

Notice of Annual Council



Date: Tuesday, 23 May 2023 at 7.00 pm

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

In the Chair: Nigel Hedges

Cllr C Adams	Cllr M Dower	Cllr S McCormack
Cllr S Aitkenhead	Cllr M Earl	Cllr P Miles
Cllr H Allen	Cllr J Edwards	Cllr S Moore
Cllr M Andrews	Cllr G Farquhar	Cllr A-M Moriarty
Cllr J Bagwell	Cllr D Farr	Cllr B Nanovo
Cllr S Bartlett	Cllr A Filer	Cllr L Northover
Cllr J Beesley	Cllr D A Flagg	Cllr M Phipps
Cllr P Broadhead	Cllr M Gillett	Cllr K Rampton
Cllr D Brown	Cllr C Goodall	Cllr Dr F Rice
Cllr O Brown	Cllr A Hadley	Cllr J Richardson
Cllr S Bull	Cllr M Haines	Cllr V Ricketts
Cllr R Burton	Cllr J Hanna	Cllr C Rigby
Cllr J J Butt	Cllr E Harman	Cllr K Salmon
Cllr P Canavan	Cllr R Herrett	Cllr J Salmon
Cllr S Carr-Brown	Cllr P Hilliard	Cllr P Sidaway
Cllr B Castle	Cllr B Hitchcock	Cllr P Slade
Cllr J Challinor	Cllr M Howell	Cllr V Slade
Cllr A Chapmanlaw	Cllr A Keddie	Cllr M Tarling
Cllr B Chick	Cllr M Le Poidevin	Cllr T Trent
Cllr J Clements	Cllr S Mackrow	Cllr O Walters
Cllr E Connolly	Cllr R Maidment	Cllr C Weight
Cllr P Cooper	Cllr A Martin	Cllr L Williams
Cllr M Cox	Cllr D Martin	Cllr K Wilson
Cllr D d'Orton-Gibson	Cllr G Martin	Vacancy
Cllr L Dedman	Cllr J Martin	
Cllr B Dove	Cllr C Matthews	

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 attend or view the live stream of this meeting at the following link: <https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?Mid=5034>

