

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
CABINET

Minutes of the Meeting held on 26 October 2022 at 10.15 am

- Present: Cllr P Broadhead (Vice-Chair, in the Chair), Cllr M Anderson, Cllr M Greene, Cllr J Kelly, Cllr K Rampton and Cllr M White
- Present virtually: Cllr B Dove and Cllr N Greene
Lead Members: Cllr H Allen, Cllr N Brooks, Cllr J J Butt and Cllr S Baron
- Also in attendance: Cllr T Johnson
- Also in attendance virtually: Cllr R Burton (Chairman of the Childrens Services Overview and Scrutiny Committee) and Cllr A Hadley
- Apologies: Cllr D Mellor (Chairman) and Cllr B Dunlop

60. Declarations of Interests

Cllr B Dove declared a potential interest in agenda item 10, SEND Mainstream Banding as a family could potentially be impacted, she would not take part in discussions in this item.

Cllr N Brooks declared for transparency that, in relation to agenda item 11, Highcliffe and Walkford Neighbourhood Plan, had led on this process on behalf of the Parish Council.

61. Confirmation of Minutes

The Minutes of the meeting held on 28 September 2022 were confirmed and signed as a correct record.

62. Public Issues

The Democratic Services Officer advised that there had been no questions, statements or petitions received from members of the public on this occasion.

63. Recommendations from the Overview and Scrutiny Committees

Cabinet was advised that there were no additional recommendations from the Overview and Scrutiny Committees on items not otherwise indicated on the Cabinet Agenda on this occasion.

64. Finance Strategy Update Report

The Deputy Leader of the Council presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

Cabinet was advised that in response to the Council's request for a £76m Capitalisation Direction covering a three-year period, the Department of Levelling Up, Housing and Communities (DLUHC) issued a minded to £20m offer for 2022/23 only, subject to various conditions which included the requirement for the Council to produce a full plan for addressing its budget gap in 2023/24 and share that with DLUHC by the end of September 2022. It was subsequently acknowledged this position would be set out in this October report.

Cabinet was informed that this report demonstrates that the Council has made further good progress in prudently positioning itself to deliver, and also sets out how it would achieve, a balanced budget for 2023/24.

In relation to this Cabinet was advised that the challenge now will be translating this work into a detailed implementation workstream and strength testing the deliverability of the assumptions that have been made particularly those around service savings and efficiencies and to avoid double-counting savings across the transformation programme.

In addition, Cabinet was informed that the report sets out that work is now being undertaken to determine if the Council can avoid drawing down on a capitalisation direction for 2022/23 by bringing forward in the region £20m of non-strategic asset disposals by 31 March 2023.

The Chair advised that there had been productive discussions at the Corporate and Community Overview and Scrutiny Committee the preceding evening.

A non-Cabinet member referred to the disposal of assets at this time and raised concerns that this was not a good time financially to be making these decisions. The Councillor also raised concerns regarding a number of schemes which were no longer able to progress due to the current hold on many items of revenue expenditure. In response to a comment the Chair confirmed that the Council was in a better position than many other Councils, and were ahead in a number of areas in addressing inflationary pressures in comparison with other Councils. The Chair also advised that any income generation from potential asset disposals had been taken into account and at present negative equity was not expected to impact the disposals.

RESOLVED that Cabinet: -

- (a) Acknowledges the materially improved financial position for 2022/23 which is now expected to produce a surplus of at least £7.8m, excluding transformation costs. This is in the context of an additional c£25m of in year cost of living pressures;**
- (b) Acknowledges the plan to deliver a balanced budget for 2023/24 and that its deliverability will now be tested as part of the implementation process;**

- (c) **Authorises officers to commence the work to ensure the deliverability of the budget including any necessary consultations as required;**
- (d) **Acknowledge the intent to consider the extent to which a capitalisation direction can be avoided in 2022/23 by bringing forward the disposal of non-strategic assets; and**
- (e) **Agree that the current expenditure controls remain in place to generate additional in-year savings.**

RECOMMENDED that Council: -

- (a) **Approve £1.9m of investment in 2022/23 in a specific transformation workstream in Children's Services as set out in appendix A; and**
- (b) **Approve the further release of earmarked reserves as set out in appendix C.**

Voting: Unanimous

Portfolio Holder: Leader of the Council

65. Cost of Living Pressures

The Portfolio Holder for Communities, Health and Leisure presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

Cabinet was advised that the report set out the impacts of cost of living pressures on the Council and our communities and describes some of the Council's responses, working with key public and private sector partners to support our communities.

In relation to this Cabinet was informed that pressures are being seen across our communities arising from the significant increase in energy prices and the effects of rapidly increasing inflation on a wide range of items and commodities, and that the Council itself is also suffering from these impacts with increasing costs and therefore faces the need to increase fees and charges to reflect the increased cost of production and of providing services.

