

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**COUNCIL**

Minutes of the Meeting held on 26 April 2022 at 7.00 pm, adjourned and reconvened on 10 May 2022 at 6.00pm

Present:-

Cllr N Hedges – Chairman

Cllr T O'Neill – Vice-Chairman

Present: Cllr H Allen, Cllr L Allison, Cllr M Anderson, Cllr S Anderson (10 May only), Cllr M Andrews, Cllr J Bagwell (10 May only), Cllr S Baron, Cllr S Bartlett, Cllr J Beesley, Cllr D Borthwick, Cllr P Broadhead, Cllr M F Brooke, Cllr N Brooks (10 May only), 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 L Dedman, Cllr B Dion, Cllr B Dove, Cllr B Dunlop (10 May only), Cllr M Earl, Cllr J Edwards (26 April only), Cllr L-J Evans (26 April only), Cllr G Farquhar, Cllr D Farr (10 May only), Cllr L Fear, Cllr A Filer (10 May only), Cllr D A Flagg (26 April only), Cllr S Gabriel, Cllr M Greene, Cllr N Greene, Cllr A Hadley, Cllr M Haines, Cllr P Hall (10 May only), Cllr P Hilliard, Cllr M Howell, Cllr M Iyengar, Cllr C Johnson, Cllr T Johnson, Cllr A Jones (10 May only), Cllr J Kelly, Cllr D Kelsey, Cllr R Lawton, Cllr M Le Poidevin (26 April only), Cllr L Lewis, Cllr R Maidment, Cllr C Matthews (10 May only), Cllr S McCormack, Cllr D Mellor, Cllr P Miles (10 May only), Cllr S Moore, Cllr L Northover, Cllr S Phillips (10 May only), Cllr M Phipps, Cllr K Rampton, Cllr Dr F Rice, Cllr V Ricketts, Cllr C Rigby, Cllr M Robson, Cllr R Rocca (10 May only), Cllr V Slade, Cllr A M Stribley, Cllr T Trent, Cllr M White and Cllr L Williams (10 May only)

147. Apologies

Apologies were received from Councillors S Anderson, J Bagwell, N Brooks, N Decent, B Dunlop, D Farr, A Filer, N Geary, P Hall, A Jones, C Matthews, P Miles, S Phillips, R Rocca, L Williams and K Wilson for 26 April 2022.

Apologies were received from Councillors N Decent, J Edwards, L-J Evans, D Flagg, N Geary, M Le Poidevin and K Wilson for the reconvened meeting on 10 May 2022.

148. Declarations of Interests

There were no declarations received for this meeting.

149. Confirmation of Minutes

The minutes of the Ordinary Council meeting held on 22 February 2022 were confirmed subject to the following:

- Councillor May Haines being recorded as leaving the meeting at 23:44
- Page 42/43 reference to “For 34” should read “Against 34”

150. Announcements and Introductions from the Chairman

**A – Chairman’s Community Awards**

The Chair was delighted to announce the winners of the Chairman’s Community Awards which were launched this year as follows who were then presented with their winners’ certificates:

- Contribution to the environment – Dorset Devils
- Young citizen of the year – Issey Barnbrook
- Contribution to wellbeing – Tony Gibbons posthumously
- Contribution to arts and culture – Bea Sieradzka
- Good neighbour – Diana Alcroft
- Contribution to the community – Sister Tama Merdaci
- Special Recognition for over 30 years of voluntary service – Louvaine Knight

The Council was informed that it was Issey’s 10<sup>th</sup> birthday and Members sang Happy Birthday to her. Unfortunately, Bea Sieradzka was not in attendance, but arrangements would be made to present her with her certificate at another time.

Councillor Hazel Allen arrived at 7.10 pm

**B - Former Councillor Beryl Baxter**

The Chair reported that former Bournemouth Borough Councillor Beryl Baxter had recently passed away. She was elected to the Kinson South Ward in May 2003 and served on a number of Committees and Boards including the Planning Board. She became Mayor in 2009/10.

The Chair relayed a personal experience of working with Beryl Baxter.

At the request of the Chair Councillors were upstanding and there was a period of respectful silence following the sad passing of former Councillor Beryl Baxter.

**C – Canford Heath fire**

The Chair paid tribute to all services involved in the recent fire on Canford Heath and the opening of the Ashdown Centre to provide support to local residents

## **D - Civic Activities**

The Chair took the opportunity to refer to some of the engagements that he had attended since the last Council meeting as detailed below.

- the High Sheriff of Dorset, Mr Michael Dooley's HARMONY CONFERENCE at Bournemouth University
- the Dedication of the new High Sheriff of Dorset, Mrs Sibyl Fine King, at the Arts University Bournemouth
- numerous meetings with various Charities in the BCP Area to endeavour to establish a BCP Chairman's "Charities Forum"
- the 5<sup>th</sup> BCP International Women's Day 'Community Impact Awards Gala Dinner and Symposium
- opened a new Mr Simms Sweetshop in Old Christchurch Road, Bournemouth
- the Oddfellows Society Conference and made the opening address
- the Soroptimists STEAM Challenge at Bournemouth University with the Lord Lieutenant and the Mayors of Bournemouth, Christchurch and Poole and handed out awards
- a tree planting ceremony in Argyll Gardens, Boscombe
- the Judging Panel session for the BCP Chairman's Community Awards

## 151. Public Issues

The Chair advised that a number of public issues had been submitted.

### **A – Public Questions**

#### **Public Question from Kate Salmon (read out by the Deputy Head of Democratic Services)**

Could the portfolio holder with responsibility for children's play areas please explain why it has taken almost a year to replace the brand-new piece of play equipment at Moordown Recreation Ground, that was vandalized a matter of weeks after it was installed in early 2021? Was the new equipment not properly insured?

#### **Reply from Councillor Mark Anderson, Portfolio Holder for Environment and Place**

I would like to thank Ms Salmon for her question.

The two ward councillors and I were extremely disappointed and concerned that a new piece of play equipment was the target of an arson attack last summer, which was subsequently reported to the Police.

Due to the determined and swift action of Ward Councillors Sarah Anderson and Beverley Dunlop, we were able to secure funding for a replacement carousel within weeks, the new equipment was delivered in October 2021.

Safety surfacing for play equipment must be installed in favourable weather and we are all delighted that the new carousel is now in place in the park, as are the many local families who have expressed their appreciation.

**Public Question from Don Nutt**

I was very interested to hear Cllr Dunlop mention at a previous Council meeting that she would be launching a Poole Christmas Maritime Festival this year.

I'm wondering if Cllr Dunlop would tell us a little more about what it is envisaged will take place, please?

**Reply provided by Councillor Mohan Iyengar, Portfolio Holder for Tourism and Active Health**

Thank you, Mr Chairman, and many thanks to Mr Nutt for his question.

The BCP Events Team have been working on concepts for a Poole Christmas event to give Poole its own distinct Christmas offering over a 6-week Christmas period.

The Poole Christmas Maritime Light Festival will plan to use the maritime history of Poole and bring it to life in a themed Christmas lighting event.

Lighting up the gateways into Poole and creating a trail to unveil the hidden gems that lie in the streets providing the link from the Quay and Old Town through to the Dolphin Shopping Centre and Lighthouse, using eye-catching installations and immersive attractions.

As the trail reaches the quay, Poole's unique asset will come to life in the harbour, lit to showcase the boats on the water creating business opportunities both on the ground and at sea, and bringing a festive feel to the harbour and central gateway to Poole.

We will be working with businesses to help light up the town and showcase their goods through shop windows linked to the maritime theme. There will be Christmas trees on Poole Quay and in the High Street to compliment the Dolphin Shopping Centre scheme.

Working with partners, support from Poole Bid and through sponsorship opportunities we plan to develop and deliver a unique, Christmas event to celebrate Poole's heritage and maritime history and create a memorable Christmas festival for the people of Poole.

Public Question from Philip Gatrell on the following (read out by the Chief Executive)

**NECESSARY CORRECTIONS TO THE COUNCIL'S CONSTITUTION**

*regarding Sections 5 (S5) & 5A (S5A) of the Local Government and Housing Act 1989 & Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (2015 Regulations) revising the preceding 2001 Regulations*

*Question*

***Monitoring Officers (MOs) must maintain updated Constitutions per 11.3a) page 2.23.***

***Notwithstanding MO disinclination regarding the second item\*, will the Leader ensure no delay in the following corrections concerning fundamental local authority law:***

11.3b) page 2.23 -

- Revise narrative by explaining that MOs must **always** report to Full Council in the **noted circumstances** & Cabinet's **separate report** additionally applies when BCPC's **S5A "executive arrangements"** operate.
- \* Insert narrative explaining MOs' S5/S5A obligatory reporting of actual contraventions of law.

5.1/5.2 pages 4.62/4.63 -

- Incorporate 2015 Regulations regarding Full Council's overriding authority under amended disciplinary procedures for dismissing MO, Section 151 Officer & CEO.

### **Reply from Councillor Drew Mellor, Leader of the Council**

I would like to thank Mr Gatrell for his question.

The purpose of the Constitution is to set out for councillors, officers and the public how the Council operates, how decisions are made and the procedures which are to be followed by the Council.

The Constitution cannot over-rule any legislative provision. It is neither necessary nor practicable to reproduce all relevant legislative provisions within the Constitution. The Government publishes Acts of Parliament and Regulations online which are readily available. To reproduce all relevant regulations within the Constitution would make the Constitution extremely complex and unwieldy.

The paragraphs to which you refer in the Constitution relating to reporting requirements under Sections 5 and 5A of the Local Government and Housing Act 2985 are considered to be an accurate interpretation of the relevant regulations. I do not consider these to be incorrect and therefore do not require correction.

With regards to the reference in paragraphs 5.1 and 5.2 relating to the Dismissal of certain statutory officers, the 2015 Regulations to which Mr Gatrell refers, introduced amendments to the 2001 Regulations. The 2001 Regulations are still the primary Regulations, however, to avoid any ambiguity I shall ask that the words "As Amended" are added to these references.

Mr Gatrell's attention is drawn to the provisions in Part 3 of the Constitution, Section 8 on page 3-17 which provides the detailed arrangements in place for disciplinary matters relating to the Statutory Officers in accordance with the 2001 Regulations as amended.

### **Public Question from Alex McKinstry**

Can the Council explain why the severe weather emergency protocol for homeless people wasn't activated on 20 and 21 February, when wind speeds reached 69 miles per hour locally; or on 1 and 2 April, when temperatures dropped to minus 3 degrees Centigrade across the conurbation. In answering, it would be interesting to hear a little more about who actually implements the protocol, and whether councillors - spurred on, perhaps, by members of the public - have any power to intervene in the process; especially if the decision to activate rests in, say, one or two council officers.