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

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

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

GRAHAM FARRANT
CHIEF EXECUTIVE

15 May 2023

**DEBATE
NOT HATE**



Available online and
on the Mod.gov app

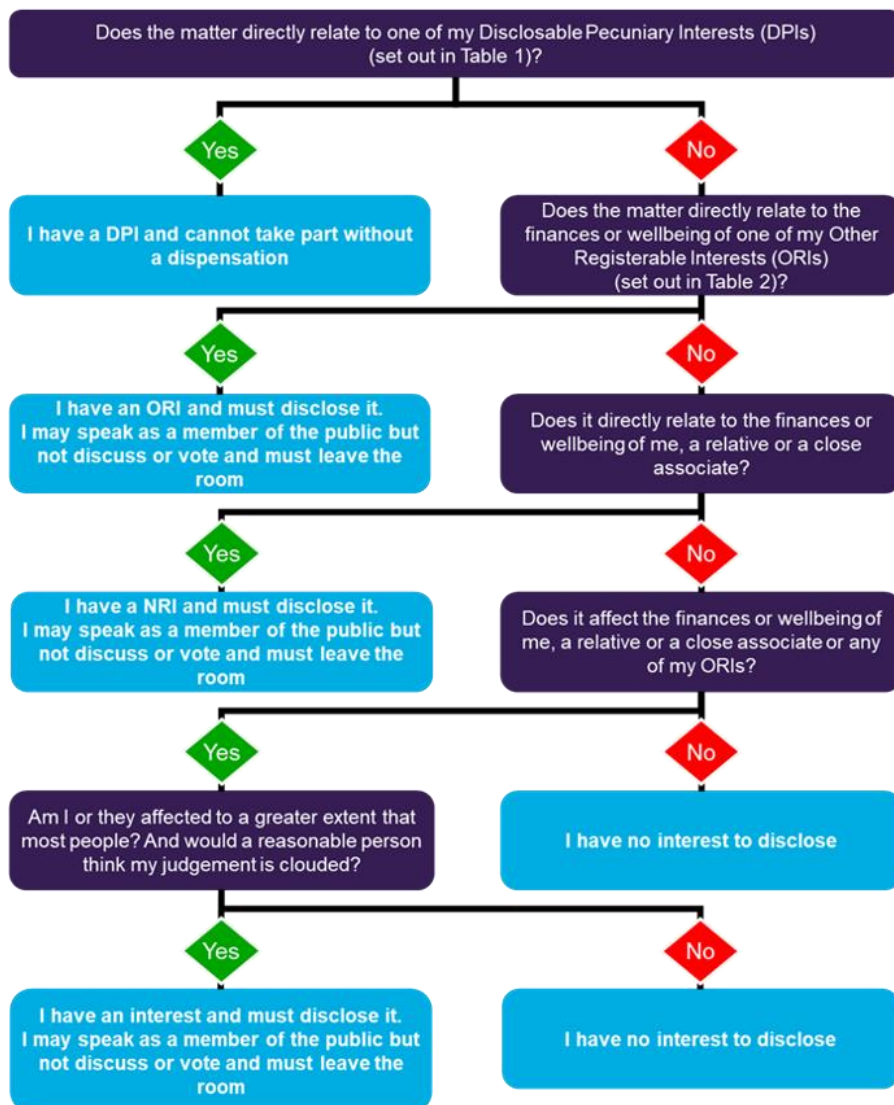


Maintaining and promoting high standards of conduct

Declaring interests at meetings

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

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



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

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

Bias Test

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

Predetermination Test

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

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

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

Selflessness

Councillors should act solely in terms of the public interest

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty & Integrity

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

Leadership

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

AGENDA

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

1. Apologies

To receive any apologies for absence from Councillors.

2. Declarations of Interests

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

Declarations received will be reported at the meeting.

3. Election of Chair of the Council

Councillors are asked to nominate and elect the Chair of the Council until the next Annual Council.

4. Election of Vice-Chair of the Council

Councillors are asked to nominate and elect the Vice-Chair of the Council until the next Annual Council.

5. Election of Leader of the Council

Councillors are asked to elect the Leader of the Council in accordance with the Council's Constitution.

6. Review of the political balance of the Council, the allocation of seats on Committees to each political group and the appointment of Councillors to Committees and Outside Bodies

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The Council is asked to consider and approve the review of the political balance of the Council, the allocation of seats on Committees to each political group, the appointment of Councillors on Committees and appointments to outside bodies.

At the time of publication, all notifications to form political groups had not been received by the Proper Officer following the elections on 4 May 2023. As a consequence, the detailed calculations relating to the above will be included in Appendix A to the report and will be circulated to Councillors as soon as practicably possible.

7. Members' Allowances Scheme 2023-2024

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This report seeks Council's approval of the Scheme of Members' Allowances for 2023-24 Municipal Year.

8. Questions from Councillors

The deadline for questions to be submitted to the Monitoring Officer is 15 May 2023.

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

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

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

COUNCIL



Report subject	Review of the political balance of the Council, the allocation of seats on Committees to each political group and the appointment of Councillors to Committees and Outside Bodies
Meeting date	23 May 2023
Status	Public Report
Executive summary	<p>The Council is asked to consider and approve the review of the political balance of the Council, the allocation of seats on Committees to each political group, the appointment of Councillors on Committees and appointments to outside bodies.</p> <p>At the time of publication, all notifications to form political groups had not been received by the Proper Officer following the elections on 4 May 2023. As a consequence, the detailed calculations relating to the above will be included in Appendix A to the report and will be circulated to Councillors as soon as practicably possible.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <ul style="list-style-type: none"> (a) the revised political balance of the Council, as set out in Appendix A, Table 1 be approved; (b) the allocation of seats to each political group as set out in Appendix A, Table 2 be approved; (c) the appointment of Councillors to Committees and Boards, taking into account the membership, as detailed in Appendix A, Table 3, and any nominations submitted by political groups, be approved; (d) the allocation of seats to each political group to the outside bodies as detailed in Appendix A, Table 4, be approved and the Group Leaders advise the proper officer of their representatives; (e) Subject to (d) above the Council is requested to approve the appointment of unaligned members to the relevant outside bodies.
Reason for recommendations	To ensure compliance with the Local Government and Housing Act 1989 and associated Regulations in reviewing and approving the political balance of the Council and the allocation of seats together with any other associated issues

Portfolio Holder(s):	Not applicable
Corporate Director	Graham Farrant, Chief Executive
Report Authors	Richard Jones, Head of Democratic Services
Wards	Council-wide
Classification	For Decision

