

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
COUNCIL

Minutes of the Meeting held on 20 February 2024 at 7.00 pm

Present:-

Cllr L Dedman – Chairman

Cllr S Bull – Vice-Chairman

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

Also in
attendance:

67. Apologies

Apologies were received from Councillors J Challinor, J Clements, and D Flagg for that part of the meeting held on 20 February 2024.

Apologies for absence were received from Councillors H Allen, J Bagwell, J Beesley, P Broadhead, J Butt, P Canavan, B Castle, J Challinor, J Clements, P Cooper, B Dove, D Farr, D Flagg, C Goodall, J Hanna, M Howell, R Maidment, C Matthews, P Miles, K Rampton, M Tarling and L Williams for the reconvened meeting on the 27 February 2024.

68. Declarations of Interests

The Chairman advised that the Monitoring Officer had granted all Members dispensations in respect of the following agenda items:

- Item 11: Budget including Council Tax;
- Item 6: Safety Valve - debate on petition/motion.

Councillor L Northover declared an interest in respect of agenda item 16, as she was a Council appointed trustee for Russell Cotes. Councillor Northover advised that she would leave the room for the duration of the item.

69. Confirmation of Minutes

RESOLVED: That the minutes of the meeting held on 9 January 2024 be agreed as a correct record.

Voting: Nem.Con.

70. Announcements and Introductions from the Chairman

The Chairman announced the passing of former Poole Councillor Geoff James and former colleague Karl Hopton. Cllr Haines paid tribute to Mr James.

Council stood to mark their passing with a minute's silence.

The Chairman updated Council on their activity since the last meeting, which included:

- Woodhouse community chest event;
- Holocaust Remembrance Service;
- Youth Parliament hustings;
- Bereavement Umbrella;
- Royal Visit at the Coastal Lookouts.

71. Public Issues

The Chair confirmed that all public questions and statements would be taken in the order in which they had been received. Any questions and statements remaining at the end of the 15-minute time limit for public issues would be circulated to all parties within two working days and included in the minutes of the meeting.

Public Questions from Jo Keeling:

During a meeting chaired by MP Conor Burns with regards to the Highmoor Farm Planning Application, David McNair, Director of Bournemouth Nuffield Hospital stated that the Nuffield had made enquiries with the council to purchase Wessex Fields in order to build a replacement hospital in this location. Talks were progressing 2019/2020 however they came to an end for reasons he stated he was not privy to.

May I ask who the talks were with? When these talks concluded? Who in the council stopped the potential sale of this land to the Nuffield as I am led to believe it was during the leadership of the first administration? Why did the Nuffield move from Wessex Fields to Talbot Village? Is it indeed a fact

they were 'put off' from the Wessex Fields site as is rumoured to be the case. If so, why?

Response from Councillor Vikki Slade, Leader of the Council and Portfolio Holder for Dynamic Places:

Thank you for your question. I can confirm that in early 2020 a community meeting was held at The Bridge to discuss the options for the Wessex Fields site which I was involved with alongside the Chief Executive. This resulted in the agreement to go out to tender with a soft market testing of the site to determine what the interest might be around its use.

A significant number of responses were received to this exercise which was conducted by an external organisation which sent its report to the Council in October 2020. One of these organisations was the Nuffield Hospital.

Just to clarify that the reason that it took so long was due to the global pandemic. The Council moved to a response phase with non-essential work being paused, which included the tendering for the soft market testing, and that was let in June 2020 with the report received by the Council sometime in October 2020. Our period of leadership ended on 30 September 2020.

No meetings were held with any of the potential users who had responded to that market testing, and beyond the initial expression of interest, BCP had no record of further discussions once the pandemic commenced. No direct offer to purchase the site was made by Nuffield or anyone else during my leadership of the council.

In December 2020, when the Conservative administration had taken control, a paper was brought to Cabinet sharing the results of the soft market testing. I have just been sighted on this for the first time in preparation for this answer. The Cabinet paper sought a decision to sell all or part of the Wessex Field site, and the recommendation which was passed was for part of the site to be sold to the Bournemouth Hospital Trust, now known as UHD, University Hospital's Dorset, and this was progressed. The Cabinet report can be read online, but the external soft market test was provided as a confidential appendix.

I cannot tell you why Nuffield decided to start negotiations with Talbot Village Trust, or why they decided not to pursue their initial interest in the site. They are, of course, a private business, so I have no information available for that.

Public Question from Susan Stockwell

Will you control waste collection, ensuring bins are returned to and collected by council staff from premises where the waste is generated, instead of being left on pavements/public land where they attract fly tipping and vandalism? This also breaches the Public Sector Equality Duty by

obstructing the highway, particularly for young, elderly and disabled. During high winds recently my car came very close to being damaged by a large commercial bin on wheels left in Bournemouth Square after emptying instead of being returned to the premises.

Response from Councillor Andy Hadley, Portfolio Holder for Climate response, Environment and Energy

Susan, thank you for your question. The Waste service acknowledge that bins left out on public land for extended periods of time can be a particular problem for elderly individuals, disabled people and parents with pushchairs.

The Council like the vast majority of local authorities operates a kerbside waste collection service. Our adopted Waste Collection Guidance can be viewed online. It is the responsibility of the householder or business to avoid causing an obstruction to pedestrians where possible, and to store their bins as soon as possible on the collection day.

Leaving a bin out on the pavement is not a criminal matter, but it is a civil one. The government has given local authorities the power to issue fines for persistent breaches of the rules. The government's advice to councils is that fixed penalty notices should be issued as a last resort.

The Council is currently reviewing options and taking learning from other Local Authorities to consider introducing a new standard for how commercial waste should be stored and how waste bins or sacks are presented on the highway and public land within our town centre retail areas which will be considered at a future cabinet meeting.

Public Question from Adam Sofianos

Councillors will be aware that the Council has submitted a 15-year plan to Government, in relation to the Safety Valve scheme.

During a Committee meeting last month, it was confirmed by an officer that this plan “doesn’t tackle the deficit currently projected for the end of this financial year.”

In other words, this plan will not pay off a penny of the £63m accumulated deficit – a deficit which already leaves the Council in “technical insolvency”.

Can Council confirm, for the avoidance of doubt, that the 15-year Safety Valve plan does not tackle the £63m deficit, and does not remove the associated risk of insolvency?

Response from Councillor Richard Burton, Portfolio Holder for Children and Young People

Thank you, Adam, for the question. Before I answer your question specifically, you will notice that I have five questions to answer tonight and I

have tried not to repeat myself in any of them. I must also thank you very much for the interest in this. It is really heartening to know the number of people who are interested in children's services and particularly SEND at the moment.

Adam, you are quite correct. After 15 years the in-year position is planned to have a small surplus and the accumulated deficit will start to reduce at that point. The £63m deficit will have risen by that point. Further conversations will need to take place with government about how the projected £63m accumulated deficit can be funded in the meantime. Knowing that we have addressed the increase in the deficit will aid those conversations.

Public Question from Rachel Filmer

In January, over 30 residents gathered to protest against Safety Valve. 20 stayed for the Children's Services Committee meeting, where 20 questions and 10 statements were submitted.

Families spoke eloquently and bravely about the ways they've been failed by inadequate services. Young people Maisie and Will said they feel unworthy of funding, and they find the Safety Valve plan details terrifying.

Yet the council glosses over legitimate concerns. The 15 year outline mentions the risk of more tribunals and judicial review, acknowledging that statutory duties will not be met. Councillors and officers may be listening, but are we being heard?

By the Council's own admission, services are already "not good enough". The choices made here will define our children's entire lives, and determine quality of life for parents and carers, for decades to come.

Will Council commit to oppose any plan which involves a reduction in services?

Response from Councillor Richard Burton, Portfolio Holder for Children and Young People

Thank you very much for your question Rachel.