The Chair and other councillors urged the local press to cover the support being outlined within the paper to ensure that as wide an audience as possible is made aware of the support available during this period. A Cabinet member commended the Portfolio Holder for the work in bringing this together

RESOLVED that Cabinet: -

- (a) **Notes the pressures that are being felt by many of our communities and supports the actions taken to alleviate those; and**
- (b) **Supports the proposed approach to reassessing fees and charges levied by the Council for services.**

Voting: Unanimous

Portfolio Holder: Leader of the Council

66. Local Government and Social Care Ombudsman Annual Report 2021/22 and Complaints Update

The Deputy Leader of the Council presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

Cabinet was advised that The Local Government and Social Care Ombudsman (LGSCO) provides an independent and impartial service to investigate complaints about Councils, or actions taken by another body on behalf of the Council, and that the LGSCO provides a report annually which details the number of enquiries, investigations and resolved complaints for each authority in the previous financial year. BCP Council's annual report for 2021/22 was circulated to all Cabinet members with the report.

Further to this Cabinet was informed that the report shows that the number of complaints upheld by the LGSCO is comparable to that of like organisations, that compliance with recommendations is at 100% - compared to 99% average in others, and that it notes that we are below average for providing a satisfactory remedy to complaints before they reached the LGSCO and notes delays in receiving responses from the Council, which we are working to ensure improves in the future.

In addition Cabinet was advised that the covering report includes a comparison of this council's performance to its CIPFA neighbours which aligns with the findings of the Ombudsman and that the LGSCO investigated more complaints from this council than its neighbours, and it also includes some detail on the number of complaints to BCP Council during 2021/22 however, inconsistencies within identification, recording and monitoring of complaints remains a challenge so detailed analysis is not possible.

The Chair placed on record Cabinet's thanks to those colleagues working within the complaints department for the work they do. The Chair also commented that a number of these issues came through the Planning department and commended the work which had been done to make improvements within this area.

RESOLVED that Cabinet received and noted the content of the report.

Voting: Unanimous

Portfolio Holder: Leader of the Council

67. The Future of Care Technology

The Portfolio Holder for People and Homes presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Cabinet was advised that a diagnostic review and options appraisal was carried out on the future of care technology within adult social care at BCP Council, and that officer recommendation is for a full-service transformation,

providing a single care technology offer across Bournemouth, Christchurch and Poole at the forefront of adult social care services.

Cabinet was informed that this option mainstreams care technology through a sustained programme of culture change, enabling more people to access care technology and delay, reduce or prevent the need for costly, long-term care and support, and that a one-off transformation investment of £500,000 will be required and funded through the flexible use of capital receipts.

In relation to this Cabinet was informed that the £1.552m additional service costs over 5 years will be funded in part by prudential borrowing (£493,000), and the remaining with revenue funding, and that ultimately, service costs will be met through a reduction in care cost.

Cabinet was further advised that this option will deliver a net financial benefit of £3.3m over 5 years.

The Cabinet were shown a video which provided an example of the way in which this technology was being employed – a copy of which is available with the papers for this meeting.

A non-Cabinet member commended the work but raised some concerns including costs and suitability. The Portfolio Holder commented in response that it required a culture change and acknowledged that it wasn't for everybody but could be employed in a number of different situations to have a positive impact on people's lives.

RESOLVED that Cabinet approves: -

- (a) The full-service transformation of care technology within adult social care, as set out in appendix 2 of this report, to maximise benefits for both the public and the Council;**
- (b) A £500,000 one off transformation investment to mobilise and implement the care technology model funded through the flexible use of capital receipts; and**
- (c) £493,000 of additional investment for the care technology service cost over 5 years funded through prudential borrowing.**

Voting: Unanimous

Portfolio Holder: People and Homes

68. SEND Mainstream Banding

The Portfolio Holder for Council Priorities and Delivery presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' to these Minutes in the Minute Book.

Cabinet was advised that the Dedicated Schools Grant (DSG) provides funding for pupils with special educational needs and disabilities (SEND), and that this grant is ring-fenced but not sufficient to cover the growing number of pupils requiring support and rising costs of provision.

Cabinet was informed that the council is prohibited from contributing additional funds to the grant with the result the deficit is growing annually as

considered in the Medium Term Financial Plan report on the meeting agenda.

Cabinet was advised that the proposal in this paper is one item in the action plan developed to manage the deficit, and that it is being recommended that mainstream schools are provided with higher funding levels for pupils with education, health and care plans (EHCPs) so that a greater proportion than currently can remain in mainstream schools instead of being placed in higher cost specialist provision.

In relation to this Cabinet was informed that there is a risk that despite the extra funding, an insufficient number of higher cost placements will be avoided with the result that net savings will not materialise.

The paper had been considered by the Children's Services Overview and Scrutiny Committee and the Chairman of the Committee advised that the Committee were very much in favour of having a change and supported option 2 and asked for the reasons for option 1 now being supported. The Portfolio Holder advised that this was probably an issue of affordability but as this was just a matter for Cabinet to note, would respond to the Committee Chairman outside of the meeting.

RESOLVED that Cabinet note the increase in funding values for pupils with Education Health and Care Plans (EHCP) as contained in the body of this report following on from consultation with stakeholders.

Implementation of the adopted new banding value option will commence from November 2022.