Background

1. The Council is required to review the political balance of the Council at the annual meeting of the Council and following any change in its membership. Following the elections of all councillors on 4 May 2023, councillors may form political groups providing notice to the proper officer. At the time of publication, the required formal notifications from all groups had not been received. Consequently, the revised membership calculations will be undertaken and circulated to all Councillors as Appendix A to this report as soon as practicably possible.
2. It should be further noted that the calculations will be based upon a membership of 75 councillors following the resignation of Councillor Bedford. A further report on political balance will be presented to Council following the election.
3. The Appendix A will set out the following:
 - Table 1 - the political balance calculation and proposed allocation of seats.
 - Table 2 - the allocation of seats on Committees and Boards to Political Groups and non-aligned Councillors.
 - Table 3 – the appointment of Councillors to Committees and Boards.
 - Table 4 – the allocation of seats to Political Groups and non-aligned Councillors on Outside Bodies to which the political balance rules apply.
4. The current seat entitlement is based on 103 seats on Committees and Boards. The Council may wish to consider the number of seats on bodies to maintain overall political balance.
5. The following principles are contained within Section 15 of the Local Government and Housing Act 1989 and have been amended under the regulations to take account of the fact that not all the seats are held by members of political groups. They need to be applied in the following order and as far as practicably possible:
 - (a) Not all the seats on a committee are allocated to the same political group.
 - (b) Where a group has a majority of seats on the Authority it should have the majority of seats on each committee.
 - (c) The third rule provides that, without being inconsistent with the first two rules, the number of seats allocated to each political group on all the ordinary committees taken together be as near as reasonably practicable proportionate to their proportion of seats as a proportion of the authority as a whole.

- (d) Finally, so far as is consistent with the above each group should be allocated seats on each committee to reflect their proportion of seats on the authority.

Summary of financial implications

6. There are no financial implications associated with this report which is based on retaining the existing committee structure.

Summary of legal implications

7. The Council is required to comply with the relevant legislation and regulations when considering and approving the political balance of the Council and the allocations of seats.
8. The Act and Regulations make provisions where a proposal is not as far as possible politically representative. This includes instances where a Group gives up a seat which they are entitled to hold in favour of another and distorts the political balance rules. In such an instance such a proposal can only be accepted if no member votes against them.

Summary of human resources implications

9. There are no human resources implications associated with this report.

Summary of sustainability impact

10. There are no sustainability implications associated with this report.

Summary of public health implications

11. There are no public health implications associated with this report.

Summary of equality implications

12. There are no equality implications associated with this report. It would be a matter for the political groups to consider any equality issues through their own appointment process.

Summary of risk assessment

13. There are no risk implications associated with this report.

Background papers

None

Appendices

Appendix A to be circulated following the receipt of all political group notifications which will set out:

- Table 1 – the political balance calculation and proposed allocation of seats.
- Table 2 – the allocation of seats on Committees and Boards to Political Groups and non-aligned Councillors.
- Table 3 – the appointment of Councillors to Committees and Boards.
- Table 4 – the allocations of seats to Political Groups and non-aligned Councillors on Outside Bodies to which the political balance rules apply.

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COUNCIL



Report subject	Members' Allowances Scheme 2023-2024
Meeting date	23 May 2023
Status	Public Report
Executive summary	This report seeks Council's approval of the Scheme of Members' Allowances for 2023-24 Municipal Year.
Recommendations	<p>It is RECOMMENDED that:</p> <ul style="list-style-type: none"> (a) The schedule of Members' Allowances, as set out in Appendix 1 to this report, be approved with effect from 23 May 2023; (b) the allowances as set out in the schedule be increased in accordance with the Employees' National Pay Award when determined and back-dated to 23 May 2023; (c) that the Monitoring Officer be delegated authority to engage the Independent Remuneration Panel to undertake a review of the Scheme of Members' Allowances when changes to the governance arrangements are known.
Reason for recommendations	To ensure that BCP Council has a Scheme of Members' Allowances as required by the relevant legislation.
Portfolio Holder(s):	Not applicable
Corporate Director	Graham Farrant (Chief Executive)
Report Authors	Richard Jones (Head of Democratic Services) Sarah Culwick (Deputy Head of Democratic Services)
Wards	Not applicable
Classification	For Decision

Background

1. The Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) require a relevant authority to make a scheme providing for the payment of a basic allowance (BA) to each member of that authority. The BA must be the same for each member of the authority.
2. The Scheme may make further provision for the payment of special responsibility allowances (SRA) for specific roles and payments to co-optees on specific committees.

Application of Employees' National Salary Award

3. The Council has previously resolved to increase the Members' Allowances in line with the Employees' National Pay Award but determined not to apply any increase in 2021/22. In making that resolution it was agreed that the National Pay Award would be applied from 2022/23 onwards.
4. The 2022/23 pay award was determined as a fixed amount and therefore a methodology was required to convert this to a percentage pay award.
5. The Basic Allowance and Special Responsibility Allowances were adjusted by 5.44% (an amount equivalent to the average officers' pay award for 2022/23 in line with the Employees' National Salary Award), this was applied retrospectively from 10 May 2022 in accordance with the Council's decision. In line with previous arrangements, any Pay Award for 2023/24 should be applied accordingly and backdated to 23 May 2023 (being the commencement of the Municipal Year).

Special Responsibility Allowances

6. The Special Responsibility Allowances set out in the schedule of allowances indicates the existing arrangements. In November 2020, the then Leader of the Council decided to forego the 50% uplift to the Leader of the Council's Special Responsibility Allowances for the remainder of the term. The term ceased on the retirement from the role and as a consequence, the 50% uplift was re-instated and is reflected in the schedule appended to this report.