The 15 year plan is based on all statutory duties being met and children remaining in their current placements for as long as they remain appropriate. The plan includes some assumptions for improved demand management but the main way of reducing budget pressures is through creating new high quality lower cost places through the capital programme.

The plan takes an estimated 15 years to achieve balance because there are no plans to change the commitments already made, it takes time to create new local places, and these are to be filled by children who are not yet placed in any provision. There are no plans to change placements for Children and young people who are in the most appropriate placement. This will only be considered if it is in the best interest of the young person.

An associated Improvement Plan for the Local Area SEND partnership has

been developed and is with DfE for approval. This will be shared with all stakeholders as soon as possible. The implementation of the Improvement Plan will be overseen by the SEND Improvement Board and this is chaired by the DfE appointed Improvement Advisor and has representatives across all Local Authority, Education and Health structures. I also sit on that Board.

Public Question from Sarah Cooper (read by Adam Sofianos)

It is well-documented that the Council's SEND service has not been consistently meeting statutory requirements. This is evident in tribunal outcomes, where Council decisions are overturned in the overwhelming majority of cases.

A Cabinet paper published in September 2023 described BCP as "the fifth-lowest performing authority in the country". Although some improved data has been returned, performance is still below statutory minimums and parents tell us of long waits for statutory advice while newer requests are prioritised.

Yet the 15-year Safety Valve plan would mean not only a considerable reorganisation of services, but specific reductions in service – such as the need for 50% reduction in EHCPs in Year 1 – to meet financial targets.

How can the Council guarantee that any Safety Valve plan would meet statutory levels, when they are already unmet?

Response from Councillor Richard Burton, Portfolio Holder for Children and Young People

Thank you, Adam, for reading the question and could you pass my thanks to Sarah for asking it.

Currently 95% for decisions to assess are within 6 weeks. There is a large historic backlog of annual reviews. Back when the cabinet paper that you refer to was written, and I remember that paper well, as you can imagine; the backlog was over 600. It is now down to at 310. Although this is still too high it is due to be caught up by May 24 (May this year) based on current progress.

Looking at the EHCP 20-week deadline, I was embarrassed by the number completed in a timely manner at that point. If you remember rightly, it was 0%. This has consistently improved over the last 3 months: In November it was up to 3.5%, December 12.5% and January at 28.6%. Due to the nature of the time of indicator it will take some months to reach our 100% target, but clear improvements can be evidenced. This is still not good enough, however, I am pleased with the progress and thank officers for their work in this.

Looking at the 50% reduction in EHCPs mentioned. From the around 60 plans per month currently in the system, about 30 are to clear backlog.

Going forward the underlying number of new plans in 2023/24 should only be about 30 per month where it is assumed this level will continue in 2024/25 and then reduce by only 1 plan per month over the remaining years due to falling overall child numbers. There is a falling number of school age children within BCP following on from a “bulge” that is going through the secondary school aged children.

You are quite right to be concerned about the impact that the Safety Valve plan might have on the SEND services improvement journey. This is the primary reason that BCP has entered a 15-year plan rather than a 4 or 7 year plan entered by the other authorities.

Public Question from Aimee Surman

Some parents are concerned that Safety Valve will mean that their child’s school placement may be changed. Often these children have been placed in Independent or Non Maintained Special Schools because there were no suitable maintained school places available at the time.

We feel it is unfair that our children’s education could be disrupted and damaged when they are thriving. Responsibility for this issue falls with the local authority for failing to commission sufficient maintained places. Can BCP commit to maintaining all current placements, and not moving children in cases where costs are the only issue?

Response from Councillor Richard Burton, Portfolio Holder for Children and Young People

Thank you Aimee for asking the question and allowing me to offer some further explanation and reassurance. No child current school placements are planned to be changed. As you will understand there are normal transition points which should always be a time to review needs and suitable provision however these will always be child focus and all decisions will be made in the best interest of the children and young people.

Public Question from Lexi Cox

Information released in December states that, in order to meet Safety Valve financial targets, you will need to halve the number of Education Health and Care plans issued. Last month we heard 53% of EHC needs assessment requests are refused. Local policy states any request without supporting evidence from a school will be refused, and schools are confused about how much evidence is needed. As you are aware, this is an unlawful policy - the legal test makes no mention of this.

You note that risks of your 15 year plan include increased appeals and judicial review, demonstrating awareness that your statutory duties will be breached. You are already artificially halving the number of assessments carried out. How will you further reduce the number of assessments and plans issued while meeting statutory duties?

Response from Councillor Richard Burton, Portfolio Holder for Children and Young People

Thank you, Lexi, for your question. I think that the first part of your question is answered as part of Sarah Cooper's and Rachel Filmer's answer. The 53% of requests for assessment that you refer to is the percentage that are returned seeking further evidence. Many of these are subsequently processed when further evidence is received. We will continue to work with partners on this as asking for further evidence slows down the process. We need to seek ways of removing this obstacle.

In January 58% of new EHCP requests were direct to the Local Authority and not through their education provider. There are occasions where direct requests are the best and correct course of action, however we will continue to encourage parents to work with their education setting at the earliest opportunity to ensure that universal support is accessed where possible. Education providers are often the most suitable places for support and using their expertise can often make the process easier. In January we witnessed an acceptance rate of 80% to assess. We are working with Bedford Council our Sector Lead Improvement Partner and school colleagues to review our decisions. A new Quality Assurance process is in place to support and review such decisions.

To meet the normal Safety Valve timescale the plan would have needed to balance over 5 years, but all have agreed, that is the council and DfE advisers, that this could not be done and meet statutory duties.

Public Question from Susan Lennon

Poole Park gate closure: I am a disability campaigner and radio station owner. There is 14 million disabled in the UK. I am against temporary closure of Whitecliff gate on grounds of disability access. Please reconsider and take into account the needs of disabled people. The closure disregards the principles of the equality act. Alternative solutions need to be explored and taken into the needs of the disabled. We need an inclusive environment for all visitors to the park. The people of Poole should have been consulted. Please will you publish the findings of the consultation and clarify your full intentions for Poole Park in the future. I have a live petition: 1,201 as of 12/2/24.

Response from Councillor Andy Hadley, Portfolio Holder for Climate response, Environment and Energy

Susan, thanks for your question.

As I'm sure you are aware, there are a wide range of disabilities, and we very much appreciate the importance of balancing their needs. As part of the Poole Park Life improvements (2017-21), a range of dedicated disabled parking spaces were created, and changes were also made to improve access for people walking and wheeling throughout the park.

We have heard from people with disabilities who feel that their cause has been used during the campaigning. Some disabled people were dissuaded from visiting the park as a result of misrepresentation of the measure. This was very unfortunate.

The results of the public consultation relating to the trial closure of one entrance into Poole Park will be made available to the public as part of the Cabinet process. The papers will include an Equalities Impact Assessment and ensure the Council meets the necessary requirements under the Equality Act 2010 and in particular, the Council's Public Sector Equality Duty.

I agree that it is important we take particular account of the needs of those with Disabilities and other protected characteristics, and we intend to do that, whatever the outcome.

Public Question from Martin Woodgate

In 2021 BCP Council pledged to support the BCP Poverty Truth Commission. In late 2023 we submitted to you our end of commission report. I hope someone has read this report; it's on our website if you can't find your copy. Could you tell me what you have done and how you are supporting this work in a language I can understand?

Response from Cllr Millie Earl, Deputy Leader of the Council and the Portfolio Holder for Connected Communities

Thank you for your question Martin. Here is my response:

Since the commission was submitted to BCP Council we have appointed Cllr Simon McCormack as the Lead Member for Homelessness and Cost of Living. He is looking at how we include the voice of those who have lived experience as we develop our services and work in partnership with a wide range of organisations to tackle the impact of the cost-of-living crisis on communities in Bournemouth, Christchurch & Poole.

