

# Notice of Council

Date: Tuesday, 21 March 2023 at 7.00 pm

Venue: Council Chamber, BCP Civic Centre, Bournemouth BH2 6DY



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**Chairman:**

Cllr N Hedges

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

**Vice Chairman:**

Cllr T O'Neill

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

Cllr M Le Poidevin  
Cllr L Lewis  
Cllr R Maidment  
Cllr A Martin  
Cllr C Matthews  
Cllr S McCormack  
Cllr D Mellor  
Cllr P Miles  
Cllr S Moore  
Cllr L Northover  
Cllr S Phillips  
Cllr M Phipps  
Cllr K Rampton  
Cllr Dr F Rice  
Cllr V Ricketts  
Cllr C Rigby  
Cllr R Rocca  
Cllr M Robson  
Cllr V Slade  
Cllr A M Stribley  
Cllr T Trent  
Cllr M White  
Cllr L Williams  
Cllr K Wilson

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

The press and public are welcome to view the live stream of this meeting at the following link:  
<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MId=5033>

If you would like any further information on the items to be considered at the meeting please contact:  
Democratic Services on 01202 096660 or [democratic.services@bcpcouncil.gov.uk](mailto:democratic.services@bcpcouncil.gov.uk)

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

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](https://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
**CHIEF EXECUTIVE**

13 March 2023



Available online and  
on the Mod.gov app



## Maintaining and promoting high standards of conduct

### Declaring interests at meetings

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

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



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

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

#### Bias Test

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

#### Predetermination Test

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

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

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

### Selflessness

Councillors should act solely in terms of the public interest

### Integrity

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

### Objectivity

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

### Accountability

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

### Openness

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

### Honesty & Integrity

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

### Leadership

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

# AGENDA

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

**1. Apologies**

To receive any apologies for absence from Councillors.

**2. Declarations of Interests**

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

Declarations received will be reported at the meeting.

**3. Confirmation of Minutes**

To confirm and sign as a correct record the minutes of the Meeting and the Extraordinary Meeting both held on 21 February 2023.

11 - 40

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

To receive any announcements from the Chairman.

**5. Public Issues**

To receive any public questions, statements or petitions submitted in accordance with the Constitution. Further information on the requirements for submitting these is available to view at the following link:-

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

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

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

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

**Recommendations from the Cabinet and Committees**

Please refer to the recommendations detailed in items 6 to 12 below.

**6. Audit and Governance Committee 16 February 2023 - Minute No. 182 - Financial Regulations - Annual evolution for 2023/24**

41 - 110

**RECOMMENDED that Council approve the Financial Regulations as shown in Appendix A of the report to the Audit and Governance Committee.**

**7. Audit and Governance Committee 16 February 2023 - Minute No. 183 - Review of the Council's Constitution - Recommendations of the Constitution Working Group**

111 - 134

**RECOMMENDED that: -**

- (a) the amendments to the Constitution relating to the Regulatory Committees, as detailed in paragraphs 13(a) to (e) to this report, be approved;**
- (b) the amendment to Part 4D, Procedure Rule 23.4 (Substitute Members), as detailed in paragraph 15 to this report, be approved;**
- (c) the insertion of paragraph 1.1.2 to Article 1 (Powers and Duties of the Council) and the amendment to Part 4A, Procedure Rule 25.2 (Additional Rights of Access for Councillors), as set out in paragraphs 18 and 19 to this report, be approved;**
- (d) no changes be made to the structure or frequency of meetings of the Overview and Scrutiny Committees at this time but this be considered by the Council following the elections in May 2023;**
- (e) the dates for the respective Overview and Scrutiny Committees, as set out in paragraph 28 to this report, be agreed for 2023/24, subject to the subsequent review by the Council after the elections;**
- (f) the amendments to Part 4D, Procedures Rules 13.4 to 13.27 (Public Questions, Statements and Petitions), as detailed in paragraph 39 to this report, be approved, subject to paragraphs 13.4.9 and 13.5.7 being amended to read:-**
  - 13.4.9 no member of the public may ask more than three questions on any individual item of business as defined on the agenda of the meeting. Any person submitting multiple questions may not ask their second, or where applicable, third question until other members of the public, if any, have asked their first, or where applicable, second question, subject to the Chair's discretion.**
  - 13.5.7 no member of the public may make more than three statements on any individual item of business as defined on the agenda of the meeting. Any person submitting multiple statement may not make their second, or where applicable, third statement until other members of the public, if any, have made their first, or where applicable, second statement, subject to the Chair's discretion;**
- (g) the amendments to Part 6, Schedule 1 (Arrangements for dealing with allegations of breach of the Code of Conduct for Councillors), as set out in paragraph 43 to this report, be approved;**
- (h) the amendment to Part 4A, Procedure Rule 24.3, (Access to document – Overview and Scrutiny Committees), as set out in paragraph 52 to this report, be approved;**
- (i) any 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.

