

Notice of Council



Date: Tuesday, 9 November 2021 at 7.00 pm

Venue: Council Chamber, Town Hall, Bournemouth BH2 6DY

Chairman:

Cllr N Hedges

Vice Chairman:

Vacant

Cllr H Allen
Cllr L Allison
Cllr M Anderson
Cllr S C Anderson
Cllr M Andrews
Cllr J Bagwell
Cllr S Baron
Cllr S Bartlett
Cllr J Beesley
Cllr D Borthwick
Cllr P Broadhead
Cllr M F Brooke
Cllr N Brooks
Cllr D Brown
Cllr S Bull
Cllr R Burton
Cllr D Butler
Cllr D Butt
Cllr J J Butt
Cllr E Coope
Cllr M Cox
Cllr M Davies
Cllr N Decent
Cllr L Dedman
Cllr B Dion

Cllr B Dove
Cllr B Dunlop
Cllr M Earl
Cllr J Edwards
Cllr L-J Evans
Cllr G Farquhar
Cllr D Farr
Cllr L Fear
Cllr A Filer
Cllr D A Flagg
Cllr S Gabriel
Cllr N C Geary
Cllr M Greene
Cllr N Greene
Cllr A Hadley
Cllr M Haines
Cllr P R A Hall
Cllr P Hilliard
Cllr M Howell
Cllr M Iyengar
Cllr C Johnson
Cllr T Johnson
Cllr A Jones
Cllr J Kelly
Cllr D Kelsey

Cllr R Lawton
Cllr M Le Poidevin
Cllr L Lewis
Cllr R Maidment
Cllr C Matthews
Cllr S McCormack
Cllr D Mellor
Cllr P Miles
Cllr S Moore
Cllr L Northover
Cllr T O'Neill
Cllr S Phillips
Cllr M Phipps
Cllr K Rampton
Cllr Dr F Rice
Cllr V Ricketts
Cllr C Rigby
Cllr R Rocca
Cllr M Robson
Cllr V Slade
Cllr A M Stribley
Cllr T Trent
Cllr M White
Cllr L Williams
Cllr K Wilson

All Members of the Council are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:
<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?Mld=4810>

If you would like any further information on the items to be considered at the meeting please contact:
Karen Tompkins on 01202 096660 or democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or
[email press.office@bcpCouncil.gov.uk](mailto:press.office@bcpCouncil.gov.uk)

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

1 November 2021



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

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

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

Do any matters being discussed at the meeting directly relate to your registered interests?

Disclosable
Pecuniary Interest

Yes

Declare the
nature of the
interest

Do NOT
participate in
the item at the
meeting. Do
NOT speak or
vote on the
item EXCEPT
where you hold
a dispensation

You must leave
the room
during the
debate unless
you hold a
dispensation

Other Registerable
Interest

Yes

Declare the
nature of the
interest

You may speak
on the matter
ONLY if
members of the
public are also
allowed to
speak at the
meeting

Otherwise, do
NOT speak or
vote on the
matter and
leave the room
during the
debate unless
you hold a
dispensation

No

Does the matter **directly** relate to your
financial interest or well-being or those
of a relative or close associate?

Yes

You must disclose the interest.

Does the matter affect your financial
interest or well-being:
(a) to a greater extent than it affects the
financial interests of the majority of
inhabitants of the ward affected by
the decision and;
(b) a reasonable member of the public
knowing all the facts would believe
that it would affect your view of the
wider public interest

Yes

You may speak on the matter ONLY
if members of the public are also
allowed to speak at the meeting

Otherwise, do NOT speak or vote on
the matter and leave the room during
the debate unless you hold a
dispensation

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

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

Bias Test

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

Predetermination Test

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

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

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

Selflessness

Councillors should act solely
in terms of the public
interest

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty & Integrity

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

Leadership

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

AGENDA

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

1. **Apologies**

To receive any apologies for absence from Councillors.

2. **Declarations of Interests**

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

3. **Election of Vice-Chairman of the Council**

Following the resignation of Councillor Laurence Fear as Vice-Chairman of the Council, Councillors are asked to nominate and elect the Vice-Chairman of the Council until the next Annual Council meeting.

4. **Confirmation of Minutes**

To confirm and sign as a correct record the minutes of the Meeting held on 14 September 2021.

11 - 42

5. **Announcements and Introductions from the Chairman**

To receive any announcements or introductions from the Chairman.

6. **Public Issues**

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

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

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

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

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

7. **Questions from Councillors**

The deadline for questions to be submitted to the Monitoring Officer is 1 November 2021.

