

Notice of Cabinet



Date: Wednesday, 10 January 2024 at 10.15 am

Venue: Committee Room, First Floor, BCP Civic Centre Annex, St Stephen's Rd, Bournemouth BH2 6LL

Membership:

Chairman:

Cllr V Slade

Vice Chairman:

Cllr M Earl

Cllr D Brown
Cllr R Burton
Cllr M Cox

Cllr A Hadley
Cllr J Hanna
Cllr A Martin

Cllr K Wilson

All Members of the Cabinet 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?MIId=5365>

If you would like any further information on the items to be considered at the meeting please contact: Sarah Culwick (01202 817615) on 01202 096660 or email 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

2 January 2024

**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
(janie.berry@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

7 - 22

To confirm and sign as a correct record the minutes of the Meeting held on 13 December 2023.

4. 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 public questions is 12 noon, 3 clear working days before the meeting.

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

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

5. Recommendations from the Overview and Scrutiny Committees

To consider recommendations from the Overview and Scrutiny committees on items not otherwise included on the Cabinet Agenda.

ITEMS OF BUSINESS

6. Council Tax - Tax base 2024/25

23 - 28

This report calculates and presents the proposed council tax base for council tax setting purposes in line with current legislation and guidance.

7. Q2 2023/24 Corporate Performance Report

29 - 104

BCP Council's priorities and values which underpin the development and delivery of services are set out in the Corporate Strategy.

A new Corporate Strategy was approved by Cabinet in December 2023 and is expected to have been adopted by council before this paper is considered. New delivery plans and key performance measures will be considered by Cabinet in April 2024.

Until then, performance is assessed on the actions and measures detailed in the Corporate Strategy adopted by Full Council in November 2019 and delivery plans that were revised in February 2022.

The appended performance report shows progress with measures set out

in the delivery plans and any additional measures agreed by Cabinet as part of the performance reporting process, for quarter two of 2023/24 (July to September 2023).

Individual exception reports provide explanations and planned actions to address under performance. The appended report also provides a further update on the delivery plan actions.

A new section on public health measures has been added so performance can be considered alongside BCP Council delivery areas.

In addition, appendix 2 shows a progress update as of December 2023, on the Council's response to being issued with a 'Best Value Notice' by the Department for Levelling Up, Housing & Communities (DLUHC) in August 2023.

8. BCP Council - Tenancy Strategy for Registered Providers of Social Housing - 2024-2029

105 - 120

The Localism Act 2011 introduced the discretionary use of flexible fixed term tenancies with the aim of helping registered providers of social housing (councils and housing associations) make the best use of social housing. Lifetime tenancies could still be used.

The Act requires councils to prepare and publish a Tenancy Strategy as part of its strategic role for the area that sets out the matters which providers should have regard to when formulating policies relating to the types of tenancies that they will grant.

BCP Council is a registered provider of social housing and must also have regard to the strategy. It also supports harmonisation of the approach to the use of flexible fixed term tenancies within the council's own housing stock.

All Tenancy Strategies held by previous legacy authorities supported the discretionary use of flexible fixed term tenancies.

The use of flexible fixed term tenancies has been relatively low and most providers have moved away from using them. The reasons for this are that they do not achieve their aims, create uncertainty for tenants, add complexity, increased resource requirements are required to manage them effectively and they can act as a barrier to supporting tenants to manage their tenancies.

The revised Tenancy Strategy supports the use of lifetime tenancies rather than fixed term tenancies to provide the most assurance to tenants, contribute to sustainable communities and ensure effective tenancy management. It will continue to allow the discretionary use of fixed term tenancies in appropriate circumstances where this aligns with efforts to make best use of social housing and where help to sustain tenancies is provided.

The revised strategy does not impact on the allocation of housing to meet priority or specialist housing needs.

9. Active Travel Fund 4 (ATF4)

121 - 162

This report seeks delegated approval to deliver BCP Council's programme of work, described below, which has been funded by the Active Travel Fund (ATF) 4.

The Council has been awarded £3.78million of ATF4 funding from Active

Travel England (ATE) for walking, wheeling and cycling improvements with schemes fully aligned with the Local Cycling and Walking Infrastructure Plan (LCWIP) approved by Council in May 2022.

Following the preparation of an application to the fund in February 2023 in line with the prescribed ATE process, on 21 March 2023 the Council was advised that the application had been successful and that acceptance of the grant was required by 24 March 2023.

It was not possible to convene a Council meeting to approve acceptance and the Chief Executive therefore had to use his urgency powers in accordance with Part 3 of the Constitution.

