed bid we now take forward and then how to proceed. I can assure Councillor Trent that before we do any design work, or make any final decisions, I will be consulting with ward members and publicising our proposed consultation plan. We will be able to use the new engagement platform, recently procured by the Council, to gain the views of the public, which will then inform the design process and detail of the programme to take forward. The timescales for delivery of this tranche of funding means that we will only need to commit to delivery by March next year and the schemes can be fully consulted on between now and then. Design and build will follow in the next financial year.

This early involvement of ward councillors will not be limited to Active Travel Fund spending. Instead it will become the norm for all TROs. I am currently developing a protocol with officers to ensure this functions efficiently, and significantly shortens the excessive turn-around times which have been suffered by residents during the last 18 months.

Councillor Trent asked about the future of the Transport Advisory Group. Councillor Greene indicated that he was prepared to involve ward members on issues, and this was the correct and most sensible approach.

Question from Councillor Mark Howell

The Leader of the Council stated in his nomination speech at the last Full Council meeting that his administration's "first 100 day plan would actively address" various issues including the economy, jobs, our schoolchildren, and bring back a feeling of pride and safety in our towns. Over 50 days have passed without this plan being published. Will the Leader be publishing the plan before the 100 days expire? If the plan exists, please could the Leader explain what actions the administration has taken in

realisation of the plan's objectives, excluding actions relating to COVID-19 and funded by central government.

Note – Councillor Howell only asked the first part of his question

Response from Councillor Drew Mellor, Leader of the Council

Thank you for the question Mark. Significant work has been undertaken in terms of the aims and ambitions brought about as referenced in my nomination speech and I am pleased to say that this has resulted in material investment over £370k coming forward to Cabinet in the next cycle. This not only demonstrates what we have been saying consistently, that it is not ok to sacrifice the funding that our community needs, it is imperative that we show leadership to our communities out of this pandemic and that if we have strong control of the council finances we can afford to deliver that leadership.

Examples of these commitments include increased budget for mental health cleanliness and safety as we make a commitment to restore pride to our place, particularly commitment to our levelling up agenda in Christchurch where cleanliness services had been consistently underfunded including in the previous administration, investment in communities and culture and the environment and not least support for our economy which this administration is proud to champion. We are delivering both in this financial year and we will deliver further in 2021/22.

Councillor Howell asked was there any reason for the public to have confidence in him or his current administration. Councillor Drew Mellor indicated that he believed that public and this Chamber has significant confidence in this administration and the delivery of his 100-day plan.

The meeting ended at 10.35pm on 8 December 2020

CHAIRMAN