8. Recommendations from Cabinet and Other Committees

- 8 (a) Licensing Committee 16 September 2021 - Minute No 18 - Sex Establishment Policy

43 - 184

The Licensing Committee comprehensively discussed the report and appended policy and raised the following proposed amendments and comments in respect of this matter:

- In respect of the lack of the ability to whistle blow it was suggested that the following wording be incorporated within the policy to address concerns in relation to their being the opportunity to raise issues and concerns *'to give dancers encouragement'*
- The references to 'grandfather rights' be amended to read *'acquired rights'*
- Paragraph 10.4 of the policy be amended to read *'It has been determined that these existing licences will continue to be renewed, on application, by the existing operators during the lifetime of this policy if there is no material change in the character of the area in the intervening period. If there are any objections to an application it will be considered by the Licensing Committee in accordance with the relevant statute. This essentially provides acquired rights to these existing operators for the current time'*.
- The introduction of Paragraph 11.2 be amended to read *'...having regard to its proximity to for example...'*
- Reference be made within the list at Paragraph 11.2 to include that the area should be well lit with good transport links.
- Remove paragraph 11.5 and include the bullet points within paragraph 11.2.
- Retention of CCTV referred to in paragraph 30 be amended to require retention for 90 days (and not 31 days as set out). (Please see further amendment below)
- Paragraph 48 (c) be amended to remove the word *'intentionally'*, *'accidentally'* and *'or due to a 3rd party'* for the purposes of restraint.
- The policy be amended to ensure gender neutral terminology has been used.

RECOMMENDED that subject to the amendments above being incorporated the policy as presented be agreed and forwarded to full Council for approval.

The Council is also advised of the following for consideration

Amendment to Draft Sex Establishment Policy

Proposal

The Licensing Committee request that the following amendment to the Draft Sex Establishment Policy as submitted

before the Council today is agreed by Council.

The Licensing Committee on 16 September 2021 agreed to increase the retention period for CCTV within Sexual Entertainment Venues from 31 to 90 days.

I can confirm that all members of the full Licensing Committee have been consulted on this amendment and that all members have agreed that the CCTV retention period should be amended to 31 days and not 90 days as agreed on the 16 September and reflected in the minutes as presented today.

Reason for amendment

Although in theory this was a very good idea, officers have subsequently received further advice that this change goes against the principles of GDPR and the guidance issued by the Information Commissioners Office (ICO), which states that personal information should be deleted as soon as practical.

For domestic users this is 14 days and for commercial users this is 31 days.

Officers have spoken to the BCP Councils' CCTV manager and the Crime Prevention Officer for Dorset Police and they have both confirmed that they both agree that 31 days is reasonable and any longer would breach ICO rules.

Assurance can be provided that if any incidents occur at venues, officers would always download any CCTV images and save a copy for action, this then gives any victims plenty of time to come forward if they so wish.

The Draft Policy presented today reflects this amendment pending agreement by Council.

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| 8 | (b) | Cabinet 29 September 2021 - Minute No 55 - Accelerating regeneration and investment in the BCP Area | 185 - 208 |
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RECOMMENDED that: - (C) Cabinet recommends that Council approve £3.404m of additional resources to support the regeneration programme in 2021/22.

(Resolutions (A) to (B) and (D) to (H) were resolved matters determined by the Cabinet)

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| 8 | (c) | Cabinet 29 September 2021 - Minute No 58 - Cleaner, Greener, Safer | 209 - 242 |
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RECOMMENDED that:- (B) Council approve £514,000 of additional revenue resources to support the Cleaner, Greener, Safer programme in 2021/22.

	(Resolutions (A) and (C) to (E) were matters determined by the Cabinet)	
8	<p>(d) Cabinet 29 September 2021 - Minute No 60 - 2021/22 Quarter One Budget Monitoring Report</p> <p>RECOMMENDED that: -</p> <p>(D) Council approve the £1 million allocation from the contain outbreak management fund (COMF) as set out in paragraph 55; and</p> <p>(E) Council approve the capital virements as set out in paragraph 74.</p> <p>(Resolutions (A) to (C) were matters determined by the Cabinet)</p>	243 - 282
8	<p>(e) Cabinet 29 September 2021 - Minute No 63 - BCP Housing Strategy 2021-2026 "Our commitment to our communities</p> <p>RECOMMENDED that Council approves the strategy set out in the Appendix to the report.</p>	283 - 344
8	<p>(f) Cabinet 29 September 2021 - Minute No 64 - Council New build Housing & Acquisition Strategy (CNHAS), 2021-2026</p> <p>RECOMMENDED that: -</p> <p>(A) the principles and expected outcomes for the 5-year CNHAS as summarised in this paper and set out in the Appendix 1 be approved;</p> <p>(B) the proposed programme governance, which requires Council approval (including capital budget approval) for each year of the 5-year programme as part of the annual budget setting process be approved;</p> <p>(C) Council approves the extension of the principles and funding for the current Homeless Housing Acquisition Programme to also include homes for Care experienced young people (CEYP) & homes at market rent;</p> <p>(D) Council approves an increase in the capital budget of up to £5.6 million for the capital schemes already underway and within the 5-year plan, the details of which are set out in the Appendix 2 (exempt);</p> <p>(E) Council approves that the Chief Operating Officer is authorised to approve necessary appropriations and contractual and legal agreements in consultation with the</p>	345 - 390

Section 151 Officer and Monitoring Officer – such as a Pre-Construction Services Agreement (PCSA) linked to an appropriate construction Budget, the details of which are set out in the Appendix 2 (exempt); and

(F) Council approves that the Section 151 Officer is authorised in consultation with the Portfolio Holder for Finance to determine the detailed funding models in respect of Appendix 2 (exempt).

