

Notice of Council

Date: Tuesday, 11 January 2022 at 7.00 pm

Venue: Solent Hall, Bournemouth International Centre, Bournemouth



Chairman:

Cllr N Hedges

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

Vice Chairman:

Cllr T O'Neill

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 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?MId=4811>

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

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

GRAHAM FARRANT
CHIEF EXECUTIVE

31 December 2021



Available online and
on the Mod.gov app

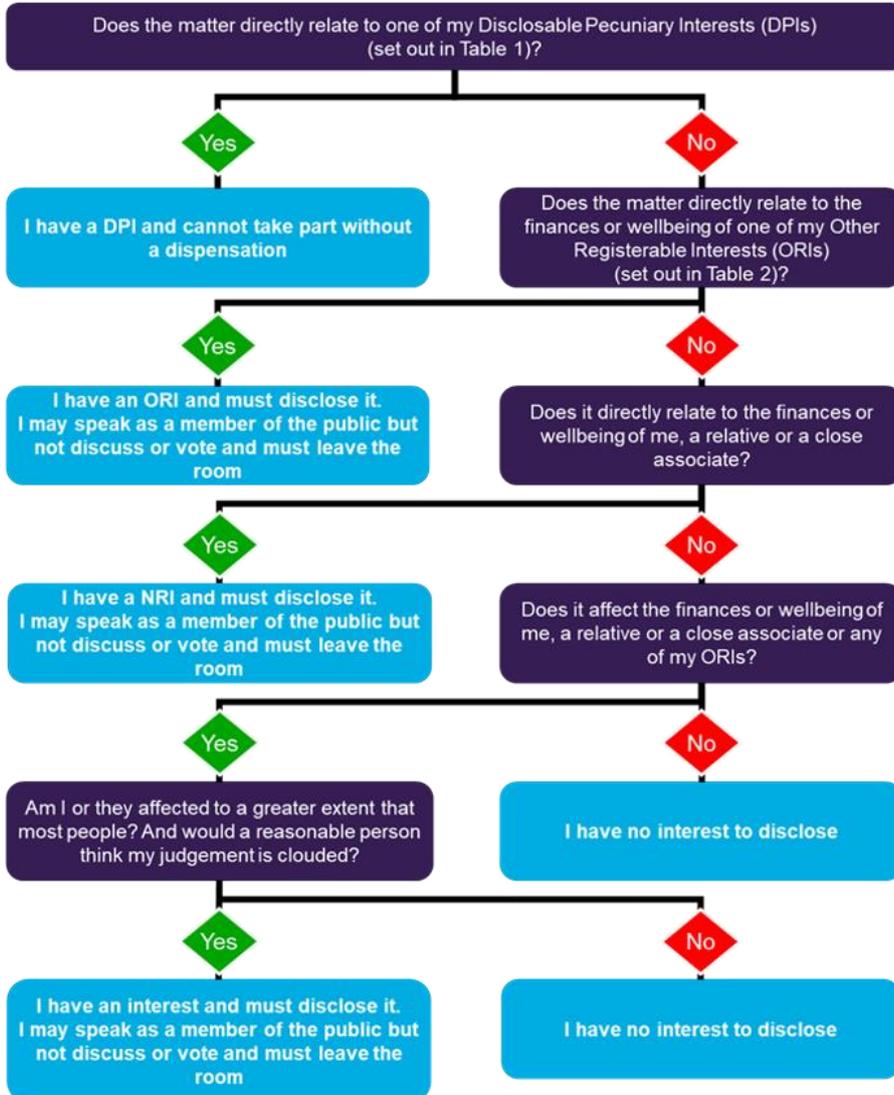


Maintaining and promoting high standards of conduct

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



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. Confirmation of Minutes

To confirm and sign as a correct record the minutes of the Meeting held on 9 November 2021.

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4. Announcements and Introductions from the Chairman

To receive any announcements or introductions from the Chairman.

5. 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.bcpCouncil.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.

6. Questions from Councillors

The deadline for questions to be submitted to the Monitoring Officer is 31 December 2021

7. Recommendations from Cabinet and Other Committees

- 7 (a) Cabinet 24 November 2021 - Minute No 86 - Estates and Accommodation - BCP Civic Space

45 - 66

RECOMMENDED that: - B) the Phase 1 project budget set out in Appendix 3 of £1.067 million, of which £0.611 million will be funded from prudential borrowing, be approved.