**Reply from Councillor Karen Rampton, Portfolio Holder for People and Homes**

The decision to trigger SWEP – a non statutory service - is based on an agreed protocol which is reviewed regularly including a formal annual review. This has been particularly important over the last two years as communal solutions were not possible or safe due to the Covid-19 pandemic and the resultant need to ensure single room options when activating. Triggering SWEP is a joint decision between senior managers at both BCP Council and St Mungo's, and a degree of flexibility can be applied.

In terms of SWEP being triggered, this primarily occurs when there are 3 or more nights forecast as having minimum temperatures of zero degrees or less. For clarity and as things stand under the protocol, we use the official MET forecast when assessing this. The MET website can be navigated to get forecasts for specific local areas all across BCP, as there can be slight differences of one or 2 degrees across the wider area. For example, an area slightly further inland such as Kinson may be a degree or 2 colder than Poole Seafront etc.

Another automatic trigger for SWEP is where there is a specified Amber or Red weather warning due to a storm or similar, and again this is based on MET information and forecasts.

The protocol, like any other, is always subject to review, and particularly as circumstances change. The last two years, as indicated, have been significantly affected by the pandemic and so the protocol has had to adjust, particularly in terms of the manner of accommodation provision. This will continue to undergo further evaluation including the formal annual review which we undertake as a matter of course with members of the Homelessness Partnership.

We have recently held a debrief session with St Mungo's arranged following the most recent triggering of SWEP and will continue to review this process on an ongoing basis. We are also considering arranging a briefing session for wider partners and stakeholders regarding SWEP to further explain processes and rationale. With SWEP being an emergency protocol, it should ideally not be the means by which accommodation is provided for those who require it and are rough sleeping; this process should be more proactive and minimise any time out. There is therefore regular review of those rough sleeping and why, and where there is not a straightforward solution to their situation other solutions are sought on a multi-disciplinary basis.

We also continue to consider emerging best practise from across the country and also work with partners across BCP to seek to continually improve how SWEP operates.

**Public Question from John Pendrill (read out by the Chief Executive)**

BCP Council must listen to its residents and voters on the complaints about the performance of the planning committee.

Some members voting to approve development have actually stated that they do not know the area, or have not visited the proposed location. Such members vote without adequate knowledge. Is the council comfortable with such a lack of due diligence?

The council needs to take steps to ensure the chairman is impartial, and not be strongly advocating developments against the wishes of Christchurch residents and councillors. The lack of a neutral stance is evidenced on the recorded meetings.

**Reply from Councillor David Kelsey, Chair of the Planning Committee**

BCP Council do listen to feedback about all its committees including Planning and will continue to do so. To reassure Mr Pendrill, members of Planning Committee undertake training on planning issues and ensure they are familiar with sites and areas before taking part. The Planning Committee always apply the planning policies to make their decisions using the relevant planning judgements that are applicable in any given part of BCP. All members of Planning Committee are entirely impartial when making decisions albeit at the same time recognising that it is not always possible for all parties involved in the planning process to reach an agreement. What does happen in every case is that the public's views are taken on board when any planning decision is made.

**Public Question from Nancy Curtis**

We are, as a Nation, saddened and horrified at the unprovoked aggression against Ukraine which has caused such devastation and created an escalating humanitarian crisis, with millions displaced or affected.

In light of this, can the Leader confirm the actions BCP Council is taking to express solidarity for the people of Ukraine, their families and friends including those local to BCP.

Can the Leader confirm that BCP Council will work with and support the extraordinary and inspiring efforts offered by our local communities who wish to provide help, support and comfort to those in need?

**Reply from Councillor Karen Rampton, Portfolio Holder for People and Homes**

BCP councillors and staff took steps very early on to demonstrate our support and solidarity for the people of Ukraine, with statements of support from the Leader and Deputy Leader of the Council and Councillor Bobbie Dove, the display of the Ukrainian flag at the Civic offices in Bournemouth and dedicated web pages with helpful information for guest and sponsor families as well as current Ukrainian residents of BCP. Our web pages are updated daily with the latest guidance both locally and from Central Government.

A corporate and multi-agency approach has been taken by the Council and we have mobilised a skilled coordinating team that are working tirelessly so that families and homes are safe for everyone and to make sure we provide a very warm welcome to our new arrivals.

People are arriving in the area through two routes. One is the Government's 'Family Visa scheme' where they have family in the UK - the Council does not have any data or formal involvement in this. The second is the Government's 'Homes for Ukraine' scheme where people do not have family connections but wish to come to the UK. For this scheme, the Council is coordinating efforts for BCP residents who are offering accommodation and have identified a Ukrainian family or individual that they would like to accommodate.

We are currently working with around 180 such households in BCP who are matched through the Homes for Ukraine scheme (and additional 1,440 homes have offered to sponsor but not yet been matched). We have now undertaken the majority of property checks needed and are working through all the required safeguarding checks. We have been administering emergency cash payments to households who have already arrived, of which there are approximately 25 so far.

We have developed a welcome pack in several languages for the host families and one for the guest families arriving in BCP, to help people settle. All supporting families and supporting agencies have these welcome packs which can be found on our webpages. We have welcome posters in several languages on display at the port, airport and train stations welcoming our guests on arrival to Bournemouth, Christchurch and Poole.

Organisations such as Dorset Race Equality, International Care Network and The British Red Cross are working closely with the Council doing incredible work supporting efforts through their established community links in terms of donations, guidance and support. Our statutory partner agencies are also heavily involved in the effort to make sure our new arrivals get the immediate help they need, such as getting children into schools and registering with a GP.

We have been overwhelmed by the support of local residents who are willing to open their homes to guests. Once families have arrived in the area and their immediate needs are met, we will be further developing wrap-around support over the coming months to make sure that their longer-term needs are met and that they are linked into the multiple services they might need.

We look forward to more individuals and families arriving into our area over the coming weeks. I'd like to say thank you to all staff and partners who are going the extra mile to welcome our guests.

### **Public Question from Ian Lawrence**

300 resident petitioners, Elkins statement, Councillor Kelsey, 80% of BCP surveyed, and I agree parking zoning needs revising urgently. It's unpopular, divisive and unfair - typically Lowther Road has 3 zones for one housing stock.

WE REQUEST COUNCILLORS HOLD A VOTE TO REVERSE NO PARKING ZONING.

Represent residents' wishes ahead of developers' profits. Zoning greenlights Bournemouth's architectural heritage destruction, cramped

future slums, minimal parking, gardens, no extra facilities. Demolishing needed family homes is counter BCP's Cleaner, Greener & Safer & Local Plan. Better utilise empty shops & offices for all required housing, avoiding enormous carbon cost, needless levelling and rebuilding.

**Reply from Councillor Philip Broadhead, Deputy Leader of the Council and Portfolio Holder for Development, Growth and Regeneration**

The parking zones used in the BCP Parking Standards Supplementary Planning Document are derived from car ownership data adjusted to reflect accessibility to local services, typically a 400m walk distance. Car ownership consequently is higher in areas where residents are less able to travel by modes other than car, and correspondingly lower where access to local services is higher. Where boundaries exist the possibility will occur for two or more zones to intersect, such as in Lowther Road.

Now, later this year, we will have started work on the new Local Plan for the BCP region where we will have further opportunities to adjusting policies which we believe may help issues we are facing around our housing needs. This will include plans around how much parking to require in certain area, and what types of home should be built where. That's the place where we can get the big policies sorted

I would remind Mr Lawrence that we are simply not providing enough affordable housing in the region, especially for our young people. The SPV was partly a reaction to that fact – many of the proposed developments in our urban areas were either not coming forward at all or were having the affordable housing element argued away through viability mitigation. That's not good enough. Not forcing applicants to provide parking in these new developments, and bearing in mind that it is perfectly allowable for them to provide parking if they think the market requires it, is a pragmatic way of addressing this issue, alongside the reality that in most of these areas almost half of residents do not have a car anyway.

Finally, I only partly agree that utilising empty shops and offices should be the answer for "all required housing". Firstly, because we also need family homes, and not only apartments. Town centre locations are simply not suitable for that type of accommodation. And secondly, we need to foster the future of our town centres for new retail and commercial offerings, not throw them under the bus forever. Using offices blocks for housing works sometimes, but not all the time. And conversion from retail shop frontage to accommodation should, in my view, only be allowed if we are absolutely certain that that retail will not return – which is not what we're seeing.

Many of our district centres are bustling, with fewer vacancies than in decades. And our core town centres, which undergoing rapid change, are now seeing new, improved offerings coming through. Furthermore, I understand that the government as part of their new measures in the Levelling Up and Regeneration Bill in the forthcoming Queen's Speech are bringing forward new powers for local authorities to directly intervene in shops that have been empty for more than six months and undertake a compulsory retail auction of the unit. This will be yet another vital tool in

our arsenal to secure the new futures of our town centres whilst making sure that we are providing housing – and the right type of housing too.

## **B – Statements**

### **Public Statement from Mark Elkins on parking zones**

Talbot and Branksome Woods represented by the Council Leader and Deputy Council Leader is placed in SPD Zone D with one parking space per flat. In Eastcliff and Springbourne flats require no parking spaces.

Cabinet Councillor Mike Greene claims justification for the current policy because Eastcliff and Springbourne (with high density housing without abundant street parking) is near the Town Centre so can make better use of public transport. Yet the Council Leader's affluent low density housing ward with abundant street parking just as close has a completely different policy. This is totally unfair and potentially class warfare at work.

### **Public Statement from Steve Alves on planning decisions (read out by the Chief Executive)**

There have been many recent examples of planning decisions, where the drive for development has resulted in Christchurch councillors and residents being ignored.

The majority Bournemouth and Poole councillors hold sway, often admitting they have not visited proposed developments. How can this council be comfortable with such lack of due diligence?

The chairman of the committee has also strongly advocated developments where he should be acting impartially.

ACRA have penned a letter of complaint to Cllr Mellor and Graham Farrant, requesting an investigation, and we ask that the council listen to its residents (and voters) on this important matter.

### **Public Statement from Frederick Cowley on river water quality (read out by the Chief Executive)**

It is my opinion that our rivers need better protection against pollution. The last Water Framework Directive report showed only 14% of rivers were rated "good" ecologically, and every river failed its chemical test. This indicates our rivers need better protection. I believe the solution to this is designating more rivers as bathing waters. Since 2015 the amount of bathing waters of "excellent" quality has increased by over 11%, showing how designation has improved water quality over time. I would urge this council to designate some of its rivers, so they may receive the same protection as other bathing waters.