I attended the Poverty Truth Commission Celebration event last summer and was moved by the stories shared by commissioners and have also had the opportunity to read the report and meet with you alongside Cllr McCormack and Cllr Wilson.

The Poverty Truth Commission focussed on three common themes: Humanising the Process; Housing & Home; and Empowered Communities. We are developing the delivery plan for the Council's new Corporate Strategy and this looks at our approach to 'working closely with partners, removing barriers and empowering others', 'Providing services that are accessible and inclusive' and 'Using data, insights and feedback to shape services and solutions'.

A number of Council staff will be taking part in the 'Art of Hosting' training in March that the PTC has arranged so that we can look to further develop our

skills around engaging with people who use council services and using their feedback to help shape services. All of these will look to ensure that lived experiences and empowering communities will be at the heart of the Council's work.

The 'Together We Can' Steering Group was set up during the covid pandemic in 2020. It now works to mitigate the impacts of the cost-of-living crisis, share information and identify gaps in support. We focus on food and energy security, financial resilience, health and wellbeing as well as how we effectively communicate what support is available.

We are working to make the language in letters that are sent to people impacted by homelessness easier to understand, with clearer summaries of decisions and explanations about the housing support and assistance that is available to people in need. This work continues with regular conversations with the Homelessness Partnership lived experience Oracle group.

The government is introducing new standards in April, that we, as a social housing provider, will have to meet. At the heart of these new standards is putting the tenant voice first, listening to them and involving them as part of the decision-making process. These new standards should ensure that, houses are safe and of a good quality to live in. Whilst we do a lot of this work already, such as a 'rapid response' service to deal with damp and mould, these standards will be monitored regularly and will be inspected by the Regulator of Social Housing. And residents through our Advisory Board will be able to hold us to account.

Finally, the Household Support Fund was a grant from Government to help our most vulnerable households with the rising cost-of-living. Organisations such as Citizen's Advice BCP, schools and the food banks have helped shape how we make the best use of the fund to reach those most in need and provide practical support. We are very concerned that many of our residents depend on the vital support that is available through this fund and there is currently no confirmation from the Government on whether it will continue beyond March 2024. Alongside other councils, charities and organisations, we have called on Government to reinstate this lifeline for those in BCP who are facing crisis through poverty.

Public Question from Carrie Burch

12 Community Commissioners like me, who have lived experience of poverty, and 13 Civic and Business Commissioners who, like you, make decisions about our lives, have worked together to build our first successful Poverty Truth Commission in BCP. This has allowed my voice, and those of my community commissioner friends, to be heard. To show that I do matter and my views and opinions are important.

As BCP Council has been one of the lead organisations benefiting from our work, will you commit to financially supporting a second BCP

Poverty Truth Commission to ensure the voice of lived experience of poverty continues to change the lives of people in our communities?

Response from Cllr Millie Earl, Deputy Leader of the Council and the Portfolio Holder for Connected Communities

Thank you Carrie for your work as a community commissioner and for your part in producing the Poverty Truth Commission Report which has helped so much in identifying the areas where we can make a difference, as a local council, in tackling the issues faced by those who have experienced poverty. I hope my response to Martin's question demonstrates some of the work we have been doing to include the voices of those with lived experience in decision making and provide support to those currently in or close to destitution.

As we will be discussing later on in this meeting as we set the council's budget for the coming year, local government finance is at crisis point and, like the majority of other councils, we are having to make savings across a wide range of service areas to continue delivering core services, such as children's services and adult social care.

Due to this financial uncertainty, we can't commit funding to the next phase of the Poverty Truth Commission directly as a council at this point, but we can, and have, tried to help by providing information about other potential funding sources and also sponsorship so that you can continue this important work.

Statement from Bob and Jeanie Francis

There have been many articles discussing Safety Valve. SEN children are being discussed as percentages and financial burdens. There is little evidence that BCP are aware a child is at the heart of this.

SEN children come with a price tag, their needs are greater than a neuro-typical child, many are unable to flourish in a mainstream setting. Some need a specialist environment, equipment, support and specialist teaching. We need more specialist schools, hold on though, doesn't that cost money, can't have that, shove that child in mainstream it costs less, doesn't matter what parents views are, or what child needs, BCP need to save money.

There is a massive deficit in Adult Social Care, you are now contributing to this further by not addressing these issues at an earlier age. If you think they're a burden now, just wait. All children including SEN children are our future.

Statement from Philip Gatrell

Attention is drawn to rising trends in maladministration and service failure complaints by residents and the decisions against BCP shown by the following local government and social care ombudsman data:

Total Complaints Processed by the Ombudsman

2019/20 - 43

2020/21 - 40

2021/22 - 73

2022/23 - 72

10 Months to 2 February 2024 - 62

Total - 290 Complaints

Complaints Upheld by the Ombudsman after Full Investigation

2019/20 - 5 (42%)

2020/21 - 9 (69%)

2021/22 - 22 (65%)

2022/23 - 26 (68%)

10 Months to 2 February 2024 - 23 (85%)

Total - 85 Cases Upheld

The stated complaints upheld numbers and ratio percentages relate to the 124 cases fully investigated by the Ombudsman excluding complaints not proceeded with after initial enquiries.

BCP complied with the Ombudsman's recommendations for upheld complaints regarding the four completed years. However, BCP's remedial rates prior to the Ombudsman's determination were:

2019/20 40%

2020/21 0%

2021/22 5%

2022/23 12%

Public Question from Nick West

Question following the closure of the Whitecliff Gate in Poole Park resulting in a build up of traffic around the one way system and Sandbanks Road.

Now it seems that a 20mph speed limit is being discussed for the whole of the whole of BCP which may lead to a 15-minute city. My understanding is that this is not about road safety. See below:
https://en.m.wikipedia.org/wiki/Reported_Road_Casualties_Great_Britain

So, are you going to take vehicles off our roads and create a 15 minute city in BCP because of very weak evidence of climate emergency? If so, it will not be in the interest of the public.

I suggest that 15 minute Cities are nothing less than dystopian and wish to hear from the Council that this will never be the case here.

Yours sincerely, from very concerned constituents.

Response from Cllr Millie Earl, Deputy Leader of the Council and the Portfolio Holder for Connected Communities

Thank you Nick for your question. A report on 20mph speed limits shall be

debated at Cabinet on 6 March 2024 and in advance of that at Overview and Scrutiny Board on 26 February 2024. The soon to be published Cabinet paper includes the outputs of a review of the areas across BCP where 20mph speed limits have already been introduced.

The outputs of the review are positive which is why more 20mph speed limits in residential areas across the three towns are recommended. The objective is to reduce the number of residents and/or visitors that are killed or seriously injured in their neighbourhoods. The recommendation is not being driven by a desire to take vehicles off the roads by creating a 15-minute city, or as part of a climate emergency initiative.

I'd also like to thank Mr West for sharing a link representing the fact that tens of thousands of people are still seriously injured and killed on roads across Great Britain with the vast majority of casualties occurring in built up areas.

Public Statement from Shaun Hayward and Ruth Crook, Trustees of the People First Forum

You have signed up to our Bill of Rights. This says we have:

- The right to say no;
- The right to have our voices heard;

Our members with learning disabilities have spoken up about your proposals:

- 1) Keep 3 centres
- 2) lose all 8.

We did not know about proposal 2.

People with profound and multiple learning disabilities use the centres. They are a very vulnerable group. We think everyone should have their say - "Nothing about Us, Without Us."

Our members are upset, fearful and angry. They say you should not close the centres. People need centres that are:

- Accessible and give us enough space to move freely
- Safe
- Have staff with specialist skills who know us well

"It is terrible, shouldn't shut them down. They should stay open."