(Resolutions (A) and (C) were matters determined by the Cabinet)

7 (b) Cabinet 24 November 2021 - Minute No 90 - Pokesdown Railway Station Improvement

67 - 112

RECOMMENDED that Council: -

- (A) approve £2.6m from BCP's Future Funds be allocated towards the improvement of Pokesdown Railway Station;**
- (B) approve that delegated joint authority be given to the Director of Transport and Engineering and the Monitoring Officer in consultation with the Portfolio Holder for Transport and Sustainability to finalise a legal agreement with partners to cover the forthcoming arrangement;**
- (C) approve that governance is delegated to the Regeneration Board to monitor and manage project progress including decision making related to any minor variation; and**
- (D) note that the Future funds allocation if approved shall include for any BCP costs to progress the technical, financial and legal work required.**

7 (c) Audit and Governance Committee 2 December 2021 - Minute No 57 - Report of the Constitution Review Working Group - Changes to the Constitution

113 - 320

RECOMMENDED TO COUNCIL

- (A) that the views and recommendations of the Constitution Review Working Group as considered by the Audit and Governance Committee and as set out in the relevant parts of the Constitution be approved as follows:-**
 - (i) that the proposed changes to Part 1 (Constitution Summary and Explanation) be adopted;**
 - (ii) that the proposed changes to Part 2 (Articles of the Constitution) be adopted subject to the following amendments:-**

Article 3, paragraph 3.1.4 (a), relating to the rights of the public, being amended to read "Complain to the Council where there is an alleged breach of the Councillors' Code of Conduct. The arrangements for dealing with allegations of breach of the Code of Conduct for Councillors is set out in Schedule 1 to Part 6 of this Constitution.";
 - (iii) that, subject to (iv) below, the proposed changes to Part 3 (Responsibility for Function and Officer Scheme of Delegation) be adopted subject to:-**

Part 3A, paragraph 7.1.1 being deleted (i.e. the removal of responsibility for personnel-related appeals);

- (iv) that a Place Overview and Scrutiny Committee comprising 11 members, meeting six times per annum be established from the Annual Meeting of Council in May 2022, subject to the remit as outlined in Part 3A, paragraphs 4.7 and 4.8 of the proposed Constitution being amended to read:-**

“4.7 The Place Overview and Scrutiny Committee will be responsible for carrying out those duties as outlined in 4.2.7 to 4.2.13 above, in relation to matters such as strategic planning, house building, homes, environment, cleansing, waste, transport and sustainability.”

“4.8. This Committee carries out all the Council’s overview and scrutiny functions relating to flood risk management as required by legislation.”

- (v) that the proposed changes to Part 4 (Procedure Rules) be adopted, subject to:-**

- 1. the words “A Councillor may ...” in Part 4D, paragraphs 13.17 (Points of Order) and 13.18 (Personal Explanation) being replaced with “A member of the meeting may...”;**
- 2. Part 4D, paragraph 24.1 (Disorderly conduct by Councillors), second sentence, being amended to read “If the misconduct continues, the person presiding or any other Councillor may move “That the Councillor be not further heard for the item being debated” or “That the Councillor be not further heard for the remainder of the meeting”.**

- (vi) That the proposed changes to Part 6 (Code of Conduct and Protocols) be adopted, subject to the inclusion of the Planning Committee Protocol for Public Speaking as a Local Protocol within this Part;**

- (B) that necessary and consequential technical and formatting related updates and revisions to the Constitution, including the minor textual corrections identified by the Audit and Governance Committee, be made by the Monitoring Officer in accordance with the powers delegated.**