### **Public Statement from Ian Lawrence on the Councils Complaints Procedure**

#### **NO RESPONSE TO COMPLAINT AFTER 5 MONTHS DESPITE**

#### **11.1.22 REMINDER**

24.11.2021,

**Cc:** PT&E.formalcomplaints@bcpcouncil.gov.uk

Dear Ian Lawrence

**Acknowledgement of Formal Complaint at Stage 1: Concerns re Consultation/Publicity of Planning Applications**

We have been passed your email communication from the Planning Department and asked to treat your concerns as a formal complaint. This email is to acknowledge your complaint as we will be assisting the Planning Department with the investigation and responses on behalf of the Authority through our Formal Complaint Process. We aim to provide responses within 20 working days.

**Public Statement from Philip Gatrell on constraints on effective scrutiny by Regulatory Committees (read out by Chief Executive)**

CONSTRAINTS ON EFFECTIVE SCRUTINY BY REGULATORY COMMITTEES with illustrative reference to:

Audit & Governance Committee (A & G)

Draft Statement of Accounts (Accounts) & Annual Governance Statement (AGS) 2020/21

Accounts & Audit Regulations 2015 (2015 Regulations)

Section 5 of Local Government & Housing Act 1989

**PUBLIC STATEMENT**

My recent Public Issues at A & G explain how earlier alterations to agenda protocols can obstruct Committees' timely full awareness of statutory contraventions & procedural failures not remedied by Officers.

Summary examples, previously notified by me in detail to individual A&G Members -

- Continuing deficiency in fixed assets accounting records contravening 2015 Regulations, as indicated by AGS Issue 5. Consequently predisposing misstatements in balance sheet figures, loss of audit trail & requiring KPMG's remediation. Also entailing now overdue "Section 5" reporting.
- Monetary misstatement of Members' Allowances per Accounts.
- CEO's employer's pension contribution omitted 2019/20 not identified 'Restated' on revision 2020/21.

**Public Statement from Avril Coulton on the Waitrose Car Park in Christchurch**

On March 23<sup>rd</sup> 2021 BCP Council resolved not to sale Waitrose Car-Park in Christchurch to a private company. Asset Stripping was the main concern. However, since then my Council has written to the Leader, Deputy and CEO. The Town Council is in a strong financial position and is able to purchase the site for the same price. The Leader has confirmed since, that

BCP would not sell the site. This decision was not made by Council, and in light of the **full facts** the Town Council asks BCP to re-consider its position knowing that a solution is available.

### **C- Petitions**

There were no petitions submitted for this meeting.

#### 152. Recommendations from Cabinet and other Committees

##### **Item 6a – Cabinet 9 March 2022 – Minute No 141 – LTP Capital Programme 2022-23**

Councillor Mike Greene, Portfolio Holder for Transport and Sustainability presented the report on the LTP Capital Programme 2022 and outlined the recommendations as set out on the agenda. He explained that the current LTP runs from 2011 -2026 and each year the Government makes a capital allocation to assist in its funding which were in two broad sections one which was the integrated transport block and as expected an award of £3.1m has been made and the other the structural highways maintenance for which the Council has been awarded £4.8m. Councillor Greene reported that the reason these can be predicted so accurately depends on how well the Council has adhered to the Department of Transport's guidelines on maintaining the network as efficiently as possible. Councillor Greene explained that the Council continues to be in the highest band possible although this does result in little flexibility for example the order in which the Council's roads were resurfaced and to what standard.

Members were informed that the two blocks were subdivided into categories such as road safety and bridge maintenance, but no specific schemes or locations were included as that process was not included within this paper. Councillor Greene reported that the Council was being asked to approve the overall allocation of the LTP and its categorisation which has already been agreed with the Department of Transport. He explained that the Overview and Scrutiny Board had used the opportunity to look at several operational processes and specific locations, but this was not before the Council today and the issue comes to the Council due to overall monetary size. Councillor Mellor seconded the proposal and reserved his right to speak.

Councillors in discussing the recommendations raised a number of issues including Councillor Brown asking if the Portfolio Holder could advise when Members would be informed of the detailed breakdown of schemes that would be funded and those schemes that would not receive funding. He also asked what the process would be to inform Members as in prior years there had been more detail. Councillor Hadley indicated that there was a tendency to roll the Local Transport Plan forward and he expressed his concern if the Council was adequately taking the opportunity to build back better and support other journeys than just the commute. He asked if there was sufficient ambition to break beyond the congestion record which was based on historic boundaries and the lack of funding priority which was not reflected in the Local Transport Plan and the wider plan. Councillor Hadley

reported that this was evident especially in how the network gridlocks whenever there were not roadworks or other incidents. He explained that a move to electric cars would improve air quality but do nothing to reduce that congestion. He referred to investment in transforming travel which was significant and asked what LTP investments were being made in planning for the longer term and ensuring that the Council was bidding and in particular in a position to bid for properly integrated multimodal public transport including the Dorset metro rail as these opportunities arise. Councillor Trent commented on a previous scrutiny exercise of how roads and footways were being repaired. He referred to the poor quality of some the work that was being undertaken and that some work needed to be redone and asked if any action had been taken to look at the methodology of the work and the financial implications. Councillor Butler asked if accessibility improvements on page 57 included dropped curbs. She also referred to bridge maintenance of £450,000 and asked if it included the Twin Sails bridge.

Councillor Greene summed up and addressed the issues raised. He referred to the comments from Councillor Brown that the breakdown had been greater in previous years. He explained that each year had been taken from the previous year and rolled forward. Councillor Greene explained that the main reason for this was that there was a requirement to be able to fund schemes that were already in action as schemes can take several years to put together. Councillor Greene shared Councillor Hadley's concern about the need to break the current congestion problems. He explained that he was hopeful that the papers due to be considered later in the meeting on the local cycling and walking infrastructure plan was where he would expect this issue to be as the Local Transport Plan was constrained by certain requirements. Councillor Greene responded to the issue raised by Councillor Trent explaining that the Council had no flexibility on how structural highway maintenance was undertaken and that was how the Council had been able to remain in the highest tier for funding from the Government. Councillor Greene indicated that he did not believe that dropped curbs would be included within the plan. He reported that he was unable to respond in particular on the Twin Sails Bridge confirming that when the Council submit to the Government the request was for the two blocks which the Government award but there would be bridge maintenance.

Voting – Nem. Con.

The recommendations arising from the Cabinet on 9 March 2022 as set out on the agenda were carried.

**Item 6b – Licensing Committee 10 March 2022 – Minute No 25 – Statement of Licensing Principles – Gambling Act Policy 2022-2025**

Councillor Judes Butt, Chairman of the Licensing Committee presented the report on the Statement of Licensing Principles – Gambling Act Policy 2022-2025 and outlined the recommendation as set out on the agenda. Councillor Butt explained that the Gambling Act 2005 requires Licensing authorities to prepare and publish a Statement of Licensing Principles. She

explained that the Statement of Licensing Policy was reflective of local issues, data and risk.

Councillor Butt reported that the Statement of Gambling Policy was the means by which BCP Council set out its expectations of gambling operators. With the purpose of the Statement to reflect the local gambling concerns and circumstances. Councillor Butt highlighted that the Council's wider strategic objectives provides a point of reference for gambling activity. She explained that this directs licence holders and applicants to conduct local area risk assessments based on the risks present within the locality of the premises. Councillor Butt reported on the timeline for the policy process including the consultation process, the responses and the consideration by a members' workshop and the Licensing Committee. The Council was informed of the review by the Equality Impact Assessment Panel of the full ENA documentation produced during the policy process explaining the documents received positive feedback and were deemed acceptable. Councillor Butt sought approval for the Policy which she explained would be in place for three years and would be used to support Licensing Committee Members when making decisions relating to any Gambling Act application. Councillor Toby Johnson in seconding the proposals thanked Officers who had supported Members through the policy process. He also thanked Councillor Judes Butt as Chair of the Committee and the former Chairman for all their work.

Councillors in discussing the proposals raised a number of issues including Councillor Farquhar indicating that he was unsure if the Licensing Committee decision could be recorded as unanimous if there was an abstention which he understood to be a vote. Councillor Butt confirmed that her statement was unanimous of those voting not of the full Committee. The Monitoring Officer reported that to be a unanimous vote it must be a unanimous vote of all of those who were eligible to vote and voting so the abstention would then make it not a unanimous vote. Councillor Judes Butt therefore reported that she would retract her previous statement and that it was a majority vote with one Councillor who abstained for a personal interest.

Councillor Judes Butt in summing up explained that the policies were extrapolated from the preceding authorities and the content was very much the same providing a framework for those people who need to have mind to and need of this working document including operators, premise holders, Councillors, officers and members of the public.

Voting – For – 59, Against – 0, Abstentions – 1

Councillor Tony Trent wished to be recorded as abstaining from the above decision.

The recommendation arising from the Licensing Committee on 10 March 2022 as set out on the agenda was carried.

**Item 6c – Audit and Governance Committee 17 March 2022 - Minute No 92 - Financial Regulations - Annual evolution for the financial year 2022/23**

Councillor John Beesley, Chairman of the Audit and Governance Committee presented the report on the Financial Regulations – Annual evolution for the financial year 2022/23 and outlined the recommendation as set out on the agenda. Councillor Beesley explained that this was a procedural measure and was submitted to Council on an annual basis recommending that the evolutionary changes to the BCP Council financial regulations as set out in Appendix A of the report to the Audit and Governance Committee be approved and adopted. The proposal was seconded by Councillor Judes Butt.

Councillor Hadley indicated that he had sought clarification from the Head of Audit and Management Assurance on a couple of issues in the report and he was grateful for his response. He explained that one of the issues related to VAT on page 193 and he suggested that this should include “where this is applicable” because it was not applicable in every circumstance. Councillor Hadley asked what was considered to be strategic as £25,000.00 as a level seems to be quite small but he understood that it was a government requirement and something that the Council was unable to change. He also commented on wholly owned companies and the “let out” suggesting that they should be following the same financial standards and rules except if their Board decides not to. Councillor Hadley asked in terms of assurance fair opportunities, sustainability, social values and use of local suppliers applies equally to the wholly owned companies.

