

Notice of Place Overview and Scrutiny Committee



Date: Wednesday, 16 November 2022 at 6.00 pm

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

Membership:

Chairman:

Cllr S Gabriel

Vice Chairman:

Cllr R Lawton

Please note that the membership of this Committee is subject to change following consideration of the review of the political balance of the Council at the Council meeting on 8 November.

All Members of the Place Overview and Scrutiny Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MId=5398>

If you would like any further information on the items to be considered at the meeting please contact: Claire Johnston email democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 454668 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

8 November 2022

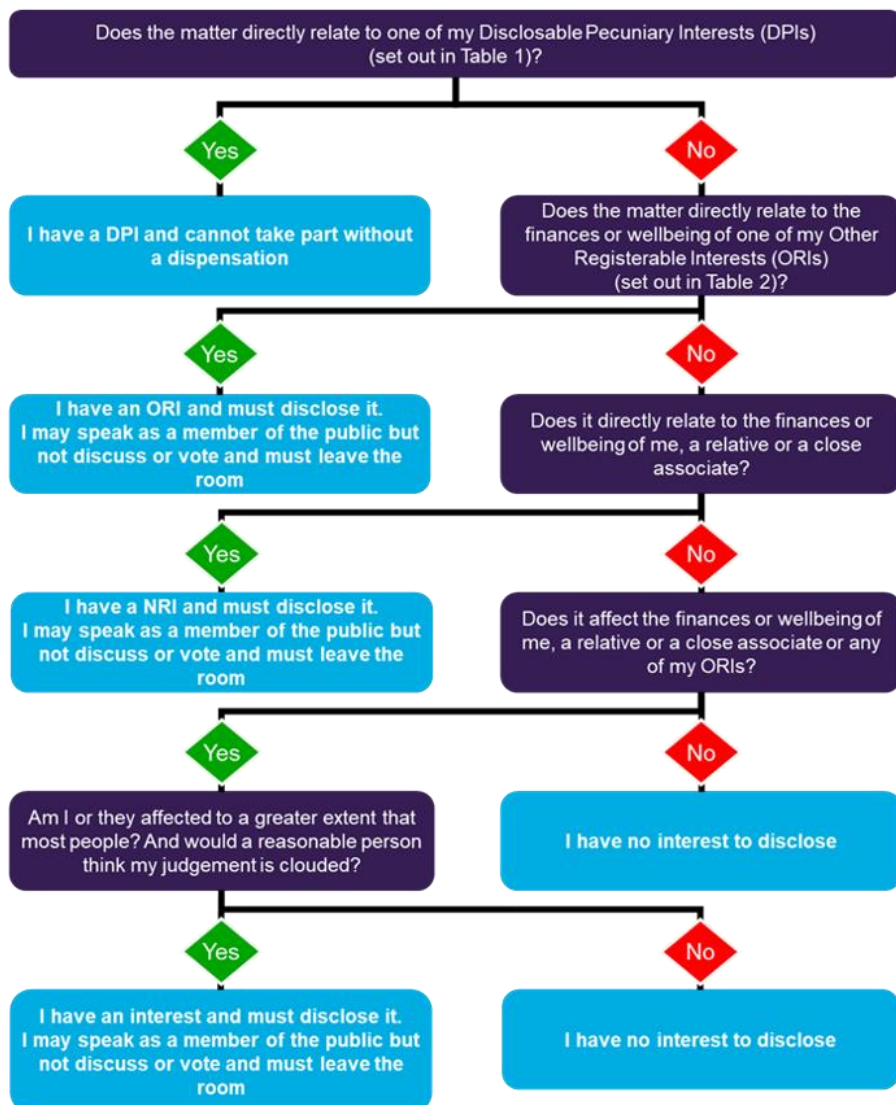


Maintaining and promoting high standards of conduct

Declaring interests at meetings

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

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



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

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

Bias Test

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

Predetermination Test

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

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

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

Selflessness

Councillors should act solely in terms of the public interest

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty & Integrity

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

Leadership

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

AGENDA

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

1. Apologies

To receive any apologies for absence from Councillors.