"Where will I go to be with my friends?"

"Respect us, listen and keep our centre!"

Public Question from Daniel Parkin

Why was the initial consultation period for the BCP local plan delayed until shortly after 19th March and why are the council not releasing the site assessments for the Gypsy and Travellers site until the consultation period starts next month?

Disgruntled residents, over 250 signatures already on a petition in just 2 days campaigning against this, would like to know exactly why the council feel they can designate a potentially contaminated unsuitable site for this community group?

Why has the LP Timeline not provided enough time for their complaints process/ombudsman's complaints process to be worked through?

Why was the government's Traveller planning policy not followed?

Please could you update me on the current status of the Creekmoor former Park and Ride site?

What is the deadline for submitting the LP to the Inspectorate?

Response from Councillor Vikki Slade, Leader of the Council and Portfolio Holder for Dynamic Places:

On 23 December 2023, Government published the updated National Planning Policy Framework (NPPF). This had been highly anticipated and the draft local plan had been written based on the expected changes. This updated version of the NPPF had been delayed and includes transitional arrangements (in Para 230) that make it necessary for us to delay the public consultation until after 19 March 2024. If we had consulted immediately after the draft local plan was agreed in January, the whole plan would have had to be based on the previous NPPF.

This amendment was reported to Council on 9 January when the Local Plan was agreed, where they are detailed in Revised Appendices 4 and 6 to Item 57 to the Council papers. The site assessments are part of our Housing and Economic Land Availability Assessment that provides the evidence to support all the local plan allocations and the sites that were not allocated. This work will be published at the same time as all of the other Local Plan evidence, as part of the public consultation. The draft Local Plan and the supporting evidence relating to all aspects of the plan, will be the subject of the forthcoming public consultation. The responses will be provided to the Inspectorate as detailed in the council paper.

The site is allocated in the Draft Local Plan as it is on public land that is available, is self-contained and has good access to services and facilities. We have positively prepared our Draft Local Plan in accordance with the Government's planning policy for traveller sites and the NPPF.

We are following a statutory process for preparation of a local plan. If the public examination is successful the Local Plan will come back to Council for adoption in Summer 2025, and it is not until this point that the site is formally agreed or allocated for gypsy and traveller provision.

If we decide to bring the site forward for development we will need to submit

a planning application where there will be further public scrutiny. This timetable provides ample time to submit a complaint, but it would be preferable if you provide your feedback during the mandatory six week public consultation that will commence on or shortly after the 20 March.

Your comments will be passed to an independent planning inspector who will examine the local plan. The inspector will assess whether the local plan process has been correctly followed and the allocated sites, including the gypsy and traveller site, are suitable and deliverable. This is the proper process if you have concerns over the process undertaken by the Council.

The Creekmoor Park and Ride site is safeguarded for a future use for a park and ride. The site was discounted as a permanent gypsy and traveller site as the site floods.

We must submit the Local Plan to the Planning Inspectorate at the very latest by June 2025. However we are planning to submit the Local Plan in June 2024 as we need a BCP Local Plan in place at the earliest opportunity to provide certainty for our communities and developers on development in the BCP area.

Statement from Daniel Glennon

I asked a question to full council a few months ago to ask that the council take action on the climate emergency. Three key ways the council can do this is by switching to plant-based catering in its own internal meetings and events; prioritising plant-based menu options in other external sites where the council has an influence; and promoting plant-based eating to residents.

This isn't about mandatory veganism, rather these actions will help to normalise plant-based eating and send a powerful message that this is the direction we need to be heading in as a society to mitigate the worst effects of climate change that are contributed to massively by meat and dairy. Having declared a climate emergency, it is essential that the council takes action on this. These are all simple steps the council can take that can have a huge impact.

Statement from Philip Gatrell

Regarding the local government and social care ombudsman's investigation of service failures and maladministration:

Local Government Act 1974 subsections state –

- 30(4): Ombudsman's reports be available without charge for 3 weeks public inspection at council offices.
- 30(5): Public notice required within 2 weeks of receiving reports, via appropriate advertisement by the "proper officer" – namely "Director of Law & Governance" and "Chief Executive" per Council's Constitution.

- 30(7): Provides Ombudsman's discretionary individual case exemptions to the above. Local media and the Council's website however indicate absence of any notices.
- 30(6): Custodians obstructing inspection incur summary fine.
- 31(2): Reports "be laid before the authority". *Local Government and Housing Act 1989 subsections 5(2)(aa), 5A(3)(b) require Monitoring Officer reporting to each Member regarding Ombudsman investigations.*

By 2nd February 2024 the Ombudsman upheld 85 cases. One 1989 Act report - not by a Monitoring Officer - was issued to Full Council.

Statement from Charles Ross Illingworth

I am concerned about 15-minute neighbourhoods, Low Traffic Neighbourhoods, and the proposed 20mph limit on BCP area residential streets. These policies if enacted may have a disproportionate and negative effect on constituents, human rights, and the local economy.

Given the objectives and strategies outlined in the Decarbonisation of Transport Plan published by the Department of Transport, with their publicly available Local Authority Toolkits, surely Council policy in this regard is already pre-ordained by central government in line with the stated wishes of the unelected and unaccountable World Economic Forum and UN Agenda 2030?

If BCP Council follows state policy, the outcome is de facto already decided. Draft policy is already set out in the Local Plan. Accordingly any public discussion or consultation now is just mere theatre and sham to deliberately give the false impression that there has been a transparent democratic process to the general public.

Statement from Nick Greenwood

The 2030 Agenda for Sustainable Development drafted by the UN and World Economic Forum currently appears to be a serious ambition of the BCP. There is emerging evidence (to be presented in a fuller Statement later) that this agenda is preordained making consultations nothing more than lip service and deceptive Theatre for the Public. The Agenda has been drafted by unelected off-shore bodies and adaptation would be in breach the Nolan Principles and likely be an act of treason.

Statement from Peter Schroeder

Selling a large part of the Beach Road carpark would be a major and irreversible mistake. For both residents and our vitally needed influx of visitors, we require a properly developed parking strategy for the area. The premise that it is not needed because of underuse is false. It is underused because it has been seriously neglected. It is badly signed and publicised; poorly lit and marked, and closed for months even as with the opening of Rockwater, winter parking for Branksome Chine is in short supply.

The council needs to think again about the whole parking issue.

Statement from Roy Pointer

Is this what we have come to – selling off the family silver to make ends meet?

What has happened to the economic dividend from creating BCP?

What has become of Britain's Premier seaside destination?

With a town centre in decline, rubbish and graffiti everywhere, we must maximise the one fantastic asset we have – the miles of sandy beach.

But no. Neglect and hide a beach car park for long enough and people will be glad to see it gone. Forget the visitors, ignore the residents, shun families – we're closing down! I urge you - don't sell up!

Statement from Philip Stanley Watts

I understand BCP council is under financial pressure but the team of CSAS officers and youth services should be maintained and extended to offset the problems of knife crime and ASB behaviour and promote wellbeing in local communities. CSAS officers are a vital cog to deter and detect as well as support and engage with communities.

Statement from Celine Spearing

I am a mother of 3 young children who attend their local primary school in BCP. We are in the process of applying for an EHCP plan for our third son. I come from a teaching background whereby I taught Modern Foreign Languages for several years. Throughout my career, I have seen so many pupils left behind because there wasn't enough support available to them.

As one teacher facing 30 students, I tried my best, but I reached a point where my best wasn't enough for them. I am now standing on the other side as a parent, trying my best once again to support our son who needs help at school. To me, the safety valve means that the government will cut down more on this support. What is the goal, I ask? Have these lawmakers spent any time in schools to see how dire the situation is?