Councillor Beesley in summing up responded to the issues raised. He explained that he was happy for the words “as applicable” to be added. In respect of the other issues Councillor Beesley reported that the £25,000.00 threshold was formally set and defined in public contract regulations as the level to which strategic contracts need to be formally advertised. Councillor Beesley reported on the changes to the Regulations and the waiver process which was set out in the Financial Regulations. He explained that the Council was prevented from the use of local suppliers for more high value contracts as this was considered to be anti-competitive in public contract regulation terms for larger contracts above the £213,477.00 threshold. Councillor Beesley reported that in practice a local supplier of say timber was likely to be cheaper than a supplier from further afield simply because of haulage costs notwithstanding that most haulage costs were associated with supply costs into the UK. He highlighted that this was particularly the case from most suppliers of goods but was less relevant for service contracts. Councillor Hadley indicated that the above had not responded to his last question.

Voting – Nem. Con.

The recommendation arising from the Audit and Governance Committee on 17 March 2022 as set out on the agenda was carried subject to the inclusion on the words “as applicable” in respect of VAT as detailed above

**Item 6d – Audit and Governance Committee 31 March 2022 - Minute No 99 - Development of the Overview and Scrutiny Function**

Councillor John Beesley, Chairman of the Audit and Governance Committee presented the report on the Development of the Overview and Scrutiny Function and outlined the recommendations as set out on the agenda. Councillor Beesley reminded Members of the Council meeting on 11 January 2022 and the proposals referred to the Audit and Governance Committee for a wider review of the Overview and Scrutiny function. He commented on the tight timescales due to the ambition to start the new process from the beginning of the next Municipal Year.

Councillor Beesley outlined the process and work undertaken by Officers and Members in order to progress the issue. He highlighted the cross-party teams meeting he hosted on 9 March 2022 the purpose of which was to identify all the options, any areas of concern and any areas of consensus. Councillor Beesley reported that the final report was presented to the Audit and Governance Committee on 31 March 2022. Members were referred to the three options with the Audit and Governance Committee recommending option three by a majority vote of six votes to three. Councillor Beesley reported that one of the drivers was the Local Government Association Corporate Peer Challenge and he referred to an extract from the challenge which states “there are areas where further improvement should be made overview and scrutiny for instance is not consistently adding value and needs to be reset to deliver on its purpose of ensuring that the Council is open transparent accountable and delivers improved policy and services.” Councillor Beesley reported that the Committee was mindful of the above in its deliberations and the engagement on the proposals. He briefly outlined the detail of option 3 which realigned overview and scrutiny into four Committees Children’s Services, Health and Adult Social Care, Place and Corporate and Community with 6 meetings a year for each Committee with 11 Members. Councillor Judes Butt seconded the proposals and commented on the recommendations whilst acknowledging the work of the Overview and Scrutiny Board and the Chairman and the need for development of the overview element of the function.

Councillors in discussing the proposals raised a number of issues. Councillor Butler thanked Councillor Beesley for arranging the cross-party meeting which was useful for considering the options and she indicated that her memory of the session on 9 March 2022 was that many Members had preferred option 2 and was disappointed that the recommendation from the Audit and Governance Committee was for option 3.

Councillor Allison explained that option 3 reduces the number of overview and scrutiny members, would not have representation from all of the Groups and was a weakening of the Overview and Scrutiny system with the Cabinet not facing as much scrutiny under the proposed new system. He proposed an amendment as detailed below for option 2 as set out in the report.

**RECOMMENDED:**

- (A) That ~~Option 3 (establish a new structure of four Overview and Scrutiny Committees, each meeting six times per year)~~ Option 2 –**

**Introduce a 'Place Overview and Scrutiny Committee' with the other existing committees remaining as they are be adopted as the future structure of the BCP Council overview and scrutiny function;**

- (B) That revisions to Part 2, 3 and 4 of the BCP Council Constitution consistent with Option 3 2 and as set out in ~~Appendix 4~~ Appendix 3 of the report to the Audit and Governance Committee be adopted;**
- (C) That necessary and consequential technical and formatting related updates and revisions to the Constitution be made by the Monitoring Officer in accordance with the powers delegated.**

The Monitoring Officer provided clarification on the above amendment. She explained that her view was that it does not negate the motion as it was choosing an option in the paper other than the one that was recommended.

The above amendment was seconded by Councillor Lesley Dedman.

Councillors discussed the proposed amendment. Including Councillor Bartlett who thanked Councillor Allison for the amendment and was delighted that the Peer Review had recognised the work that had already been undertaken with the view of improving the overview and scrutiny process. He acknowledged that both options 2 and 3 result in the additional committees and commented on the difference between the motion and the amendment emphasising that the Overview and Scrutiny Board retains the leadership which he felt was essential. Councillor Slade welcomed the amendment and shared disappointment that having had a meeting where everyone was in agreement with option 2 as the way forward and then option 3 was recommended. She commented on the Peer Review and the inference that the Overview and Scrutiny Board was everything that was wrong with the Council. Councillor Slade referred to paragraph 5 of the report which states that effective governance workshops were held in November 2020 and April 2021 for all Councillors with support provided by the Local Government Association. Councillor Slade explained that these sessions had previously been instigated and the Leader had continued a theme which she had introduced previously which was what was assumed to be an underpinning review of the Council's governance. She highlighted that most of the issues raised in the peer review were matters that the Council had raised namely that the Council lacked transparency, openness and accountability. Councillor Slade emphasised that moving to option 3 removes the transparency because by no longer having an Overview and Scrutiny Board that tracks the Cabinet agenda most decisions would be agreed without any backbench or opposition scrutiny with the only opportunity being call-in which itself had clear strict rules.

Councillor Mellor commented on the need to make a change in the Overview and Scrutiny function which had been reflected by the peer review as well. He reported that the proposed recommendation delivers that change and took exception to the comment made previously that there was unanimous support of option 2 there was support but it was not unanimous in that group. Councillor Mellor reported that the issue had

been taken through the Audit and Governance Committee which had a strong majority. He touched on the number of members on the proposed Committees which would deliver better overview and scrutiny whilst highlighting the change in culture.

Councillor Fear as a member of the Audit and Governance commented on the implications of option 2 and 3. He indicated that option 2 could be interpreted as a 'snatch and grab' from the administration as the Conservative Group would have most seats compared to option 3. Councillor Howell supported the comments from Councillors Slade and Bartlett and requested a recorded vote on the amendment. The required number of Councillors requested a recorded vote. Councillor Dedman having seconded the amendment indicated that as far as she recalls Members were unanimous in respect of option 2 and outlined her support for this option whilst referring to paragraph 22 where it indicated that the risks can be managed by ensuring that officers were supported to plan for overview and scrutiny engagement in Cabinet decisions.

Councillor Cox commented on previous speakers and reported that Councillor Beesley was asked at the Audit and Governance Committee to note that the recommendations were not the subject of a unanimous vote with three members voting against the proposed recommendation. He reported that the Overview and Scrutiny Board allows Councillors to engage and have their say and the removal of that Board would impact the other Committees. Councillor Nicola Greene referred to the meeting on 9 March stating there was no unanimous agreement it was a representative and consultative meeting but was not subject to voting. The session provided an opportunity to explore the options available. Councillor Greene indicated that Councillor Beesley had stated at the start of the debate that the recommendation was passed six votes to three. She emphasised that she hoped that the Council would be in a position where there were 4 well-functioning Committees looking at areas which matter to residents and the best of previous learning comes through the model which the Council adopts.

Councillor Ann Stribley left the meeting at 8.40 pm

Councillor Farquhar indicated that there was a misunderstanding on the unanimous vote which had been referred to. He supported the comments from both Councillors Bartlett and Slade and supported the work they did on the Overview and Scrutiny Board. Councillor Brown requested that the Council move to the vote on the amendment.

Councillor Farquhar raised a point of order relating to moving to the vote. The Chairman confirmed that the Council would take a vote on the proposal to move to the vote and the Chief Executive outlined the process as set out in the Constitution. The decision on the proposal that the question be put was as follows:

Voting – For – 30, Against – 29, Abstentions – 0

Councillor Allison confirmed that he was happy to move straight the vote on the amendment and therefore Councillor Beesley as the mover of the original motion was given the right of reply.

Councillor Beesley in summing up indicated that he was against the proposed amendment and not the substantive motion on the basis of the detailed process which had been undertaken leading to the Audit and Governance Committee on 31 March 2022 and the recommendations which was a majority decision of six votes to three. He also touched on the importance of the process the Council had undertaken within the timetable set by the Council in January 2022.

Council then took a recorded vote on the amendment detailed above which was carried as follows

For – 30

Cllr Lewis Allison	Cllr Millie Earl	Cllr Simon McCormack
Cllr Marcus Andrews	Cllr L-J Evans	Cllr Sandra Moore
Cllr Stephen Bartlett	Cllr George Farquhar	Cllr Lisa Northover
Cllr Mike Brooke	Cllr David Flagg	Cllr Margaret Phipps
Cllr David Brown	Cllr Andy Hadley	Cllr Felicity Rice
Cllr Simon Bull	Cllr Paul Hilliard	Cllr Vanessa Ricketts
Cllr Richard Burton	Cllr Mark Howell	Cllr Chris Rigby
Cllr Diana Butler	Cllr Marion LePoidevin	Cllr Mark Robson
Cllr Mike Cox	Cllr Lisa Lewis	Cllr Vikki Slade
Cllr Lesley Dedman	Cllr Rachel Maidment	Cllr Tony Trent

Against – 29

Cllr Hazel Allen	Cllr Bryan Dion	Cllr Toby Johnson
Cllr Mark Anderson	Cllr Bobbie Dove	Cllr Jane Kelly
Cllr Steve Baron	Cllr Jackie Edwards	Cllr David Kelsey
Cllr John Beesley	Cllr Laurence Fear	Cllr Bob Lawton
Cllr Derek Borthwick	Cllr Sean Gabriel	Cllr Drew Mellor
Cllr Philip Broadhead	Cllr Mike Greene	Cllr Karen Rampton
Cllr Daniel Butt	Cllr Nicola Greene	Cllr Mike White
Cllr Judes Butt	Cllr May Haines	Cllr Tony O'Neill
Cllr Eddie Coope	Cllr Mohan Iyengar	Cllr Nigel Hedges
Cllr Malcolm Davies	Cllr Cheryl Johnson	

Abstentions – 0

The Chairman confirmed that the amendment as detailed above becomes the substantive motion which would now be the subject of further debate.

The amendment was adjourned from 8.59 pm until 9.10 pm for a comfort break. The Chairman then took a further adjournment of the meeting from 9.11 pm until 9.30 pm.

The Chairman reported that following consultation it was proposed that the meeting would be adjourned and reconvened on 10 May 2022 at 6.00 pm prior to the Annual meeting of the Council at 7.00 pm. He reported that there was one item of business that needed to be considered seeking approval to grant Councillor Geary a leave of absence in accordance with the relevant legislation due to ill health.