Independent Remuneration Panel

7. The Council has appointed an Independent Remuneration Panel (IRP) which consists of at least three independent people. The IRP should be engaged to periodically review the scheme of allowances and to make recommendations to Council.
8. It is considered appropriate for the Panel to undertake a review in the coming months following any potential changes which may be made by the new Council. It is anticipated that the IRP will invite comments from members of the Council by way of a questionnaire and to undertake some more detailed interviews with individual members, particularly those with special responsibilities.

Summary of financial implications

9. There are no proposed changes to the members allowances other than the application of any future National Pay Award. The demand on the budget will be dependent on the number of councillors appointed to the respective roles which attract a special responsibility allowance.

Summary of legal implications

10. The Local Authorities (Members' Allowances) (Miscellaneous Provisions) Regulations 2003 govern the establishment of the Scheme necessary to determine the operation of allowances for Members.
11. The process undertaken, and the proposed Scheme accords with the requirements of the legislation.

Summary of human resources implications

12. There are no specific Human Resource implications arising from this report.

Summary of sustainability impact

13. There are no specific sustainability issues arising from this report.

Summary of public health implications

14. There are no specific public health issues arising from this report.

Summary of equality implications

15. The needs of councillors with dependents, including those who are carers, have been considered and taken account of through the process and inclusion of specific allowances.

Summary of risk assessment

16. There are no specific risks arising from this report.

Background papers

None

Appendices

Appendix 1 – Schedule of Members Allowances for 2023/24

Scheme of Members Allowances for 2023/24

The Members' Allowances payable for the 2023/24 Municipal Year be as follows:

Basic and Co-optees Allowances		£
(A)	Basic Allowance for each of the 76 Councillors	£13,543
(B)	Co-optees and Independent Members Allowance	£1,084
Special Responsibility Allowance		
(In recognition of the additional workload and levels of responsibility and accountability placed upon members appointed to these roles)		
(C)	Leader of the Council	£29,339
(D)	Cabinet Members (including Deputy Leader)	£19,559
(E)	Lead Members	£10,843
(F)	Chair of the Council	£10,843
(G)	Vice-Chair of the Council	£5,418
(H)	Chair of Audit and Governance Committee	£10,834
(I)	Chair of Planning Committee	£10,834
(J)	Chair of Corporate and Community Overview & Scrutiny Committee	£8,125
(K)	Chair of Place Overview & Scrutiny Committee	£8,125
(L)	Chair of Children's Services Overview & Scrutiny Committee	£8,125
(M)	Chair of the Health & Adult Social Care Overview & Scrutiny Committee	£8,125
(N)	Chair of Licensing Committee	£10,834
(O)	Vice-Chair of Licensing Committee	£2,709
(P)	Chair of Appeals Committee	£3,251
(Q)	Chair of Standards Committee	£3,251
(R)	Group Leaders [†]	£3,251
(Note: [†] minority political groups must have a membership of no fewer than 5 for their Leader to receive an SRA)		
Other Allowances, Provisions and Conditions		
(S)	No SRAs be paid to vice-chairmen of committees (with the exception of the vice-chairman of Council and the Licensing Committee)	
(T)	Members may not receive more than one SRA (and may elect which SRA to receive) with the exception that a Group Leader's SRA can be payable as a second SRA	

(U)	The Allowances set out above be increased annually in line with the Employees' National Salary Award (or an amount equivalent to the average officers' pay award where a fixed amount is awarded) from the date of Annual Council and back-dated as applicable.
(V)	Travel allowances continue to be paid to members in line with MAP for undertaking official business
(W)	Travel allowances be paid to members travelling to the BCP Council Offices for meetings and official business as set out in paragraph 12A of the current scheme of allowances
(X)	Subsistence allowances be paid to members in the case of an absence not involving an absence overnight from the usual place of residence:-
	Breakfast (more than 4 hours away before 11am) £7.14
	Lunch (more than 4 hours including 12 noon to 2pm) £10.72
	Tea (more than 4 hours including 3pm to 6pm) £5.35
	Evening Meal (more than 4 hours away ending after 7pm) £14.29
(Y)	Carers' allowance be paid to recompense the actual cost expended (and is not payable to a member of the claimant's own household subject to the Monitoring Officer having the discretion to approve claims on a case by case basis):
	(a) for care of dependants, whether children, elderly people or people with disabilities;
	(b) for such time as a member is on BCP Council business where travelling allowances are payable;
	(c) at an hourly rate equivalent to 110% of the minimum wage, rounded up to the nearest whole pound
(Z)	Where applicable, the entitlement of an SRA be transferred to an elected vice-chair where the relevant chair is permanently unavailable to perform their duties
(AA)	No members be entitled to a pension

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