- 8 (g) Standards Committee 5 October 2021 - Minute No 16 - Local Government Association - Revision to Model Code of Conduct for Councillors

391 - 410

RECOMMENDED:-

That the proposed changes to the Local Government Association Model Councillor Code of Conduct, as set out in Appendix 1 of the report to the Standards Committee, be adopted subject to the following further amendments and additions:

- i. In Appendix B in the preamble (second sentence), replacing the words ‘personal interest’ with the words ‘Registerable interest’;**
- ii. In Appendix B, paragraph 8, sub-paragraph (b) retaining the word ‘friend’;**
- iii. In Appendix B, paragraph 9, sub-paragraph (a) adding the words ‘and well-being’ after the words ‘financial interests’;**
- iv. The typographical corrections identified at the meeting.**

- 8 (h) Cabinet 27 October 2021 - Minute No 72 - Estates and Accommodation Retention of Poole Civic Space

411 - 436

RECOMMENDED that: -

(A) Council approve the budget set out in Appendix 2.

- 8 (i) Cabinet 27 October 2021 - Minute No 73 - Futures Fund - Allocation for the Installation of a Core Gigabit Fibre Network

437 - 454

RECOMMENDED that: -

(A) Council be asked to approve the £5.87m Smart Places Gigabit Fibre scheme; and

(B) Council note that the funding for the Smart Places Gigabit Fibre scheme will be from drawing down £5.87m of the £50m Futures Fund approved by Council as part of the 2021/22 Budget and associated Medium Term Financial Plan (MTFP) of the Council.

8 (j) Cabinet 27 October 2021 - Minute No 76 - Children's Services Capital Programme 455 - 468

RECOMMENDED that Council: -

(B) approves the pausing of the project to create a satellite for Winchelsea School at Somerford Primary School, and agrees to deferring the opening of such a satellite to the school year 2022-23 pending the approval of the SEND strategy and associated capital programme

(C) approves the removal of the existing Somerford Primary School capital budget from the approved capital programme. Council approval will be sought for a revised scheme and costings once completed.

(Resolution (A) was a resolved matter determined by the Cabinet)

8 (k) Cabinet 27 October 2021 - Minute No 81 - Acceptance and allocation of the Household Support Fund 469 - 476

RECOMMENDED: -

(A) that Council approve the proposed BCP wide approach to meeting the requirements of the Household Support Fund to be delivered by the Council working in partnership with partner organisations.

(B) that Council approve the funding proposals detailed within the report and the summary financial implications section of the Cabinet Report (section 25).

9. **Review of the political balance of the Council, the allocation of seats on Committees to each Political Group, appointment of Councillors to Committees and appointments to Outside bodies** 477 - 482

The Council is asked to consider and approve the review of the political balance of the Council, the allocation of seats on Committees to each Political Group, appointment of Councillors to Committees and appointments to Outside bodies following Councillors Steve Baron, Nigel Brooks, Daniel Butt and Toby Johnson joining the Conservative Group.

10. City Status Application Request from the Charter Trustees for Bournemouth	483 - 488
<p>The Government has announced that Her Majesty The Queen will award new Civic Honours in recognition of her Platinum Jubilee. This has resulted in a competition for places to be awarded city status.</p> <p>In recognition of this opportunity the Leader wrote to the Mayors of Bournemouth, Poole and Christchurch to ask whether they would want their area to bid for City Status and also sought views from the parish councils. The Charter Trustees for Bournemouth indicated that they would like to take up this opportunity.</p> <p>Applications for city status must be submitted by an upper tier local authority, so in this case the application would need to be submitted by BCP Council on behalf of the Charter Trustees for Bournemouth.</p>	
11. Chief Officer Appointments for BCP Council	489 - 500
<p>This report invites the Council to approve new appointments to Chief Officer posts in accordance with the Council's Constitution and statutory requirements.</p> <p>Details of the recommended candidates will follow as an exempt submission. Further detail is outlined within this report.</p>	
12. Notice of Motions in accordance with Procedure Rule 12	
<p>No motions had been received for this meeting.</p>	
13. Urgent Decisions taken by the Chief Executive in accordance with the Constitution	
<p>The Chief Executive to report on any decisions taken under urgency provisions in accordance with the Constitution.</p>	

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