**It was agreed that, due to ill health, a period of six months leave of absence be granted to Councillor Nick Geary with effect from 9 May 2022.**

The Chairman agreed to take the above item of business in order to comply with the relevant legislation.

Councillor Evans requested a reason from the adjournment.

The Chairman proposed that the meeting be adjourned until 10 May 2022 at 6.00 pm which was seconded by Councillor Mellor.

The Chairman reported that the reason was as a result of a health and safety risk assessment. Councillor Farquhar asked that for the benefit of officers and staff had the unions been informed of the reason why. The Monitoring Officer reported on the legal position and advised that various calls from the floor was not showing respect to the Chair and was creating chaos within the meeting.

Councillor Farquhar asked if the incident be reported through RIDDOR, and would there be an investigation into why staff and officers were possibly put at risk. Councillors asked for clarification on the circumstances, the proposed action, the potential precedent that could be set and the need to achieve consistency. Councillor Flagg sought clarification on those Members who would be able to attend the reconvened meeting. The Monitoring Officer reported that everyone on the Council can attend the reconvened meeting.

Councillor Broadhead requested that the motion be put which was seconded by Councillor Mellor the vote was as follows:

Voting – For – 30, Against - 29, Abstentions – 0

The Council then voted on the motion to adjourn the meeting until 10 May 2022 at 6.00 pm which was carried by a majority decision.

The meeting was adjourned at 9.46 pm and reconvened at 6.00 pm on 10 May 2022.

Councillor Felicity Rice arrived at 6.08 pm

The Monitoring Officer reminded Members that the amendment proposed by Councillor Lewis Allison seconded by Councillor Lesley Dedman previously circulated by email on 26 April 2022 at 20:15 and detailed above was agreed. She explained that this now becomes the substantive motion which was the basis for any debate and potential amendments.

***The Chairman reported that Members who had previously spoken on the motion prior to the amendment may not speak again unless further amendments were submitted with the exception of the mover of the original motion who has the right of reply. To clarify this was Councillors Judes Butt, Diana Butler and Lewis Allison. The Chairman opened up for further debate.***

***Councillor Broadhead reported that he had just circulated to all Councillors a proposed amendment as follows***

- (A) That ~~Option 2 – Introduce a ‘Place Overview and Scrutiny Committee’ with the other existing committees remaining as they are~~ a new, compromise option, termed Option 3a, which will

- establish a new structure of four Overview and Scrutiny Committees, but with revisions to Appendix 4 as highlighted below in (B)** be adopted as the future structure of the BCP Council overview and scrutiny function;
- (B) That revisions to Part 2, 3 and 4 of the BCP Council Constitution **consistent with Option 2 and** as set out in **Appendix 3 Appendix 4**, of the report to the Audit and Governance Committee be adopted; **but with the following changes:**
- (i) Renewed focus on task and finish/working groups, with the ability to have two concurrent working groups per committee**
  - (ii) Change meeting frequency from six per year to five per year to accommodate the resource implications for the new working group focus**
  - (iii) Change responsibilities for the Place Overview and Scrutiny Committee from all housing, planning related services; all environmental matters - parks, beaches, flooding, waste services; sustainability, transport; to add regeneration.**
  - (iv) Remove regeneration scrutiny from the Corporate and Community Overview and Scrutiny Committee.**
- (C) That necessary and consequential technical and formatting related updates and revisions to the Constitution be made by the Monitoring Officer in accordance with the powers delegated.

He outlined the reason for the amendment and the aim to provide the best Overview and Scrutiny function which works for all Members taking account of the feedback from the LGA Peer Review and the issues raised at the Council meeting on 26 April 2022. Councillor Broadhead reported on the details of the proposed amendment which he referred to as Option 3A and highlighted some of the key changes. Councillor Mellor seconded the proposed amendment.

Councillors in discussing the proposed amendment raised a number of issues including a further reduction in the number of meetings which completely undermined the substantive motion agreed at the adjourned meeting, reduced the strength of the scrutiny function and therefore did not allow proper scrutiny of the business of the Council. Councillor Slade, in highlighting an example of a potential item, emphasised that there would not be any scrutiny in June and the above amendment made to situation worse. She highlighted that the public deserve for their views to be represented before a decision was made by the Cabinet and the proposed amendment undermines scrutiny. Councillor Bartlett in referring to the membership commented on the potential allocation of seats for the Groups and the impact for unaligned members. In addition, he explained that the Committees would not have a full extent of Councillor representation. Councillor Fear reported that Option 2 had been the "snatch and grab" option but with the opportunity to pause and reflect the amendment was a positive move and was more open transparent and democratic.

Councillor Howell sought clarification from the Monitoring Officer on bringing back an option which had already been rejected. The Monitoring Officer reported that the fundamental reason for amendments was to aim to achieve agreement. She explained that on analysing the amendment there were enough elements of option 2 and enough changes to option 3 for her to consider that the amendment was sufficiently different from the original option 3 as to be allowed.

Councillor Judes Butt welcomed the proposed amendment indicating that it was an improvement on all three options. She outlined how it would contribute to sound decision making in a timely way by holding decision makers to account as a critical friend, be a Councillor-led and owned function that seeks to continuously improve through self-reflection and development, enables the voice and concerns of the public to be heard and reflected in the Council's decision making process, engages in decision making and policy development in appropriate time to be able to have any influence on moving forward, contributes to and reflects the visions and priorities of the Council and was agile and able to respond to changing and emerging priorities at the right time within flexible working methods which has a budgetary constraint. Councillor Butt indicated that this was an exemplar way forward.

Councillor Allison indicated that in his view this was astonishing in respect of the difference to the amendment compared to the substantive motion passed at the last meeting. He commented that the scrutiny elements and committee sizes were exactly the same and the administration did not want to be scrutinised.

Councillor Diana Butler arrived at 6.17 pm

Councillor Trent in commenting on the amendment felt that it was the option 3 defeated with additions. He emphasised that for the function to work there needed to be quality scrutiny with the ability for Members to become engaged in its development. Councillor Ricketts highlighted that effective Cabinet decisions need good scrutiny and the proposed five meetings a year was not effective and was not enough to hold the Cabinet to account. Councillor Phipps referred to the previous advice from the Monitoring Officer and asked if the Constitution was open to interpretation and asked what elements of option 2 were included in the amendment currently before the Council. She felt that it was a further watering down of option 3. Councillor Brown also indicated that option 3A was a revision of option 3.

Councillor Farquhar raised a point of order in respect of a comment made by a Councillor and indicated that he did not agree that it should be described as a question and answer session of the Monitoring Officer. He emphasised that if there was clarification to be sought on legal and constitutional issues it was right that a member should be able to ask it in the Chamber in front of the public. The Monitoring Officer indicated that it was the Chairman's decision as to whether or not to accept an amendment and as Monitoring Officer she can only advise the Chair. She explained that her advice consisted of doing analysis of both options 2 and 3 to see if the new amendment had elements of option 2 in it or possibly detractors from option 3 in order to meet a test whilst highlighting that it was always a case of judgement and where that degree of judgement should lie. The

Monitoring Officer outlined the elements that come out of option 2 and the overlaps with option 3. The Chairman confirmed that he was part of the reasoning provided by the Monitoring Officer and he was content with that approach.

Councillors considered further the implications of the proposed amendment, including that it should be ruled out of order, the loss of timeliness and pre-scrutiny, that any amendment to the substantive according to section 13.9 of the Constitution should not have the effect of negating the motion before the Council. Councillor Bagwell sought clarification on whether 3A allowed Councillors to have voices for their residents and feed into the working groups. Councillor Farquhar sought further clarification on the comments from the Monitoring Officer and the reasoning process emphasising that option 2 included a Place Overview and Scrutiny Committee. Councillor Johnson indicated that the amendment was not an attack on democracy and that both oppositions had used scrutiny which had led to a broken system that all Councillors agree needs changing. He reported that the amendment would force the opposition to think about what and how they wish to scrutinise. Councillor Brookes reported that following his experience he felt that 4 different Committees would give all Members the opportunity to fully consider issues and he supported the amendment. Councillor Mike Greene commented on the suggestion that the amendment negated the substantive motion explaining that no decision had previously been made by the Council as no vote had been taken on the substantive motion. He also emphasised that it was not an attack on democracy and referred to models used by other Local Authorities reporting on the Walking and Cycling Plan which had not been scrutinised by the Board whilst highlighting the benefit of having opposition members involved at an earlier stage of scrutiny and challenge. Councillor Earl in response to how the amendment had been submitted indicated that it demonstrated how the administration would prefer to operate with minimal scrutiny rather than what was in the interests of residents. She emphasised the need of the Overview and Scrutiny Board which tracks the work of the Cabinet which was needed more than ever.

Councillor Broadhead in summing up responded to the issues raised during the debate on the amendment including that the proposals increased the amount of Councillor representation on Committees and enabled a proper deep dive into issues and gave power to the voice of residents through the task and finish groups.

Councillor Beesley in conclusion explained that the Audit and Governance Committee had addressed this issue with the hope of cross-party agreement which had not been possible but had undertaken a rigorous process. He indicated that he supported the amendment with greater member engagement and hoped that Council would support it and see how it works in practice. Councillor Beesley in referring to the proposed reduction in the number of meetings from 6-5 per year was something that he believed, if the forward plan for each of the Committees was thorough and robust would bring forward more overview and would still allow scrutiny across each Committee.

The Council then voted on the amendment moved by Councillor Broadhead and seconded by the Councillor Mellor as detailed below:

- (A) That ~~Option 2 – Introduce a ‘Place Overview and Scrutiny Committee’ with the other existing committees remaining as they are~~ a new, compromise option, termed Option 3a, which will establish a new structure of four Overview and Scrutiny Committees, but with revisions to Appendix 4 as highlighted below in (B)) be adopted as the future structure of the BCP Council overview and scrutiny function;
- (B) That revisions to Part 2.3 and 4 of the BCP Council Constitution ~~consistent with Option 2 and~~ as set out in ~~Appendix 3~~ Appendix 4, of the report to the Audit and Governance Committee be adopted; but with the following changes:
- (i) Renewed focus on task and finish/working groups, with the ability to have two concurrent working groups per committee
  - (ii) Change meeting frequency from six per year to five per year to accommodate the resource implications for the new working group focus
  - (iii) Change responsibilities for the Place Overview and Scrutiny Committee from all housing, planning related services; all environmental matters - parks, beaches, flooding, waste services; sustainability, transport; to add regeneration.
  - (iv) Remove regeneration scrutiny from the Corporate and Community Overview and Scrutiny Committee.
- (C) That necessary and consequential technical and formatting related updates and revisions to the Constitution be made by the Monitoring Officer in accordance with the powers delegated.