8. **Cabinet 8 March 2023 - Minute No. 131 - Transfer of green space assets to Christchurch Town Council** 135 - 178
- It is **RECOMMENDED** that Council: -
- (c) **Agrees to transfer these assets at below the ‘market’ value, under the provisions of the Local Government Act 1972 general disposal consent (England) 2003.**
- Note – resolutions (a), (b) and (d) were resolved matters by the Cabinet.
9. **Cabinet 8 March 2023 - Minute No. 133 - BCP FuturePlaces Ltd - Outline Business Case for Poole Civic Centre Site** 179 - 342
- PLEASE NOTE: Should the Council wish to discuss the detail of the confidential appendix it will be necessary to exclude the press and public and move into confidential (exempt) session. If applicable, the following resolution should be moved:
- “That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 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.”*
- Cabinet RECOMMENDS that COUNCIL: -**
- (d) **Agreed to move the project to Full Business Case stage and commit costs estimated at £1.061m;**
- (e) **Agrees that the needs of the Poole Charter Trustees will be accommodated within the redeveloped Poole Civic Centre and that a location for the Coroner’s Service will be progressed by the Council’s Transformation Programme - Assets and Accommodation Workstream.**
- Note - resolutions (a) – (c) were resolved matters by the Cabinet.
10. **Cabinet 8 March 2023 - Minute No 134 - BCP FuturePlaces Ltd - Outline Business Cases for Christchurch Civic Centre Site** 343 - 430
- PLEASE NOTE: Should the Council wish to discuss the detail of the confidential appendix it will be necessary to exclude the press and public and move into confidential (exempt) session. If applicable, the following resolution should be moved:
- “That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 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.”*

**Cabinet RECOMMENDS that COUNCIL: -**

- (d) **Agrees to move the project to Full Business Case stage and commit costs estimated at £969k.**

Note – resolutions (a) to (c) were resolved matters by the Cabinet.

**11. Cabinet 8 March 2023 - Minute No 139 - Maintaining the momentum - PRS Housing scheme at Surrey Road, Bournemouth** 431 - 492

**Cabinet RECOMMENDS that Council approves: -**

- (a) **The financial strategy for the Surrey rd scheme set out in paragraphs 11 to 21 with specific approval for the use of up to £3.174M new prudential borrowing (the budget) to be repaid over 50 years from the General Fund.**
- (b) **Subject to Planning consent, the procurement of build works to the inhouse Construction Works Team (subject to their capacity and budget adherence).**
- (c) **The delegation to Director of Housing in conjunction with the Chief Financial Officer) the authority to enter a contract for build works providing all key parameters (including delivery within approved capital budget) are met.**

**12. Audit and Governance Committee 9 March 2023 - Minute No 190 - Review of the Constitution** 493 - 508

**RECOMMENDED that: -**

- (a) **the amendments in the Constitution identified in option 2 and Appendix 2 as set out in item 6 of the agenda of Audit and Governance Committee dated 9 March 2023 be adopted subject to:**
  - (i) **the replacement of paragraph 2.2.8 as below but in relation to sub-paragraph (f) of that replacement paragraph either option 1 or option 2;**
  - (ii) **the addition of a new paragraph 2.7 as below; and**
  - (iii) **further amending part of the wording of paragraph 2.5.2 b) as below.**

**The wording of those further changes being as follows:**

- (i) **Add replacement 2.2.8 with (f) being either as option 1 or option 2:**
  - 2.2.8 applications where there have been 20 or more representations from third parties provided that to count toward that number, a representation must:**
    - (a) **identify on the representation that it has come from a residence which is believed by the case officer (at the time of deciding whether the matter needs to go to Planning Committee) to be within one mile of any point measured from the relevant application site red line boundary;**
    - (b) **be received by the Council within the initial or any**

subsequent representation period as identified on the posted planning site notice relating to that application or any other related representation period provided by the Council if no planning site notice is posted;