Voting: Unanimous

Portfolio Holder: Council Priorities and Delivery

69. Highcliffe & Walkford Neighbourhood Plan

The Portfolio Holder for Development, Growth and Regeneration presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'F' to these Minutes in the Minute Book.

Cabinet was advised that neighbourhood planning gives local people the opportunity to develop a shared vision for their neighbourhood and shape the development and growth of their local area. BCP Council as the Local Planning Authority has a legal duty to support and advise town/parish councils and neighbourhood forums through the process to prepare neighbourhood plans, following statutory legislation, regulations and procedure.

In relation to this Cabinet was informed that the Highcliffe & Walkford Parish Council is preparing a Neighbourhood Plan, which is at an advanced stage having been through independent examination, and that the examiner's report (dated 12 July 2022) has concluded that subject to modifications, it meets basic conditions and legal requirements, and can now proceed to referendum.

Cabinet was asked to accept the findings of the examiner including his recommended modifications; approve the Local Planning Authority's

decision statement; and approve the modified Neighbourhood Plan for referendum on 15 December 2022.

The Chair advised that if at referendum there is a majority vote (50% plus 1) in favour of the neighbourhood plan, then the neighbourhood plan will come back to Council to become a 'Made' plan for the Highcliffe & Walkford Neighbourhood area and it was expected to go through Council in January 2023. It would then form part of the statutory development plan, and used alongside the Christchurch Local Plan to determine planning applications in the Highcliffe & Walkford Parish Council area.

A non-Cabinet Councillor speaking as lead from Highcliffe and Walkford Parish Council advised of the work and potential impacts from the proposed neighbourhood plan and thanked all those who had been involved with its development.

RESOLVED that Cabinet:-

- (a) Accept the findings of the independent examiner's report (Appendix 1) and recommendation that the area for referendum will be the neighbourhood plan area. (Appendix 2);**
- (b) Approve the Local Planning Authority's Decision Statement and list of modifications (Appendix 3);**
- (c) Approve the Highcliffe & Walkford Neighbourhood Plan (2020-2028), as modified (Appendix 4 – to follow);**
- (d) Recommend that the modified Highcliffe & Walkford Neighbourhood Plan proceeds to referendum on 15 December 2022; and**
- (e) Agree that authority be delegated to the Interim Director of Planning in consultation with the Portfolio Holder for Development, Growth and Regeneration to agree any further minor changes to the Neighbourhood Plan before it goes to the referendum.**

Voting: Unanimous

Portfolio Holder: Development, Growth and Regeneration

70. Avenue Road and Commercial Road Development Brief

The Portfolio Holder for Development, Growth and Regeneration presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'G' to these Minutes in the Minute Book.

Cabinet was advised that the Development Brief sets out principles for the intensification of part of Bournemouth Town Centre, focussed around the former Marks and Spencer site and neighbouring Avenue Centre, but also including surrounding sites, and that this Development Brief demonstrates the good opportunity that exists to respond positively to the economic, social and environmental needs of Bournemouth Town Centre and its high street; to promote new commercial and community space, new homes and enhanced public realm.

In relation to this Cabinet was advised that the Development Brief has been prepared following developer interest in the sites and the need to test with stakeholders how the area could best accommodate change and intensification, and also to provide further clarification to existing planning policy and assist with decision making.

Cabinet was informed that the Development Brief is being brought to Cabinet to agree the content and to seek agreement to turn it into a Planning Supplementary Document (SPD), and that this will involve further stakeholder and public consultation, before coming back to Cabinet for reporting of results, amendments and then adoption.

The Chair proposed a number of small changes to the recommendations outlined at 'b' in the report to ensure that further work and consultation could be carried out effectively.

RESOLVED that:-

- (a) Cabinet agrees the contents of the Development Brief;**
- (b) Cabinet delegates authority to the Interim Director of Planning, in consultation with the Portfolio holder for Development, Growth and Regeneration, to:**
 - (i) make any amendments required by Cabinet to the contents of the Development Brief;**
 - (ii) develop the contents of the Development Brief into a draft Supplementary Planning Document (SPD), following further consideration of process required and views of stakeholders;**
 - (iii) Subject to completion of (ii), undertake a period of public consultation on the draft SPD; and**
 - (iv) bring back to Cabinet for consideration, the results of the public consultation and proposed amendments to the Draft SPD, with a view to adoption of a final version**

Voting: Unanimous

Portfolio Holder: Development, Growth and Regeneration

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

Cabinet was advised that there were no urgent decisions taken by the Chief Executive in accordance with the Constitution to report on this occasion.

72. Cabinet Forward Plan

The Deputy Leader advised that the latest Cabinet Forward Plan had been published on the Council's website.

Cabinet noted the latest published Forward Plan.

73. Exclusion of Press and Public

In relation to the following item of business the Cabinet

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

74. Children's Services - Pay review

The Portfolio Holder for Children and Young People presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'H' to these Minutes in the Minute Book.

RECOMMENDED that Option 5 as outlined in Appendix 2 be approved.

Note: That the information contained within the report and appendix remains exempt.

Voting: Unanimous

Portfolio Holder: Children and Young People

The meeting ended at 12.06 pm

CHAIRMAN