The amendment was carried

Voting – For 39, Against – 29, Abstention - 0

The Council then voted on the substantive motion which was carried

Voting – For 39, Against – 29, Abstention – 0

The Chief Executive read out the following statement

- Members will be aware that the Chair of the Overview and Scrutiny Board has agreed to reschedule the meetings of the Board on 16 May 2022 to 19 and 24 May 2022 at 6 pm.
- It is important that the statutory right for scrutiny to take place is maintained during the implementation of the new O&S structure. Therefore, any time critical matters already identified for scrutiny by the O&S Board between May and July will be allocated to the relevant O&S body, as appropriate under the new structure.
- I trust that members will agree that this is an appropriate practical solution to implement the changes that we need to make.

- Through you Chair, could we seek formal Council approval for the proposed dates of 19 and 24 May 2022 at 6.00 pm for the approved O&S bodies.

It was agreed that the new approved O&S Bodies would meet on 19 ad 24 May 2022 at 6.00 pm.

### **Item 6e – Cabinet 13 April 2022 - Minute No 151 - Housing Management Model**

Councillor Karen Rampton, Cabinet Member for People and Homes before presenting the report on the Housing Management Model declared an interest as a Director of PHP Management Board.

She outlined the recommendations as set out on the agenda and the proposal which would bring together 10,000 households in Bournemouth and Poole neighbourhoods into a single consistent resident focussed efficient management arrangement, BCP Homes. She explained that it combined the best of both from the excellent Poole Housing Partnership ALMO and the much-valued in-house Bournemouth model. Councillor Rampton reported on the development of the management model, the process and the consultation across the 10,000 households where 78% of residents were broadly in agreement with the proposals. Members were informed that residents were at the heart of reviewing service delivery and it provided the ability for them to scrutinise all services and refocus approaches on the priorities such as communications and anti-social behaviour. Councillor Rampton reported on the creation of a Housing Advisory Board of 11 which provided space and strong oversight for a range of skills and wide-ranging service delivery discussions.

Councillor Rampton reported that new model would be a “lift and shift” for Poole Housing Partnership staff still delivering services under the new arrangement and they would do the same job from the go live date. She explained that savings would be driven through the reduction in management costs and economies of scale with all savings reinvested into priorities and service delivery including new tenant satisfaction measures, health and safety compliance, achieving carbon targets and new build housing for current and future generations.

Members were informed that the Housing White Paper required the residents voice to be heard across decision making and required landlords to ensure services and approaches were co-designed. Councillor Rampton reported that the Housing Advisory Board and the planned structures for resident involvement did that. A residents committee of 15 and 4 residents’ panels would all be driven by residents and the Board would provide oversight for all services delivered from within the Housing Revenue Account regardless of where they were delivered from. Councillor Rampton reported that subject to approval the approach would be advertised to all tenants and leaseholders, and they would be encouraged to put themselves forward for the new structures.

Councillor Rampton thanked Councillor Bob Lawton for his initial involvement and his ongoing support, the Members of the joint working

group including cross party members Councillor Matthews and Wilson. She thanked Officers including Su Spence, the Chief Executive Officer from Poole Housing Partnership and Lorraine Mealings, Service Director. In particular she thanked the residents who had been so involved in the working groups, the joint resident group and in particular Lou Knight and Tracy Griffith who had given so much of their time and shared their lived experiences.

In conclusion Councillor Rampton reported that the model was a creative and co-produced management model which puts residents firmly at the heart of how services which affect their lives and were designed together. She confirmed that it meets national requirements and adds resilience to the service. Members were informed that the paper proposes the ending of the management agreement with the Poole Housing Partnership and agreement of the termination agreement which would formally describe the legal transfer of assets and liabilities into the Council and proposes a go live date of 1 July 2022 and this critical date must be met. Councillor Broadhead seconded the proposals.

Councillor Bagwell reported that the model was aspirational and supported residents in moving with us, there were great staff both in Bournemouth and Poole PHP, the staff would be merged whilst acknowledging that it was resident-led. Councillor Bagwell made a declaration of interest as a Director of the PHP Management Board.

Councillors in discussing the proposals raised a number of issues including acknowledging the need for change as the current ALMO was no longer the national vehicle of choice and another operating model was inevitable as a result. Councillor Moore indicated that speaking as a ward councillor and a former Board Member of PHP if residents had concerns PHP was easy to contact and always tried to help. She highlighted that PHP had excellent staff and she hoped that it was recognised and appreciated whilst highlighting the importance of the tenants' voice continuing to be heard in the new set up together with estate-based working. Councillor Moore referred to the Your Money Team service offered by PHP who provided advice on all welfare benefits as well as day-to-day money management and she highlighted that this service needs to be intact for the future. Councillor Hadley indicated that he was concerned about the reference in the paper to collapsing the contact centre into the general one. He highlighted that communication with residents was really important as this was a group with lower online access than other groups and therefore it was key that they can access prompt support for housing matters. Councillor Dunlop reported that when there were changes residents were concerned about what would be happening in the future and how it may affect them. She read out an email that she had received Lou Knight and the positive feedback on the process and the inclusion of residents in the decision-making process. Councillor Butler expressed her concern about the staff in Poole Housing Partnership who she felt had not been given an exact future outline apart from they would retain their job. She referred to page 329 and indicated that it seemed that BCP Homes was going to be split with part management going to BCP Homes and the other part through BCP Teams this also applied to various elements of the service. Councillor Butler reported that as 78% were satisfied with the current service she did

not see the need to implement a new management model whilst also referring to the transfer of assets including the leasing of two investment properties to Seascope Homes and Property for annual rental.

Councillor Trent emphasised the need to ensure that residents were able to access services via the telephone. He expressed his gratitude to Poole Housing Partnership for the support provided in dealing with some harrowing cases and highlighted the positive experiences from the Partnership that can be brought into the new housing management model. Councillor Trent indicated that he hoped that the area-based teams would be maintained.

Councillor Lawton congratulated Councillor Rampton for bringing the paper to Council and the work that she had put into the development of the management model. He also thanked Councillors Wilson and Dunlop, Poole Housing Partnership and BCP Officers for their work to ensure that the new management model was an improvement with a service that would serve the residents of the BCP area with diligence, hard work, good quality housing and responsive management and addressed any of the issues that were raised with the Council. Councillor Allen highlighted the need for vulnerable people to be able to access good housing options when trying to tackle issues with the risk of homelessness and homelessness. Councillor Howell indicated that there were a number of assumptions that the proposed model would work well as a result of the merger of the two. He commented on other areas of transformation and asked how can we have confidence as it seems that the Council was struggling to transform itself in an efficient way. Councillor Mark Anderson referred to the successful merger of the three flood and coastal defence teams from the preceding authorities which was becoming a Centre of Excellence across the Southwest. Councillor Dove reported that this had been a really consultative process with residents, and she was disappointed by the comments from Councillor Howell. She emphasised that the proposed model had been co-produced with residents and this was the model that the residents had chosen, and they would be co-chairing the board and deciding the future.

Councillor Rampton in summing up responded to the issues raised during the debate. She indicated that she understood the experiences of Poole Housing Partnership whilst highlighting the need to consider the wishes of Bournemouth residents who were equally happy with their housing management model. She explained that the proposal was to take the best of the Bournemouth and Poole models and bring them together. Councillor Rampton reiterated assurances that she had previously provided at Cabinet and Overview and Scrutiny including the staff from PHP being 'lifted and shifted' into roles and would be doing the same job on 1 July 2022. Members were informed that customer services for housing would be ringfenced so the posts that were in PHP would be ringfenced in customer services. Therefore, a resident ringing on 1 July 2022 should not notice any difference. Councillor Rampton reported that in terms of the Housing Advisory Board it can be reviewed, and tweaks made as appropriate. She confirmed that residents were in secure tenancies.

Voting – Majority decision

The recommendations arising from Cabinet on 13 April 2022 as set out on the agenda were carried.

**Item 6f - Cabinet 13 April 2022 - Minute No 152 - Local Cycling and Walking Infrastructure Plan**

Councillor Mike Greene, Cabinet Member for Sustainability and Transport presented the report on the Local Cycling and Walking Infrastructure Plan and outlined the recommendation as set out on the agenda. Councillor Greene explained that it was a highly ambitious long-term plan for the comprehensive network of routes for pedestrians and cyclists the Council would like to see in the future. He explained that it was a living document which he would expect to change over its life which could be 20 years or more but should be considered the blueprint which would guide development with each part of each route contributing to a more comprehensive and logical network. Councillor Greene reported that for cycling that network consists of primary routes between the more important destinations such as district centres with a finer mesh of secondary routes to fill in the gaps. Members were informed for walking it identified 2 km radius core walking zones that might be considered around the three town centres and 1 km radius zones around the 17 district centres with the idea that over time most journeys to and from those centres from within those zones should ideally be made on foot.

Councillor Greene reported that the Plan examined the major barriers to walking and cycling that exists now within BCP and suggest the sort of interventions that would overcome them and when they might be delivered the associated timeframe and funding. Members were informed that the plan does not include detailed scheme design. Councillor Greene indicated that BCP was one of the most congested areas in the Country with many junctions in the area working to capacity which was why a 4% increase in traffic volume over the last few years had led to a 20% increase in journey times. Members were informed that as the busiest time of the day 15% of those journeys could be walked in 25 minutes or cycled in 6 minutes and more than 50% could be cycled in less than 15 minutes. Councillor Greene indicated that whilst it was an ambitious Plan it was achievable and together with the increased use of public transport ultimately necessary for BCP to survive the threat of choking congestion. The Plan complies with national government's policy guidelines and should be well received which was important because it was to the Government that the Council would be looking for transport funding. Councillor Mellor seconded the proposals and reserved his right to speak.