2. Substitute Members

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

3. 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.

4. Confirmation of Minutes

To confirm and sign as a correct record the minutes of the meetings held on 16 June and 21 September 2022.

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5. Public Issues

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

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

The deadline for the submission of public questions is 4 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.

6. Future Places - Introduction from the new Independent Chairman

The Committee will receive a brief introduction from the new Independent Chair of FuturePlaces.

<p>7. Impact of Budget on Services within the remit of Place O&S Committee</p> <p>The Committee are asked to consider the latest MTFP Cabinet report in relation to issues within the remit of the Place Overview and Scrutiny Committee.</p> <p>Please note that the focus of this item is the impact of the budget on services within the operations directorate. The Leader of the Council and Service Directors have been invited to attend for discussions on this item.</p> <p>Please note that this report contains an appendix with exempt information as defined in Paragraph 3 in Part I of Schedule 12A of the Local Government Act 1972. If the Committee wish to discuss this information it may decide to exclude the press and public. (Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information))</p>	<p>19 - 40</p>
<p>8. Fire Breaks</p> <p>There are over 2,500 hectares of open space across BCP that include a very diverse range of habitats including amenity parks, heathland, woods, meadows, river corridors, ponds and lakes, and extensive coastal areas comprising cliff, dunes and undercliff habitats. Some of these habitats can be susceptible to arson and wildfire and given that these spaces are managed across different teams, from Countryside and Parks in Environment to Seafront and Tourism in Destination and Culture, a joined up and holistic approach is required to address community concerns from wildfires and how we manage these spaces.</p> <p>This report was requested to consider the current policy on wildfires following a large heathland fire on Canford Heath nature reserve earlier this year, and other wildfire events across BCP. It has been noted how effective the Urban Heaths Partnership was in managing the fire at the time and in related activity in the weeks after, reassuring residents and working collaboratively across many organisations on wildlife rescues, information and education events and campaigns to ban disposable BBQ's.</p> <p>There is significant existing resource dedicated to making our green spaces and nearby land that are susceptible to wildfires, as safe as possible. This report summarises some of this resource and work to enable a discussion at scrutiny.</p>	<p>41 - 50</p>
<p>9. WISE Fly Tipping Enforcement Review</p> <p>To consider the WISE Fly Tipping Enforcement Review Report scheduled for Cabinet consideration on 23 November 2022.</p> <p>The Committee is asked to scrutinise and comment on the report and if required to make recommendations or observations as appropriate.</p> <p>Cabinet members invited to attend for this item: Councillor Mark Anderson, Portfolio Holder for Environment and Place and Councillor Bobbie Dove, Portfolio Holder for Community Safety and Regulatory Services.</p>	<p>51 - 70</p>

10. Work Plan

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The Place Overview and Scrutiny Committee is asked to consider and approve the attached work plan for the Committee or make suggestions for amendments as required.

11. Future Meeting Dates

- Wednesday 1 March 2023

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.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
PLACE OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the Meeting held on 16 June 2022 at 6.00 pm

Present:-

Cllr S Gabriel – Chairman

Cllr R Lawton – Vice-Chairman

Present: Cllr S Bartlett, Cllr L Dedman, Cllr L Fear, Cllr A Jones, Cllr C Rigby,
Cllr V Slade, Cllr M Davies and Cllr Dr F Rice

Also in Cllr P Broadhead
attendance:

11. Apologies

Apologies were received from A Hadley and Cllr B Dion. It was noted that Cllr J Kelly was now on the Executive and therefore no longer a member of the Committee

12. Substitute Members

Cllr F Rice was substituting for Cllr Hadley and Cllr M Davies was substituting for Cllr B Dion

13. Declarations of Interests

There were no declarations of interest made on this occasion.

14. Confirmation of Minutes

The minutes of the meeting held on 24 May were approved as a correct record subject to an amendment to clarify that Cllr L Dedman and not Cllr A Hadley was nominated as Vice-Chairman.