72. Petition - Reject Safety Valve

Consideration was given to a petition calling for BCP Council to reject the Government's Safety Valve project, with the following as justification:

"STOP Safety Valve. SUPPORT our children. SUPPORT our schools.

What's happening?

Safety Valve is a controversial Government schools project, which forces councils to make drastic cuts in support for children with special educational needs & disabilities (SEND). BCP Council has been selected as a 2024

entrant, and is expected to sign a binding contract in March. The best chance to stop this is to raise public awareness and demand a council vote.

What would this mean for SEND children and families?

SEND support is NOT a golden ticket or a free pass. It just offers a child a chance to better access education and improve their lives.

But the objective of Safety Valve is to reduce the amount spent on SEND, by cutting the support delivered to children. For BCP this includes slashing new plans by 50%, pushing up to 90% of new plans into mainstream schools, and making further cuts to support for children aged 16+.

What about the effect on schools?

The BCP proposal could mean taking money from schools. Considerations include cutting 11% from the main schools budget, and raiding the reserves of well-run schools. This would have a terrible domino effect, and would push many schools closer to insolvency.

Is this legal?

All councils are obliged by law to deliver statutory SEND services. Almost all councils are struggling to uphold this duty already. Nationally, councils lose 98% of all SEND tribunal cases.

But Safety Valve doesn't change the law. In fact, it would make BCP more exposed to legal challenges than ever before.

Why is this even happening?

The Government has been under-funding SEND services for years, and a deficit has been growing in all councils. It's now so big that it could push many councils into insolvency by 2026.

But rather than increase funding, or make schools policy more inclusive, the Government is using Safety Valve to force councils to slash support for some of our most vulnerable children. This could affect thousands of struggling BCP families.

Ironically, Safety Valve won't even solve the financial issues. The deficit is too big. There are other solutions, but nothing can happen until after the election. For now, we need to hang on."

The petition organiser, Mr Adam Sofianos, provided Council with background relating to the submitted petition and reported that the petition was the most signed petition in BCP Council history.

Members sought clarity from Mr Sofianos on a number of points.

Cllr P Canavan moved a motion regarding the Safety Valve, seconded by Cllr P Cooper, requesting that BCP Council resolves to:

- (a) Ensure that this Council is able to debate and consider any contract or arrangement regarding the possible application of Safety Valve prior to this being agreed;
- (b) Ask the Leader and/or Chief Executive of the Council to write to the Secretary of State for Levelling Up, Housing and Communities,

seeking an urgent extension to the statutory override, to give local authorities time and space to address the crisis in SEND funding and services;

- (c) Ask the Leader and/or Chief Executive of the Council to write to the Secretary of State for Education, expressing the urgent need for additional funding (or deficit write-off) for all local authorities;
- (d) Ask the Leader and/or Chief Executive of the Council to write to the Chair and/or Chief Executive of the Local Government Association, expressing the urgent need for local authorities to demand together that the Government supports local authorities through this crisis, to avoid unnecessary insolvencies without punishing vulnerable families.

Council debated the petition and motion and it was:

RESOLVED: That BCP Council resolves to:

- (a) Ensure that this Council is able to debate and consider any contract or arrangement regarding the possible application of Safety Valve prior to this being agreed;**
- (b) Ask the Leader and/or Chief Executive of the Council to write to the Secretary of State for Levelling Up, Housing and Communities, seeking an urgent extension to the statutory override, to give local authorities time and space to address the crisis in SEND funding and services;**
- (c) Ask the Leader and/or Chief Executive of the Council to write to the Secretary of State for Education, expressing the urgent need for additional funding (or deficit write-off) for all local authorities;**
- (d) Ask the Leader and/or Chief Executive of the Council to write to the Chair and/or Chief Executive of the Local Government Association, expressing the urgent need for local authorities to demand together that the Government supports local authorities through this crisis, to avoid unnecessary insolvencies without punishing vulnerable families.**

Voting: Nem.Con.

73. Cabinet 10 January 2024 - Minute No. 81 - Council Tax Base 2024/25

Councillor M Cox presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor D Brown.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council: -

- (a) approves the report for the calculation of the council's tax base for the year 2024/25 and recommends the tax base to Full Council; and
- (b) pursuant to the report, and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, the amount calculated as the council tax base for Bournemouth, Christchurch and Poole Council for 2024/25 is 146,342.

Voting: Nem.Con.

74. Audit and Governance Committee 11 January 2024 - Minute No. 54 - Treasury Management Monitoring report for the period April to December 2023 and Treasury Management Strategy 2024/25

Councillor M Andrews presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor E Connolly.

Council moved to a vote where the motion as follows was carried.

RESOLVED that:-

- (a) the Minimum Revenue Provision (MRP) change for 2023/24 set out in paragraphs 16-32 of the report be approved; and
- (b) the Treasury Management Strategy 2024/25 set out at Appendix 4 of the report be approved.

Voting: Nem.Con.

75. Cabinet 7 February 2024 - Minute No. 98 - Mainstream Schools and Early Years Funding Formulae 2024/25 Report

Councillor R Burton presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor M Cox.

Council moved to a vote on each recommendation separately, where the motion as follows was carried.

RESOLVED that Council: -

- (a) delegate the decision for the early years formula to Cabinet on 6 March to allow time for the consultation with the sector and Schools Forum to conclude; and

Voting: For - 60; Against - 0; Abstentions - 13.

- (b) agree the local mainstream formula as set out in paragraphs 45 to 47 and appendix 3a, which remains dependent on final decisions from the DfE. In the event that these decisions have not been received by the time of the Council meeting, then the final decision is delegated to the Corporate Director for Children's Services in consultation with the Portfolio Holder for Children's Services.

Voting: For - 38; Against - 25; Abstentions - 10.

76. Cabinet 7 February 2024 - Minute No. 99 - Housing Revenue Account (HRA) Budget Setting 2024/25

Cllr T Trent and Cllr J Bagwell declared a pecuniary interest as they were subject to proposed increases to garage rental prices and left the room for the duration of the item.

Councillor K Wilson presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor M Cox.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council: -

- (a) That revenue budgets for 2024/25 and provisionally for 2025/26 to 2028/29 are set using the following principles:
- i. That dwelling rents are increased by 7.7 per cent (CPI for September 2023 + 1 per cent) from 1 April 2024 in line with the Department of Levelling Up, Housing and Communities Policy statement on rents for social housing published in February 2019 (Rent Policy Statement).
 - ii. That garage, garage bases and parking plot rental charges are increased by 7.7% from 1 April 2024.
 - iii. That leasehold services are charged to leaseholders in line with actual costs incurred.
 - iv. That shared ownership dwelling rents are increased in line with lease terms.
 - v. That the changes to services charges are agreed as set out in appendix 2.
 - vi. That the bad debt provision is set at £0.4 million.
 - vii. That the depreciation budget is set at £12.4 million.
 - viii. That HRA reserves are maintained at a minimum level of 5 percent of total expenditure in line with good practice at £2.2million
- (b) That capital budgets for 2024/25 and provisionally for 2025/26 to 2028/29 are set using the following principles:
- i. That the planned maintenance programme as set out in Appendix 5 is agreed.

- ii. That the major project capital programme as set out in Appendix 6 is noted.
- iii. That the 2024/25 budgets of £0.4 million for feasibility works and £3 million for the acquisition of individual properties(Acquire and Repair) are approved.

(c) The HRA Delivery Plan is approved as set out in appendix 7.

Voting: Nem.Con.

77. Cabinet 7 February 2024 - Minute No. 100 - Budget 2024/25 and Medium Term Financial Plan

Councillor M Cox presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor D Brown.

Councillor P Broadhead moved an amended budget, seconded by Councillor J Beesley.