7	(d) Audit and Governance Committee 2 December 2021 - Minute No 59 - Process for the appointment of external auditors 2023/24 to 2027/28	321 - 338
	RECOMMENDED that Council approves the decision by the Audit and Governance Committee to accept Public Sector Audit Appointments' (PSAA's) invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.	
7	(e) Cabinet 15 December 2021 - Minute No 97 - Quarter Two Budget Monitoring 2021/22	339 - 378
	RECOMMENDED that Council	
	(A) delegates the final decisions in spending the COMF allocations for winter planning to the director of public health in consultation with the chief executive, and leader of the council as urgent decisions may be required as considered in paragraph 72 of the report;	
	(B) approves the use of £4.2 million of the Covid pressures grant to support the net unavoidable pressures within services as set out in paragraph 67 of the report; and	
	(C) approves the capital virement to accept new grant funding as set out in paragraph 94 of the report.	
7	(f) Cabinet 15 December 2021 - Minute No 104 - Concessionary Fares Bus Operator Reimbursement	379 - 416
	RECOMMENDED that: - (A) the current 2021/22 scheme year Cabinet recommends to Council support for the continued concessionary travel reimbursement of bus operators at the adjusted pre-COVID levels with an expected saving of £350k.	
	(Resolution (B) was determined by the Cabinet)	
7	(g) Cabinet 15 December 2021 - Minute No 105 - Housing scheme at Herbert Avenue, Poole	417 - 498
	RECOMMENDED that Council: -	
	1. Approve the proposed £3.486m temporary accommodation scheme budget required to deliver the development:	
	a. supports the increase in previously approved budget of £ 2.508m Cabinet Oct 2018) plus sum of £0.28m (ODR approval June 2020) By a further £0.698m. (As detailed under paragraph 54 of the report)	
	b. approve the financial strategy for the scheme as set out in paragraphs 33 to 47 with specific approval for:	

- i) **£2.440m of prudential borrowing to be repaid over 50 years used to finance the Housing Revenue Account (HRA).**
 - ii) **The capping of rental income to Affordable Rent levels and Local Housing Allowance.**
- c. **award the contract for the construction of the new temporary accommodation development to the preferred bidder.**

8. Notice of Motions in accordance with Procedure Rule 12

The following motion submitted in accordance with Procedure Rule 12 of the Meeting Procedure Rules has been proposed by Councillor Chris Rigby and seconded by Councillor Simon Bull:-

Fossil Fuel Non-Proliferation Treaty Motion

For reference <https://fossilfuel treaty.org/home>

This Council

- 1. Notes the “Glasgow Pact” Agreed at COP26 in November 2021 recognizes that the impacts of climate change will be much lower at the temperature increase of 1.5°C compared with 2°C and resolves to pursue efforts to limit the temperature increase to 1.5°C**
- 2. Notes the same document Calls upon Parties to accelerate the development, deployment and dissemination of technologies, and the adoption of policies, to transition towards low-emission energy systems, including by rapidly scaling up the deployment of clean power generation and energy efficiency measures, including accelerating efforts towards the phasedown of unabated coal power and phase-out of inefficient fossil fuel subsidies, while providing targeted support to the poorest and most vulnerable in line with national circumstances and recognizing the need for support towards a just transition;**
- 3. Notes that the recent report from the United Nations Intergovernmental Panel on Climate Change (IPCC), has been described as ‘a code red for humanity’ by the Secretary General of the United Nations**
- 4. Notes that global governments and the fossil fuel industry are currently planning to produce an estimated 120% more emissions by 2030 than what is needed to limit warming to 1.5°C and avert catastrophic climate disruption, and that this risks undermining global efforts to reduce climate-changing pollution**
- 5. Notes that the economic opportunities presented by a clean**

energy transition far outweigh the opportunities presented by an economy supported by expanding fossil fuel use and extraction

- 6. Notes BCP Councils own declaration of a climate and ecological emergency in July 2019**
 - 7. Notes BCP Council and the wider community is committed to targets of net zero by 2030 and the BCP conurbation target of net zero by 2050, and recognises the current work underway to meet these targets**
 - 8. Believes that BCP Council should be committed, as part of our Climate Emergency response, to a just energy transition and to ambitious investments in green infrastructure and industries that will create jobs and rapidly decarbonize our economy;**
 - 9. Recognises a new global initiative is underway calling for a Fossil Fuel Non-Proliferation Treaty that would end new fossil fuel exploration and expansion, phase out existing production in line with the global commitment to limit warming to 1.5°C, and accelerate a just transition to renewable energy**
 - 10. Notes that other leading cities including Barcelona, Toronto, Los Angeles, Sydney, and Cambridge (UK) have endorsed the call for a Fossil Fuel Non-Proliferation Treaty**
 - 11. Therefore, BCP Council endorses the call for a Fossil Fuel Non-Proliferation Treaty**
 - 12. Further that the relevant portfolio holder, on behalf of BCP Council send a letter to the Prime Minister of The United Kingdom urging the UK Government to support the global initiative for a Fossil Fuel Non-Proliferation Treaty.**
- 9. Urgent Decisions taken by the Chief Executive in accordance with the Constitution**

The Chief Executive to report on any decisions taken under urgency provisions in accordance with the Constitution.

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.