15. Public Issues

There were no public petitions or questions. A statement was received, as follows from Mr Alex McKinstry, in relation to minute number 16, and read out on his behalf by the Democratic Services Officer a copy was also sent to all Committee members:

I hope the FuturePlaces business plan is debated tonight in open session. My chief concern is the funding mechanism proposed under Part 7: the company receives a fee for development schemes approved by BCP Council, then uses this fee to service its £8 million loan. My worry is that councillors may approve schemes indiscriminately, simply to amortise the loan monies. Other worries include the company's limited progress to date (Part 2.1 of the plan); the Council's leadership sitting on the company's

board (Part 4.4); and the millions of pounds of residents' money, invested in a company ostensibly providing guidance only.

16. Scrutiny of the BCP Futureplaces Ltd - Revised business plan and funding mechanism Cabinet report

The Portfolio Holder for Development, Growth and Regeneration and the Director for Regeneration presented a report, a copy of which had been circulated to each member and a copy of which appears as Appendix 'A' to these minutes in the Minute Book. The Director of Regeneration and representatives from FuturePlaces were also in attendance and provided responses to a number of enquiries. A number of points were raised and responded to in the ensuing discussion including:

- Clarification was sought on how the loan would be financed, through the Public Works Loan Board or by other means. It was confirmed that a working capital loan of £8million would be financed by borrowing which would be lent at a commercial rate to the company through the PWLB.
- It was noted that the anticipated 30 percent profit margin was reflective of the industry norm. The Council procured other services on a cost-plus basis and in order to demonstrate best value these were compared against day rates. There was relative confidence that this had been benchmarked and fell within industry ranges.
- In response to a question, it was confirmed that the company was 100 percent owned by BCP Council. There was scope for dividends, but these would flow straight back to the Council.
- Concern was raised regarding the lost £3 million in the first year of operation for a company formed by a London Borough. A point was raised regarding potential losses by the company if the Council did not subsequently agree the individual business cases brought forward by the company. The Portfolio Holder advised that this was why Councillors were members of the Board to ensure that there was follow through on a collective vision. The Gateway process followed a full process of several stages from concept to final approval.
- In response to an enquiry the Committee was advised that there was a benefit to having a division with a singular focus and expertise.
- It was noted that Seascope's purpose was to purchase homes to house homeless persons and other direct purposes, but it was also able to make a profit. A Councillor commented that they were confident in the Portfolio Holder and Officers to deliver development.
- This was the first time using a specific funding methodology which would be reviewed annually. It was suggested that this needed to be more frequent, perhaps quarterly. It was explained that this was in line with other Council companies where an annual update was received through Cabinet. Regular updates on individual projects would come forward through the gateway process.
- In response to a line in the report a query was raised regarding when it would not be appropriate for Futureplaces to repay borrowed monies. Payment to the company would allow this to be repaid and it was confirmed that it was always appropriate for debt to be repaid.

- There were a number of headline projects within the business plan. It was noted that some of these were comprised of sub-projects which would be deployed over a number of different phases. Such as Boscombe Regeneration and the Holes Bay site. Futureplaces would work on the greater overall masterplan visioning, with sub-projects coming forward for Council approval.
- The intent to raise the capital threshold to £1.3 billion and whether some of this would come from Council borrowing, it was suggested that it would still require considerable third-party financing because the gross sum of all of the projects would be considerably greater than this amount. Assurance was sought that there would be financing available. The Portfolio Holder advised that they were continually investing in the future rather than disposing of assets. However, although the schemes were investing and acquiring assets there was only a certain amount which the local authority should be doing. Developers were needed and it was not good if it was felt that the Council would do everything itself. Part of the reason for creating Futureplaces was to ensure that fully developed project plans including arrangements for financing were both credible and deliverable.
- The number of full-time employees of the company and whether there was a dependency on consultants and sub-contractors. It was suggested that the company wanted to be almost completely separate from the Council, in terms of location, communication, HR, etc.. It was noted that the company did procure a number of support services from the Council. Once the company were fully staffed it was expected that there would be 24 full time equivalent members of staff, comprising two core teams. One enabling team and one delivering project management. However, from time to time there would be a need to buy-in additional resources and expertise which would be more costly to hire on a permanent basis.
- In response to an enquiry, it was confirmed that it was hoped to bring together the core team in a traditional way in its own premises.
- Concerns were addressed regarding some of the allegations made on social media regarding members of staff. The company would seek to protect staff from this type of social commentary, but they would always want to be transparent and open and would respond to any direct questions on these issues.
- With reference to the sustainability impact summary, there was an emphasis on low carbon, energy efficient buildings but there was no mention of active travel measures, it was suggested that this should be added to the report. It was also recognised that throughout the document there was little emphasis on social value. The Portfolio Holder agreed with the comments on active travel and wanted to encourage people to use different means to travel. The Portfolio Holder advised that he was happy that this be included. It was noted that the social value mix would become apparent the core vision of Futureplaces was using development as a catalyst for the place we wanted to live in. High end developments would provide the opportunity for more affordable properties within the same site. It was noted that it was a 360-degree process to ascertain what the societal value of a project was.