Councillors in discussing the proposals raised a number of issues including that the Plan needs to be more than just about walking and cycling, it was about supporting fitness, physical and mental health, public health, air quality, reducing CO2 and supporting the Council's climate mitigation targets. In addition, Councillor Hadley emphasised the reduction of congestion in ways that electric cars cannot contribute to and due to the increase in the energy prices the need to enable people to reconsider how people get about. He highlighted that the Plan sets out targets over 10-20 years but in view of zero carbon commitments this needed to be

significantly accelerated funding allowing. Councillor Hadley emphasised the need to consider how to get to neighbouring communities eg Wimborne as e-bikes put those locations in range. He touched on the difficulties faced by people with disabilities in getting around the highway because of the condition of the pavements so the Plan needs to consider more about mobility users, as well as scooters and e-scooters and how the Council creates a better space for all. Councillor Phipps appreciated the aims of the Plan and sought reassurance that the outcome of consultations would be listened to, and the comments taken into consideration. In particular she referred to a previous proposal relating to Barrack Road and that she was not receiving any feedback and therefore asked if there was flexibility and an opportunity to change the routes if that was deemed necessary. Councillor Rigby welcomed the ambition of the Plan and that it was a living document whilst highlighting that he was a huge advocate of 15 minutes neighbourhoods or 20 minutes cities. He emphasised that the Plan currently was focussed on district centres and connecting the routes, but the outlying regions and areas should not be excluded and making sure that the facilities can be accessed and be walked and cycled to within 15 minutes would subsequently reduce congestion. In addition, he highlighted the need for the Plan to be tied into the Local Plan. In addition, Councillor Rigby referred to the condition of pavements. Councillor Trent referenced the need for more communication with ward councillors. Councillor Brown requested that the details of the Plan were addressed to ensure there was no areas of conflict. Councillor Rice indicated that she would prefer to see more ambition as some of the Government targets in terms of reducing the carbon footprint from transport may not be met through the plan and therefore more engagement was needed to improve and meet those targets. She also indicated that she would like to see more emphasise in monitoring the financial benefits of cycling and walking. Councillor Robson welcomed the report and sought assurance from the Portfolio Holder that the Council get it right and there would be no further white lines down the middle of roads that serve no purpose as it creates confusion. He emphasised that it was about education of every road user. Councillor Slade commented on the need for cycling storage. She also referred to the bike share scheme but that there had not been any increase in bays in the last 18 month. She also referred to the introduction of e-bike which could be transformational in outlying areas and the need to address the potentially complicated routes. Councillor Slade emphasised the need for consistency. Councillor Butler expressed her concern that some of the roads had been changed to include additional lanes which had reduced the width of the vehicle access which could impact on emergency vehicles. She also asked of there had been any discussion with the Rail Companies to take more bikes on trains and improve access for wheelchair users. In addition, she touched on the safety concerns raised by cyclists and the need to respond all road users.

Councillor Mike Greene in summing up addressed the issues raised during the debate including reporting that the Director of Public Health had endorsed the plan. He commented on where the balance should lie, what can be undertaken with the funds and how the Council need to recognise that cars will be part of the picture as it was not purely about pedestrians and cyclists whilst the plan aims to promote active travel. Councillor

Greene indicated that there would be consultation on schemes which would lead to dwell time and revived high streets which has been proven across the Country. He reported that there would be consultation with ward Councillors when the schemes were brought forward which was referenced in the report. Councillor Greene in response to the issue raised by Councillor Brown on the Beryl Bay indicated that he was disappointed, but he understood that there needs to be balance and where there needs to be a strong route through there may have to be some changes but would be interested to see if there can be anything close to that location. He reported that he believed that the number of bays had increased from 300 to 360 in the last 18 months and agreed with the need for secure cycle storage. In conclusion he reported that the ambition of the plan was subject to the funding available which was why it was not possible to have consistency throughout.

Voting – Unanimous.

The recommendation arising from Cabinet on 13 April 2022 as set out on the agenda was carried.

**Item 6g - Cabinet 13 April 2022 - Minute No 153 - Council Newbuild Housing and Acquisition Strategy (CNHAS) A 6-month review and Project approvals**

Councillor Broadhead, Deputy Leader of the Council and Portfolio holder for Development, Growth and Regeneration presented the report on the Council Newbuild Housing and Acquisition Strategy (CNHAS) A 6-month review and project approvals and outlined the recommendations as set out on the agenda. Councillor Broadhead reminded members of the CNHAS which had been submitted to the Council approximately 6 months ago which moved away from the piecemeal approach and adopted a programmed approach to deliver at pace with a commitment to achieve over 1,000 homes by direct delivery over the course of the strategy. He reported on the progress in the last 6 months on the schemes, future development, the policies being addressed both national initiatives and local policies including the extra care housing strategy, the funding approved in February 2022, progress with the hard-to-reach sites and seeking approval for the necessary funding. Councillor Broadhead having detailed the number of homes in the first phase of sites reported that it was now expected to achieve 1400 homes. The proposals were seconded by Councillor Rampton.

Councillors raised a number of issues including the proposed strong programme of affordable homes, the use of ground source heating pumps, why site 15 Beaufort Park had been paused and potentially indefinitely until such time as the parks review was complete and seeking clarification on the potential timeframe and upgrade. The update was welcomed but concern was raised in respect of the transparency as Future Places was leading on many of the sites. Councillor Hilliard referred to recommendation relating to Roeshott Hill and the expectation of engagement with the relevant ward councillors. Councillor Hadley referred to renewable energy and that the Council should be thinking wider than just

individual schemes whilst highlighting that other countries provide district heating systems that look after whole communities/towns. He emphasised that there was an opportunity to be more ambitious and lead the way. Councillor Hadley also touched on the uplift in costs and the need to be smarter whilst referring to the other infrastructure needed to support these new homes. Councillor Butler asked for clarification on the impact of the new housing management model on the Hillbourne Project. Councillor Brown referred to the financial implications and the increase in funding, the borrowing limits and to what extent had inflation been taken into account for future costs and future contingency. Councillor Judes Butt welcomed the development of the Hillbourne Project and the provision of affordable homes which would come under BCP Homes.

Councillor Broadhead in summing up responded to the issues raised during the debate including the opportunity to use ground source heat pumps and reported that the last two sites completed or started used ground source heat pump technology and the Council was leading from the front. Members were informed that the focus was to deliver affordable home. In respect of the Beaufort Road site, he referred to the groundwork undertaken to understand what was possible for the site. Councillor Broadhead referred to the role of Future Places and the opportunity if a site had potential uses other than for housing Future Places had the skill to explore the alternative uses. In conclusion he confirmed that the talent from PHP would be used in the new housing management model.

Voting - unanimous

The recommendations arising from Cabinet on 13 April 2022 as set out on the agenda were carried.

The meeting was adjourned from 8.00 pm – 8.10pm

153. Notices of Motion in accordance with Procedure Rule 9

Set out on the agenda was a motion proposed by Councillor Lesley Dedman and seconded by Councillor Mike Cox relating to support for the Ukrainians as a result of the unprovoked aggression against them.

Councillor Dedman reported that whilst she had hoped that the motion would have become redundant, war still continued. She explained that the motion was designed not only to state the Council's feelings at this time for the effect it has on the innocent in Ukraine but the dangers which were evident to Europe from Russia's aggression. Councillor Dedman explained that as well as signifying concern at the actions of the Russian Government we were determined as a Council to help practically. She emphasised that the Council was welcoming the Ukrainians who have come for help and support whilst acknowledging that the Officers and Portfolio Holders were working hard to help them settle in our communities. Members were advised of the proposal to make use of vacant Council buildings and the arrangements for flying the Ukrainian flag. Councillor Dedman referred to the support that she had received from Councillor Stribley in preparing the motion. Councillor Cox in seconding the motion reserved his right to speak.

Councillor Mellor reported that the administration fully supports the emphasis of the motion. He explained that right at the start of the conflict BCP was one of the first Council's to sign up to the declaration of support of Ukraine and he was proud of the work of Portfolio Holders and officers to stand up the Council's response as quickly as possible. Councillor Rampton in supporting the motion referred to the response that she had given to a public question on the Council's response and work with partners to help Ukrainians. She advised Members that there were 125 adults and 55 children in the BCP area through the homes for Ukraine. In addition, there were 1444 additional households who were interested in sponsoring a Ukrainian family. Members were advised that the Council had a welcome pack for guests which was in three different languages and had been distributed. There were also weekly operational multi-agency meetings with a strategic multi-agency meeting on a fortnightly basis from which Councillor Rampton received regular updates. Councillor Moore reported that there was a strong connection between Canford Heath families and families from Chernobyl as they were involved in the Chernobyl lifeline project for a number of years. She explained that we all want to do something to help families from Ukraine and several Councillors have been personally involved in fundraising across Poole and more fund raising was planned. Councillor Slade referred to the flying of the Ukrainian flag at the Civic Centre. She highlighted that the Ukrainian flag was put up in all shops in Broadstone at the start of the crisis. She referred to the concerns that she had been advised of relating to the lack of ability to find school places for Ukrainian children with families who were spending significant amounts of their own money to help settle families who were now not able to put them in school because there was nowhere that was within a reasonable distance. Councillor Slade asked the Portfolio holder responsible to do as much as possible to work with schools to create those spaces. The Chairman reported that the Ukrainian Flag had been flying every day but today the BCP Flag was put up for full Council. Councillor Farquhar sought further clarification on the flying of the Corporate Flag rather than the Ukrainian Flag and suggested that the Ukrainian flag should be flown rather than the BCP flag. The Head of Democratic Services reported on the provisions within the Council's Flag Flying Policy. Councillor Cox suggested that more could be done in particular the difference between the support offered by residents and the actual number of families who had arrived, and that part of that issue was bureaucracy. Councillor Butler whilst supporting the humanitarian aid questioned the wording of the motion and the use of the word unprovoked. Councillor Nicola Greene added her support for the motion including the words unprovoked aggression which was unqualified. She reported that in the terms of school places it was an ongoing discussion and requested that if any Members were aware of issues to email her and she would take them up with the admissions team. Councillor Hadley highlighted the great support from the BCP residents to make a difference for people in Ukraine. Councillor Filer reported that the disproportionate amount of aggression in Ukraine against innocent people and children was not in doubt and she was proud of the efforts of the people of Bournemouth, Christchurch and Poole in all that they had offered. Councillors expressed their concern and disassociated themselves from the comments made by Councillor Butler.

Councillor Dedman in summing up welcomed the cross-party support for the motion and that the residents of Bournemouth, Christchurch and Poole were open hearted towards those in trouble had welcomed Ukrainian families into their communities, and she was proud of their response and the Council's response.

The Council then voted on the motion as set out on the agenda which was carried unanimously.

154. Questions from Councillors

The following questions were submitted.

Councillor Le Poidevin had submitted a question on the Chairman's Community Awards, having submitted her apologies for the meeting a response to the question would be provided in writing.

**Question from Councillor Mike Cox**

On the 23<sup>rd</sup> March 2021 the Council took the wise decision to stop the sale of the Car Park in Christchurch which borders Waitrose and the By-Pass to a Private Equity Company. The Councillors of Christchurch wished for this Car Park to remain in public hands.

Christchurch Town Council, with the support of Waitrose, have recently offered to purchase this car park for the same price, in order to protect and enable regeneration as part of the Town Councils Regeneration plans.

Will the Leader please ensure that this proposal is put on the forward plan and given proper consideration as soon as possible to protect the interest of Christchurch.