- (c) identify one or more issues that the case officer considers to be of material planning relevance to the application to which it relates;
- (d) not have been withdrawn by the person making the representation prior to the time of deciding whether the matter needs to go to Planning Committee;
- (e) be contrary to the intended case officer recommendation; and

**Option 1 (no change from current restriction in the Constitution):**

- (f) not come from the same residence;

**Option 2 (scope for further multiple representations from the same household to count toward 20 representation total)**

- (f) provided that any additional representation from the same residence may be counted if in the opinion of the relevant senior planning officer in consultation with the Chair of Planning it raises any different relevant material planning issues to those already contained in other representations from that residence;

- (ii) And new 2.7 as follows:

**2.7** For the avoidance of doubt, for the purposes of the 20 representation process identified in 2.2.8 above, a representation that identifies more than one name on it (including a petition) shall only be counted as one representation in calculating whether the 20 representation trigger has been reached.

- (iii) Amend part of wording to 2.5.2 b) as follows:

**2.5.2 b)** ... is received no later than 4pm on the seventh calendar day after ....”

- (b) any 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.

### **13. Non-compliance with Standards Complaints Process - Determination**

This report is for information and provides the Council with details of those complaints where members have failed to comply with a determination requesting that an apology be made following the informal resolution stage of the complaints process.

#### 14. Questions from Councillors

The deadline for questions to be submitted to the Monitoring Officer is 13 March 2023.

#### 15. Notices of Motion in accordance with Procedure Rule 9

##### A – Debate Not Hate

The following motion submitted in accordance with Procedure Rule 9 of the Meeting Procedure Rules has been proposed by Councillor L J Evans and seconded by Councillor R Maidment: -

It is a privilege and responsibility to be elected to public office, something which anyone should feel safe and proud to enter into.

However, increasing levels of public intimidation and toxicity of debate aimed at and between local politicians is having a real impact on democracy. We need to see concrete action to protect current councillors and ensure potential future councillors feel safe to stand for election.

**‘We therefore call upon all BCP Councillors to demonstrate their commitment to tackling this issue by signing the Local Government Authority’s “Debate Not Hate” campaign statement, and for the Chairman to sign the statement on behalf of the Council as a whole.’**

##### B – Dorset Pension Fund

The following motion submitted in accordance with Procedural Rule 9 of the Meeting Procedure Rules has been proposed by Councillor F Rice and seconded by Councillor C Rigby: -

**‘This motion requests that BCP council asks the Dorset Pension Fund Committee to move all remaining energy investments in the pension fund to sustainable energy investments by the end of 2024.’**

BCP and Dorset Councils have both declared Climate and Ecological Emergencies. BCP council has pledged that its own council operations will be net zero by 2030 and this includes the carbon footprint of all its investments. It is important to note that although the council has set a target date of 2030 to be carbon neutral, it is important to steadily reduce the councils carbon footprint month on month, not just in the last few years, in order to prevent global temperatures from rising 3 degrees or more.

The Dorset Pension Fund is administered by Dorset Council, however, the committee comprises councillors from BCP council and Dorset Council. The Dorset Pension Fund is also part of a ‘pension pool’ encompassing 10 public sector pension funds, and they have instructed Brunel to run the pension pool. Brunel have been approached to clarify the question of: Can the Dorset Pension Fund create it’s own policy and strategy of having no continued investment in unsustainable energy production even though it is within the Brunel pension fund pool?’. Brunel have confirmed that ‘The pension funds themselves have the power to determine their own strategy and policy position in relation to sector-wide divestments (moving to sustainable



energy investments (non fossil-fuel based)), while day-to-day asset selection rest with the managers that Brunel appoints to the portfolios’.

Dorset Pension Fund has already made significant changes in the last 3 years, moving £87 million away from unsustainable fossil fuel energy investments within the Fund. The last published amount shows a remainder of just £41 million left, still in unsustainable energy investments. It is requested that Council now request the small step required to move the remainder of the carbon intensive energy investments.

There are 80 000 members in the Dorset Pension Fund, which means that if the information provided is correct, every member is currently investing the equivalent of £500 each, into coal/oil/gas/fracking around the world without even knowing it. When we combine this with the knowledge that we know that 80% of the UK population think the climate emergency is a global crisis, it is appropriate to take action on behalf of the members.

We need to show leadership and align our net zero commitments with our investment decisions.

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

To consider any urgent decisions taken by the Chief Executive in accordance with the Constitution.

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