Conservative Group – Amendment (1) to the 2024/24 Budget

Funding Source:

- (a) **To only be implemented if** the specific one-off contingency set aside to manage the risk of delivery or delay in the £41.2m in savings, efficiencies and additional resources is not needed.

£1.177m Use of funds from the one-off contingency budget if not required

- (b) Ongoing resources from not disposing of an income generating asset.

£0.160m Net operating income from cancelling sale of Christchurch Bypass Car Park

Application of the **one-off** resources set out as follows.

Amount £000s	Service Area	Description
642	Operations	Town Centre Improvement Fund (in addition to £358k allocated by the substantive budget)
300	Commercial Operations	Air Festival funding for 2025
150	Environment	Play Park Boost
85	Commercial Operations	Defer Kings Park Plant Nursery closure – Subsidy. (budgeted saving)

1,177	Total – One Off Resources
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Application of the **ongoing** resources set out as follows.

Amount £000s	Service Area	Description
153	Housing & Communities	Additional investment in CSAS and Community Safety
7	Commercial Operations	Littledown Paddling Pool (<i>budgeted saving</i>)
160	Total – Ongoing Resources	

Councillors C McCormack and M Tarling declared a non-pecuniary interest in that they were members of the Christchurch Premises Committee which was debating the future of the Christchurch By-pass car park. Councillors McCormack and Tarling left the room while the amendment was debated.

Councillors M Cox and Cllr P Hilliard declared a non-pecuniary interest in that they were members of Christchurch Town Council but not members of the Premises Committee. The Councillors confirmed that they would remain in the room and deliberate on the item.

Following debate on the amendment, Council moved to a vote, as follows:
For – 13; Against – 42; Abstentions – 16.
The amendment was lost.

Councillor P Broadhead moved a second amended budget, seconded by Councillor J Beesley.

Conservative Group – Amendment (2) to the 2024/24 Budget

Funding Source:

To only be implemented if the specific one-off contingency set aside to manage the risk of delivery or delay in the £41.2m in savings, efficiencies and additional resources is not needed.

£1.537m Use of funds from the one-off contingency budget if not required
£1.537m Total

Application of these **one-off** resources set out as follows.

Amount £000s	Service Area	Description
684	Commissioning & Procurement	Defer savings from the review of day services proposals for one-year. (<i>budgeted saving</i>)

396	Children's Services	Defer Education Revised delivery models for one-year. (<i>budgeted saving</i>)
57	Children's Services	Defer Early Years Workforce for one-year. (<i>budgeted saving</i>)
300	Children's Services	Create one-off Mental Health support in schools fund
100	Children's Services	Create a one-off Youth Centre Fund
1,537	Total – One Off Resources	

Cllr Slade declared a non-pecuniary interest as she was the Chair and lead Member for youth clubs, and left the room for the duration of the amendment.

Following debate on the amendment, Council moved to a vote, as follows:
For – 14; Against – 43; Abstentions – 15.
The amendment was lost.

Council considered the substantive budget proposals.

Following debate, Council moved to a named vote where the motion as follows was carried.

Recommendations A – E:

For		
Marcus Andrews	Stephen Bartlett	David Brown
Olivia Brown	Richard Burton	Brian Castle
Adrian Chapmanlaw	Brian Chick	Mike Cox
Lesley Dedman	Millie Earl	Jackie Edwards
Matthew Gillett	Crispin Goodall	Andy Hadley
Jeff Hanna	Emily Harman	Richard Herrett
Paul Hilliard	Brian Hitchcock	Mark Howell
Marion Le Poidevin	Sandra Mackrow	Rachel Maidment
Andy Martin	David Martin	Chris Matthews
Simon McCormack	Pete Miles	Sandra Moore
Bernadette Nanovo	Lisa Northover	Margaret Phipps
Dr Felicity Rice	Judy Richardson	Vanessa Ricketts

Peter Sidaway	Paul Slade	Vikki Slade
Michael Tarling	Tony Trent	Oliver Walters
Clare Weight	Kieron Wilson	

Against		
Cameron Adams	Sue Aitkenhead	Hazel Allen
Julie Bagwell	John Beesley	Philip Broadhead
Judy Butt	Patrick Canavan	Sharon Carr-Brown
Eleanor Connolly	Peter Cooper	David d'Orton-Gibson
Bobbie Dove	Michelle Dower	George Farquhar
Duane Farr	Anne Filer	May Haines
Gillian Martin	Jamie Martin	Anne-Marie Moriarty
Karen Rampton	Lawrence Williams	

Abstention		
Sara Armstrong	Simon Bull	Alasdair Keddie
Chris Rigby	Joe Salmon	Kate Salmon

Recommendation F:

For		
Cameron Adams	Bobbie Dove	Gillian Martin
Sue Aitkenhead	Michelle Dower	Jamie Martin
Hazel Allen	Millie Earl	Chris Matthews
Marcus Andrews	Jackie Edwards	Simon McCormack
Julie Bagwell	George Farquhar	Pete Miles
Stephen Bartlett	Duane Farr	Sandra Moore
John Beesley	Anne Filer	Anne-Marie Moriarty
Philip Broadhead	David Flagg	Bernadette Nanovo
David Brown	Matthew Gillett	Lisa Northover
Olivia Brown	Crispin Goodall	Margaret Phipps
Richard Burton	Andy Hadley	Karen Rampton
Judy Butt	May Haines	Dr Felicity Rice
Patrick Canavan	Jeff Hanna	Judy Richardson

Sharon Carr-Brown	Emily Harman	Vanessa Ricketts
Brian Castle	Richard Herrett	Peter Sidaway
John Challinor	Paul Hilliard	Paul Slade
Adrian Chapmanlaw	Brian Hitchcock	Vikki Slade
Brian Chick	Mark Howell	Michael Tarling
Jo Clements	Alasdair Keddie	Tony Trent
Eleanor Connolly	Marion Le Poidevin	Oliver Walters
Peter Cooper	Sandra Mackrow	Clare Weight
Mike Cox	Rachel Maidment	Lawrence Williams
Lesley Dedman	Andy Martin	Kieron Wilson
David d'Orton-Gibson	David Martin	

Abstention		
Sara Armstrong	Simon Bull	Chris Rigby
Joe Salmon	Kate Salmon	

RESOLVED that Council: -

- (a) Undertakes a recorded vote in relation to the following items as required by the Local Authorities (Standing Orders) (England)(Amendments) Regulations 2014.
- i. Agrees that a net budget of £356.9m, resulting in a total council tax requirement of £258.6m, is set for 2024/25 based on the draft local government financial settlement figures published by government in December 2023;
 - ii. Agrees an increase in council tax of 2.99% for 2024/25 in respect of the basic annual threshold and the collection of the additional social care precept of 2%;
 - iii. Confirms the key assumptions and provisions made in the budget as proposed and as set out in Appendix 3;
 - iv. Agrees the allocations to service areas in the budget as set out in Appendix 5;
 - v. Agrees the implementation of £41m of savings as set out in Appendix 5a;
 - vi. Approves the flexible use of capital receipts efficiency strategy as set out in Appendix 6;
 - vii. Approves the asset management plan as set out in Appendix 8;
 - viii. Agrees the treasury management strategy (TMS) and prudential indicators as set out in paragraphs 74 to 79 and Appendix 9;

- ix. Accepts and supports the formal advice of the chief finance officer on the robustness of the budget and the adequacy of the reserves as set out in paragraphs 95 to 101 and Appendix 10.**
- (b) Approves the implementation of a freeze on all non-essential expenditure from 1 April 2024 and until such time as the Corporate Management Board have provided Cabinet Members with assurance that all the £41m of 2024/25 budget savings have been delivered.**
- (c) Delegate to the Chief Executive, in consultation with the Director of Finance, Leader, and Portfolio Holder for Finance, the allocation of any additional resources that become available through the final 2024/25 local government finance settlement or any other means.**
- (d) Requests that the Corporate Director for Children's Services produces for the April Cabinet a detailed delivery plan to limit the high needs expenditure projections to those included within the DSG management plan presented to the Department for Education and Schools Forum in January 2024.**
- (e) Approves the chief officers' pay policy statement 2024/2025 for consideration and approval by the council in accordance with the provisions of the Localism Act 2011 as set out in paragraphs 103 to 105 and Appendix 12.**
- (f) Requests that the Director of Finance provides Council with a schedule setting out the rate of council tax for each category of dwelling further to councillors' consideration of the decision required in respect of (1) above and after taking account of the precepts to be levied by the local police and fire authorities, neighbourhood, town and parish councils, and chartered trustees once these have been determined prior to the Council meeting on the 20 February 2024.**

The Chair amended the running order to next determine agenda item 19: Recruitment of Chief Operations Officer.