**Reply from Councillor Drew Mellor Leader of the Council**

Full Council have considered this matter recently and took the view that this is an important local asset and that will remain the position of this Council.

Councillor Cox as a supplementary question asked that if the administration did not want to sell the car park to Christchurch Town Council would they at least consider providing a long-term lease to Waitrose. He reported that Waitrose has been trying to contact the Council and had been rebuffed. Councillor Cox asked can we please ensure that the interests of Christchurch and the preservation of that car park was undertaken as soon as possible. In response Councillor Mellor referred to previous comments made by Councillor Cox. He also reported that Councillor Cox had made reference to the price agreed which was a confidential matter. Councillor Mellor indicated that he would be interested to know how the Town Council was aware of the price consideration. He reiterated that the matter had been considered by full Council and the administration wanted to stop the firesale of assets which was inherited and keep ownership of assets.

### **Question from Councillor Vanessa Ricketts**

I, and my Co-Councillor Margaret Phipps, have received a number of comments from members of the public in our ward regarding the behaviour of the Chairman of Planning Committee at the meeting of 8<sup>th</sup> March 2022 when considering the planning application from Eco Solutions for a waste incinerator at Hurn (8/21/0207/FUL). Despite over 700 objections received, with further represented objections from Councillors not sitting on the committee, including myself, the application was moved for approval by the Chairman. Despite the Chairman initially stating that it was an “on balance application with lots of pros and cons” he then went on to speak in favour of the applicant, and the application, and stated that the benefits outweighed the negatives. At no point did he seek a proposal from any other Member of the committee, nor give anyone an opportunity to consider making a proposal, but merely led and proposed from the Chair.

The LGA Councillor’s Workbook on Charing Skills states that the role of the Chair is to “Act as a facilitator – at some meetings you will be required to act as a facilitator where there are one or more opposing views, in your role as a community leader or representative. This may require particular skills of tact, diplomacy and **‘neutrality’ where you are chairing the process as opposed to giving your opinions on the issues being discussed.**”

My question to Cllr Kelsey is, therefore, does he feel it appropriate to have shown such bias to such a contentious application, to the extent of moving to grant, and should he not, rather, have acted “neutrally” as advised by the LGA?

### **Reply from Councillor David Kelsey, Chair of the Planning Committee**

The BCP Planning Committee meetings are a quasi-judicial process that is facilitated and overseen by a range of officers including a fully qualified Solicitor. The Solicitor’s role at Planning Committee meetings is to ensure the committee are advised of relevant legal issues both in terms of process as well as using planning judgements to make informed decisions. There was a solicitor present at the Planning Committee meeting in question, and it is my understanding that at no point were any concerns raised by them over the handling of the meeting by any participant.

The meeting itself followed the standard process of people being able to speak for and against the application including ward Cllrs, followed by questions and a lengthy discussion by the Planning Committee members. Various views were expressed by members of the Committee before the move was made to go with the Officer’s recommendation to approve the application. That move was seconded in accordance with due process, and no alternative moves were made by any other members of the Committee. If an alternative move had been forthcoming and seconded then it would have been voted upon, but it did not happen. It is also understood that no objections or concerns have been raised by the Councillors who sit on the Planning Committee about the meeting and how it was run.

The Chairman of Planning Committee also has the right to be able to offer a view on an application as a sitting and voting member. The Chairman’s comments came at the end of the lengthy discussions thereby allowing all other members to first have their say and if they had wanted to, make a

move. The Chairman also has the same opportunity as any other Councillor on the committee in terms of being able to make a move, which in this case he did following a thorough assessment and airing of all the issues.

It is evident that due process was followed by all the members of Planning Committee including the Chairman and a decision was reached on planning merits following a thorough assessment of the issues. Any suggestion otherwise is unfounded. The facts are, and as can be seen from the video of the meeting, that a robust and administratively correct process was followed resulting in Planning Committee making its collective decision on the planning application.

Councillor Ricketts as a supplementary asked that at the Council meeting on 26 April you answered a question from a member of the Public and stated that you always listen to the residents and their objections and concerns. She asked if there was anything that Councillor Kelsey wanted to say to the 700 residents who objected to this application. In response Councillor Kelsey reported that the Planning Committee listen to all concerns views of opinion and the decision was made on the application before the Committee.

#### **Question from Councillor Vikki Slade**

Following the bounce back grants made in the spring of 2021 I raised some concerns about the proposal to grant £70,000 for the development of a Water Park at Hurn. I had a meeting with an officer of the council and after the meeting I wrote to clarify some of the content. In the responses I received dated 6th September 2021 I was advised that the application for The Lagoon was to develop and submit a planning application with a deadline of 31st March 2022.

I have checked the BCP Planning Portal and I cannot locate a planning application for this site. Given that the application required under the Bounce Back Grant has not been submitted can the portfolio holder please confirm that the grant has now been returned to the council.

#### **Reply from Councillor Philip Broadhead, Deputy Leader of the Council and Portfolio holder for Development, Growth and Regeneration**

The Grant Award Letter signed by the Lagoon states that proposals should be delivered in line with their proposal.

In this instance, the application form and costed project plan identified their proposal as: Planning Phase 1 – architecture, landscaping etc.

The Additional Restrictions Grant awarded was a contribution towards the overall cost to the applicant of submitting a planning application. The project plan also demonstrated the significant match funding that would be unlocked by the award.

This will ultimately lead to a planning application (but the requirement to submit a planning application was not part of the requirement of the funding).

Their final report (including evidence of invoices and spend) demonstrates that all of the criteria for their award have been met and their agreed objectives, as outlined above, are complete.

Councillor Slade, as a supplementary, sought clarification that the Portfolio Holder had spoken to the senior officer and asked that the officer who wrote to her apologise for giving incorrect information. She also requested a list of how many of the other bounce-back grants had met the criteria and how many had been returned to the Council. In response Councillor Broadhead confirmed that he had and would speak to the officer again whilst highlighting that the miscommunication did not come from the Officer it comes from Councillor Slade misunderstanding what was meant by submitted planning stage. He further explained that the applicant in this situation had to bring it forward to that stage and updated members that the applicant continued to provide progress reports and was already in discussion with the Planning Department to bring forward a planning permission as well. Councillor Broadhead reported that he was happy to provide an update on all the amazing projects as a result of the £250,000.00 of grant used to help support businesses through the pandemic.

#### **Question from Councillor Tony Trent**

Could the Leader of the Council (or appropriate Portfolio Holder) explain what seems to be an expansion of the press and public relations part of BCP Council's operations at a time when basic public facing interaction seems to be lacking. As Ward Councilors we regularly get phone calls from constituents who have tried to get through to BCP Council on an issue of concern, and have given up after several periods (45 minute waits are not unusual) trying to get through to a BCP Department, and contacted one of us instead.

At worse, if we are not in at the time, they can at least leave a message – unlike their experience with the BCP switchboard. Why then, by contrast, do we seem to have several people putting out regular press releases, often repeating ones that have gone out a while back, or finding new ways to highlight old news and info?

Is it worth considering re-deploying some of this excess capacity to areas where BCP Council has an obvious shortfall in service level, until such a time as people can once again phone up the Council and get the help and information they require in a timely way?"

#### **Reply from Councillor Jane Kelly, Lead Member for Communities**

Whilst we work on the larger transformation of the services that the Council delivers, in order to provide an industry leading approach to customer services, we recognise that – largely due to the hugely increased customer demand during the pandemic – our telephone services have not been good enough. Our systems have been unable to cope with the high volumes of calls and this has meant long wait times for some people. That's not good enough. That's why I'm delighted that in recognition of that we needed a short-term fix to urgently address this situation, until the major

transformation kicks in, this administration devoted an extra £1.5M this year (2022/23) to increase staff resources for call handling by up to 40 staff members. This shows that we're taking action to get ahead of this issue and provide residents with the service they deserve.

Further, Councillor Trent, contrary to your suggestion, we've actually scaled back the Council's core Marketing and Communications team, not expanded it. In fact, in 2021, the team was centralised and consolidated as part of the Smarter Structures work, with two senior roles removed. It's also worth noting that the team covers not only media relations and PR, but also manages social media (an increasing demand as more people contact the Council through this channel), graphic design, audio and visual content creation, web content and design and destination marketing.

I hope, Mr Chairman, that this response will help Members to understand how seriously we take this issue and that we are doing our utmost to find solutions, both short and long term.

Councillor Trent, as a supplementary, asked whether priority would be given to answering the telephone as up to a third of residents do not have access to online facilities. Councillor Kelly in response explained that it was understood and recognised that in terms of equalities we need to provide a telephone service that works which would demonstrate to residents that they can contact the Council in that way. She reported that of the additional 40 staff that would be recruited two weeks ago the Council had recruited 22 so staffing numbers were increasing. Councillor Kelly also commented on managing and anticipating when there may be an increase in calls eg when Council Tax bills were sent out. She also touched on the use of Libraries where information and support can be provided.

### **Question from Councillor Vikki Slade**

I am sure that the leader will agree that motions to council are an important way for members to share issues of great importance to our community, or to the elected members who represent the community. Such motions when approved then represent the official view of the council and the resolutions made will often require the council or a senior representative of the council to undertake an action such as writing a letter to Government or other body.

Can the leader please confirm how long he thinks is a reasonable amount of time that a member of his administration should have to undertake such actions?

### **Reply from Councillor Drew Mellor, Leader of the Council**

I absolutely agree that motions which the Council debates are fundamentally important. Every motion is individual in its nature so the response will be individual as well as appropriate and the work in relation to it. I have confidence in my portfolio holders and officers of the Council to respond professionally at all times.

Councillor Slade, as a supplementary, asked if the Leader was aware that it took over a year for the Portfolio Holder to send a letter after the Council had agreed that it would take action on fireworks and then took a further six months to respond to multiple emails to ask why the letter had not been

shared and then tried to pass it to somebody else. She asked if the Leader felt that a year was an acceptable amount of time for a reply. Councillor Mellor in response referred to the significant amount of work undertaken on that particular issue.

155. Urgent Decisions taken by the Chief Executive in accordance with the Constitution

The Chief Executive, in accordance with the Constitution, advised Members of the following urgent decisions taken:

- Dorset CCG Section 256 Agreements Transfer
- Acceptance of the Household Support Fund
- Acceptance of the Domestic Abuse Grant (which was currently being processed)

The Chairman confirmed that there would be a 15 minute break prior to the commencement of the Extraordinary Council meeting.

The meeting ended at 9.46 pm on Tuesday 26 April 2022 and at 8.52 pm on Tuesday 10 May 2022.

CHAIRMAN