10. Proposed shared Flood and Coastal Erosion Risk Management (FCERM) Service with East Devon District Council

163 - 168

BCP FCERM are already working collaboratively with multiple authorities across the South-West region. Through those improving relationships and following our recommendation, East Devon District Council (EDDC) have proposed entering into a Shared Service Agreement (SSA) for FCERM activities in recognition of BCP capabilities and the mutual benefits that will bring. They are also taking a paper to their Cabinet in January 2024.

A SSA has distinct and strong advantages to all parties: a 'one team' culture; ability to use permissive powers on behalf of EDDC to seek grant funding; builds capital programme generating income, reduces net service cost, allows growth of the service & skills; communities made more resilient to climate change; greater resilience for service provision; more attractive in recruitment market; smooths capital programme allowing consistent resourcing; less reliance on consultancy support.

The proposal aligns with our service vision / is fully supported by the Environment Agency (strategic overview of national FCERM).

11. South Part of Beach Road Car park

169 - 206

Beach Road Car Park is a public pay and display surface car park in Canford Cliffs with c.316 car spaces currently marked out. Many of these spaces are not compliant with BCP Parking Standards and due to land slips, tree encroachment and related surface breakage, they are unusable.

The whole of the car park is under-utilised and closed for six months of the year (30th September to 1st April) and the south section of the car park, fronting Pinecliff Road was declared surplus, most recently by Cabinet on 8 March 2023.

This report seeks approval to dispose of the south part of the site, shown outlined red in Appendix 1, subject to a future Cabinet resolution to appropriate the site for planning purposes, retaining the rear in its existing use as a car park.

It is the council's intention to make improvements to the retained rear car parking area, including consideration of the scope to increase current capacity and provide more compliant spaces. This will be subject to a separate business case and cabinet report, to be led by the Director of Infrastructure in consultation with the Director of Commercial Operations.

[PLEASE NOTE: Should the Cabinet wish to discuss the detail of the exempt appendix at Appendix 4 it will be necessary to exclude the press and public and move into Confidential (Exempt) session]

12.	Traffic Order Proposal, Transforming Cities Fund (TCF) - Darby's Lane Cycle Route 5 Section 2 (C.5.2) P40 2023 <p>The proposal is the implementation of new waiting restrictions which are required for Cycle Route 5 section 2 (C.5.2) of the Transforming Cities Fund (TCF) route "Poole town centre to Merley, Poole" as it passes though Darby's Lane.</p> <p>The Transforming Cities Fund (TCF) programme is funded directly from the Department for Transport (DfT) with small local contributions from stakeholders.</p> <p>The programme aims to create a safer environment and to encourage more travel by sustainable modes including; walking cycling and bus use, thereby reducing congestion and improving health and well-being overall.</p>	207 - 244
13.	Council-Owned Companies - Shareholder Governance Review <p>This report sets out the action taken to ensure appropriate and effective governance of Council owned companies including the independent governance review undertaken by DLUHC, a self-assessment review of Council-owned companies undertaken by the Council's internal audit team, and the governance review undertaken by the Interim Chair of BCP FuturePlaces Ltd which considered lessons learnt over the first year of operation.</p> <p>Following the work undertaken above and the subsequent closure of BCP FuturePlaces Ltd, a review of shareholder governance arrangements for all Council-owned companies was undertaken by the Interim Corporate Director for Resources in November 2023.</p> <p>The review recommends changes designed to provide clearer understanding of the respective roles, decision-making arrangements, and improved accountability along with next steps for implementation should these recommendations be approved.</p>	245 - 298
14.	Tricuro Local Authority Trading Company Transfer of Shares <p>Tricuro Local Authority Trading Company provides adult social care services across the Bournemouth Christchurch and Poole area. Currently, both BCP Council and Dorset Council own shares in the company. Dorset Council withdrew their services in October 2022 and are willing to transfer their share in the company.</p> <p>This report sets out the process and seeks approval for the share transfer that will leave BCP Council as the single shareholder.</p> <p>[PLEASE NOTE: Should the Cabinet wish to discuss the detail of the exempt appendix at Appendix 1 it will be necessary to exclude the press and public and move into Confidential (Exempt) session]</p>	299 - 314
15.	Urgent Decisions taken by the Chief Executive in accordance with the Constitution <p>The Chief Executive to report on any decisions taken under urgency provisions in accordance with the Constitution.</p>	Verbal Report
16.	Cabinet Forward Plan <p>To consider the latest version of the Cabinet Forward Plan for approval.</p>	To Follow
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.		