78. Recruitment of Chief Operations Officer

The Leader of the Council, Councillor V Slade, presented the 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, and proposed the recommendations as set out therein.

The proposal was seconded by Councillor M Phipps.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council approves the appointment of the candidate named in Appendix 1 to the position of Chief Operations Officer.

Voting: Nem. Con.

The Chair moved an adjournment of the meeting. This was seconded by the Vice Chair.

Council agreed by majority to adjourn until 7pm, Tuesday 27 February 2024.

The meeting was adjourned at 23:23.

79. Cabinet 10 January 2024 - Minute No. 83 - BCP Council - Tenancy Strategy for Registered Providers of Social Housing - 2024-2029

Following further recording of Apologies for Absence and Declarations of Interests, the reconvened meeting resumed at 7pm on 27 February 2024, at agenda item 12.

Councillor K Wilson presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor M Earl.

Council moved to a vote where the motion as follows was carried.

RESOLVED that the revised BCP Council Tenancy Strategy 2024-2029 as set out in appendix 1 to the report be approved.

Voting: Nem. Con.

80. Cabinet 10 January 2024 - Minute No. 84 - Active Travel Fund 4 (ATF4)

Councillor A Hadley, presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor R Burton.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council delegate the investment of the Active Travel Fund 4 grant to the Service Director for Infrastructure in consultation with the Portfolio Holder for Climate Response, Environment and Energy.

Voting: Nem. Con. Abstentions – 1.

81. Cabinet 10 January 2024 - Minute No. 86 - South Part of Beach Road Car Park

Councillor M Cox, presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor V Slade.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council agrees: -

- (a) the disposal of the south section of the car park on the open market, subject to a future Cabinet resolution to appropriate the site for planning purposes once the South Car Park is formally closed;**
- (b) to delegate authority to the Corporate Property Officer, in consultation with the Director of Finance, the Director of Law and Governance and the Portfolio Holder for Dynamic Places to select the preferred offer and finalise the detailed terms of the disposal; and**
- (c) to support the reprovision of the car park and the development of a business case by the Director of Infrastructure for the modernisation and improvement of the retained car parking area, based on the use of prudential borrowing, in consultation with the Director of Commercial Operations, the Ward Councillors and the relevant Portfolio Holder.**

Voting: For - 34; Against - 5; Abstentions – 13.

82. Cabinet 7 February 2024 - Minute No. 97 - Budget Monitoring 2023-24 at Quarter Three

Councillor M Cox presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor D Brown.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council:-(c) agree the acceptance of grants, delegations for delivery and capital virements for schemes over £1m as set out in Appendix C to the submitted report.

Voting: Nem. Con.

Note – resolutions (a) and (b) were resolved matters by the Cabinet.

83. Cabinet 7 February 2024 - Minute No. 101 - Funding Agreement to support Russell-Cotes Art Gallery & Museum to become an Independent Trust

Following her earlier declaration, Cllr L Northover left the meeting for the duration of the item.

Cllr O Brown left the meeting at 19:37.

Councillor Andy Martin presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor Mike Cox.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council approve: -

- (a) An upfront grant of £2million to enable the Russell-Cotes to establish themselves as an independent organisation;**
- (b) Asset Transfer of the study centre, Exeter Road storage to the Charity (estimated value £500,000), subject to appropriate overage clause.**

Voting: For - 40; Against - 0; Abstentions – 9.

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

84. Cabinet 7 February 2024 - Minute No. 108 - The Royal Arcade, Boscombe - Bournemouth Towns Fund Update

Cllr O Brown returned to the meeting at 20:01.

The Leader of the Council, Councillor V Slade, presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor A Martin.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council:

- (a) approve option 2 to progress the scheme to planning approval only and request that DLUHC approve the remaining Towns Fund Grant for re-allocation across the remaining programme;**
- (b) authorise officers to submit a Project Adjustment Request to DLUHC for reallocation of the remaining Royal Arcade grant towards other approved Boscombe Towns Fund projects;**
- (c) delegate agreement of the grant re-profiling to the Director of Investment and Development, the Chief Operations Officer, Director of Finance and Director of Law and Governance in consultation with the Leader of the Council and Portfolio Holder for Dynamic Places;**

- (d) approve the removal of £3.4m council prudential borrowing from the capital programme originally approved as part of the Towns Fund Update Cabinet paper on 11 January 2023.**

Voting: For - 39; Against - 9; Abstentions – 5.

85. Cabinet 7 February 2024 - Minute No. 109 - Dolphin Shopping Centre Poole Update

The Leader of the Council, Councillor V Slade, presented the report and recommendations as set out on the agenda.

The proposal was seconded by Councillor M Earl.

Cllr A Hadley declared a non-pecuniary interest as he was a director of Poole Business Improvement District.

Council moved to a vote where the motion as follows was carried.

RESOLVED that Council:

- (a) approve the release of the parties from their obligations under the Development Agreement dated 26th May 2017, subject to the financial settlement outlined in paragraph 21 to 23 of the Exempt Report at Appendix 1;**
- (b) delegate authority to the Corporate Director for Resources, Chief Operations Officer, the Director of Finance, the Director of Law and Governance and the Corporate Property Officer in consultation with the Portfolio Holder for Dynamic Places and the Portfolio Holder for Transformation and Resources to explore terms and make recommendations in a future cabinet report for a further head lease restructure to facilitate an alternative scheme on the Development Agreement site with L & G or its successor.**

Voting: Nem. Con. Abstentions – 1.

86. Questions from Councillors

The Chair confirmed that in Councillor P Canavan's absence his question, and the Portfolio Holder's answer, would be circulated by email and included in the minutes of the meeting.

Question from Councillor P Canavan:

Bournemouth's culture sector is a strong Unique Selling Point for the town and one I would suggest should form a central pillar of any strategy to regenerate the town centre. I welcome the additional one-off money announced at Cabinet on 7 February but could the Leader tell me the exact amount of money allocated and what this will be spent on?

Also, what concrete & achievable plans has the Council developed as a result of the Town Centre Summit and the so-called Days of Action to regenerate Bournemouth Town Centre and does it include a strong cultural offer that compensates for the loss of GIANT and The Ivy.

Response from Councillor V Slade, Leader of the Council and Portfolio Holder for Dynamic Places:

The financial constraints that BCP council is having to work under have made it necessary to find savings and efficiencies across every department of the council, including culture.

We recognise the importance of culture to the wellbeing and prosperity of the residents of BCP and as part of our tourism offer. The additional funding provided by the revised Local Government settlement and reported to Cabinet on 7th February enabled us to restore £76,000 towards culture. Cabinet have agreed that this should go to grassroots and community based cultural organisations but given that this fund has only been agreed at the meeting this evening, it would be premature for us to make further plans about how it will be used. The intention is for the fund to be used as a grant pot through which community organisations can bid, but the details around this have not yet been confirmed.

One of the key priorities of this administration is Bournemouth Town Centre and we were quick to seek the ideas of the community through the Summer Survey, which was followed up in the autumn by the Town Centre Summit where we asked key partners to work with us to revitalise the town centre. The opportunity to invest additional funds through the final settlement which we are referring to as the Town Centre Improvement Fund. Although details are still to be finalised, this is proposed to be split across the 3 town centres as follows: Bournemouth £179K, Poole £119K, Christchurch £60K.

In terms of the Town Centre Summit, this has been successful in bringing partners together to take collective action on priorities raised and in terms of lobbying Government to support us.

Work achieved by the council to date includes the use of UKSPF funding for increased cleansing and graffiti teams including new reporting systems, the purchase of new bins (due to be delivered in march), restoration and planting of planters at Beale Place, The Triangle and Lansdowne, increased parking enforcement and a change to the late evening closure at Horseshoe Common to support restaurants. Additional trading standards and environmental hygiene visits are being undertaken and the town team that we launched in the autumn with Dorset Police continues.

Days and Evenings of Actions were started in January and will continue through the spring. We are working to develop an inward investment brochure based on the town centre and we are working on empty shops and with our landlords. We are making good progress on the bus improvement plan corridor between Bournemouth Railway Station and

Gervis Place and we are continuing to support Westover Road traders with bespoke meetings.

We have announced today the appointment of Sir Conor Burns as the chair of the new Bournemouth Action Partnership which will continue the work started through the summit and We are meeting with the Secretary of State to seek Government support for a range of measures that can help to progress the town centre revitalisation.

I will update council on the outcome of this meeting in due course and continue to work with partners, investors and communities to restore pride in Bournemouth and turn its fortunes around.

Question from Councillor G Farquhar:

At Cabinet on the 7th February I asked a question relating to definition of non-essential spending and how as Members we can challenge a refusal by a decision maker to not to allow for preventative or essential maintenance, repairs, replacement remedial works. The reply from the Section 151 Officer confirmed there is the ability for people to argue their case and that conversation can be reflected on.

My question is; how does a Member escalate an argument to a higher Decision Maker or Director/Leadership when a Manager or Officer has given a no answer within their area of responsibility/authorisation level?

Response from Councillor V Slade, Leader of the Council and Portfolio Holder for Dynamic Places:

Thank you, Councillor Farquhar, for your question.

The financial pressures facing local government are well documented and BCP Council is no different. The budget that we have been working to deliver since we formed the Administration last year has required every department to consider its spending and to ensure that budget holders actively drive down the cost of the service. Current and previous procedures adopted in respect of a freeze on non-essential expenditure place a lot of onus on the budget holder to be satisfied that they are adhering to the established criteria. It also allows for escalation as high up as the chief executive, although it would be expected that this would be exercised through the budget holders line management structures to service and corporate directors in the first instance.

If a Member is not happy with the decision of a budget holder it is suggested they email the budget holder's line manager or service director to consider it further. Furthermore, there are regular meetings that involve group leaders with the leader of the Council and Democratic services and this sort of issue can always be flagged during such meetings. As I confirmed in my email to all Members today, my door is always open and if there are specific issues I am always happy to talk them through and see if we can unlock the problem.

Supplementary question from Councillor G Farquhar:

Thank you for that reply. It does give me some degree of understanding of the decision-making process to say ‘yea’ or ‘nay’ based upon the circumstance of the issue. So my question is this:

I believe as a Ward Councillor that some things which are not beneficial to or even hazardous to the health of residents are being overlooked because we need to save money. So is there a ‘nuclear button’ that I can press to say I have a fear or a concern for public health, or for the services which are agreed to be delivered by the council to escalate, and would that be listened to? Thank you.

Response from Councillor V Slade, Leader of the Council and Portfolio Holder for Dynamic Places:

Speaking as a Ward Councillor, if I was concerned that there was a matter of public safety, health and safety, or personal safety, I would automatically pick up the phone to the appropriate service director. I think we all have a responsibility if there is a genuine problem.

However, I would say that we should use those things cautiously because I would not want every one of the 76 Members suddenly running to our service directors and claiming ‘health and safety’ because we all know what trouble that gets us all into. We do have to use common sense. We do have to understand that our staff are put under pressure. They have to work within their budgets. And last week we heard the aspirations of all of the other Groups and we know the aspirations of all of these people here are the things we’re not able to do because we don’t have enough money. And therefore it would be wrong for us to just say “go ahead and spend the money” when actually we know the things we can’t do and that other people are being told “no” because someone over here is being told “yes.” So I think it’s right that we respect our officers when they make a decision and that we go through a proper process of escalating it and saying “help me understand what went wrong there”.

But if it’s a matter of public safety or personal safety, pick up the phone, use Teams, drop an email to somebody who can make that decision. And if necessary, you can go all the way to Graham Farrant.

Question from Councillor G Farquhar:

What steps is the Local Authority taking to alert, report and monitor to rectification the reporting of graffiti on non-public installations i.e. Commercial premises, service buildings and installations such as cable boxes and roadside furniture, post boxes and telephone boxes? And how can these be improved to ensure that graffiti is removed in a timely fashion and Service Level expectations for ensuring our public realm and amenity does not deteriorate to the point of neglect?

Response from Councillor K Wilson, Portfolio Holder for Housing and Regulatory Services:

Thank you for your question. As a local authority BCP Council have limited powers to secure action by private property owners to remove graffiti from their own property.

There are powers under Section 215 of the Town and Country Planning Act and Section 43 Anti-Social Behaviour Crime and Policing Act 2014 which can be utilised for specific cases, but it is far from a timely solution due to the administration, investigation and legal challenges and has to be prioritised in line with other statutory duties within the Environmental Protection Team where demands are significant.

Where resource permits and certain thresholds are met with regards to offensiveness and/or severity of the adverse impact, officers will identify those responsible and where necessary, serve the relevant notices. This can be challenging and understandably owners can feel victimised twice by having criminal damage to their property and enforcement from the Council to clear afterwards.

Residents can report incidences of graffiti to relevant utility companies and other asset holders requesting action as detailed on our webpage.

Incidents of graffiti are the responsibility of the property owner, and they should be contacted directly.

Supplementary question from Councillor G Farquhar:

Thank you very much for that answer. Based upon the answer and the fact that appropriate legislation is referred to, because of the limitations of the local authority, will the portfolio holder undertake to explore Section 215 and the appropriate Acts such as the 2005 Cleaner Neighbourhoods and Environment Acts to see what pressure could be brought to bear, particularly on features of our environment.

I'm a great believer that like attracts like, and should a franchise or a retail outlet or a cable provider not look after their equipment, then very quickly, as we've all seen on our own wards, that further graffiti gets attracted. That sense of neglect, that sense of loss of community, continues desperately.

My question to the portfolio holder is, will we once again look at how we can improve our reporting to those parties that are responsible for that property, such as telephone boxes, and ensure that it goes through to a reasonable level of service level agreement? Because at the moment, I'm sure that they are making some effort, but perhaps that's not serving the residents of our three towns.

Response from Councillor K Wilson, Portfolio Holder for Housing and Regulatory Services:

Thank you, Councillor. Yes, I'm more than happy to go away and work with you, have a meeting with you and with officers on how we can improve this. I do understand, though, that it is a very resource-heavy thing. And if you have individual cases, I'm happy to contact the utility companies directly if there are particular ones that have been causing particular issues. But in general, I think the initial part of my answer still stands. But I'm happy to go away with you and discuss this with you. Hopefully that's helpful.

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

The Chief Executive reported on an urgent decision taken in respect of the DHSC Accelerating Reform Fund Grant.

The meeting of 20 February 2024 ended at 23:23.

The meeting of 27 February 2024 ended at 20:40.

The meeting ended at 11.23 pm

CHAIRMAN