- The staffing level to deliver the number of projects outlined was queried. It was confirmed that some of the projects were quite modest with short timeframes. Whilst there were a range of skills needed these were not necessarily required for the life of a project and there would be a degree of buy-in to fulfil skill needs.
- Clarity was sought on the situation regarding VAT and payment of corporation tax on profits. It was confirmed that this would need to be paid on profits and whilst some development services were exempt VAT would be charged as appropriate.
- Queries were raised regarding the overall strategy in terms of what was important and why even seemingly very modest projects were being filtered through the company. One of the reasons given for the company was to reduce the list of consultants but it seemed to be employing them through different means. It was noted that some of the projects have been around for a long time within the Council. It was clarified that Barclays House was not a Futureplaces project. Any profit margin received would be fed back to the council through dividend or through liquidation if no longer required.
- Further clarity was sought on the use of the PWLB for projects. The Portfolio Holder advised that the government wanted local authorities to take a leading role in regeneration. The use of the PWLB was discouraged for projects on a purely yield basis rather than for mixed use schemes. The section 151 officer would also input into this and specific guidance on what constitutes regeneration was being sought. The Managing Director of Futureplaces offered to discuss this further with anyone who wished to.

The Chairman thanked everyone for their attendance and welcomed the opportunity to discuss Futureplaces and address openly some of the issues previously raised.

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17. Bournemouth Development Company LLP Winter Gardens Scheme – Project update

The Portfolio Holder for Development, Growth and Regeneration presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these minutes in the Minute Book. A number of points were raised and responded to in the subsequent discussion, including:

- In relation to Futureplaces looking at the potential redevelopment of the Bournemouth International Centre (BIC), whether the Council should proceed with the current consented scheme or would be reconsidering and moving forward with the redevelopment of the entire area including the BIC. There were two options currently available, and the Winter Gardens scheme would be paused until consideration had been given to the full redevelopment potential for the area.
- Whether the Winter Gardens scheme was being paused because redeveloping the BIC was now being considered or whether the approved scheme was no longer viable. Futureplaces had been asked to

look at BIC redevelopment which was the reason the current scheme for the Winter Gardens was paused. If the redevelopment of the BIC was not considered viable the Winter Gardens scheme would proceed.

- In relation to the £5million provision the Council had included for potential losses in connection with the Winter Gardens Scheme, the Portfolio Holder advised that there was no financial loss, but the funding provision was made to be prudent and to make provision regarding the different development potential.
- The BIC project was inherited through the previous administration. The BIC was not quite at the level which the market wanted, demand had moved on and it was hoped to use the opportunity to develop the area. The Portfolio Holder advised that it was not correct that wider opportunities were being considered because the Winter Gardens scheme was unviable. The BDC didn't have the option of the wider site provision but Winter Gardens was absolutely viable if the Council wished to proceed.
- Concern was raised that the redevelopment of the BIC was a project which would take years and the Winter Gardens Scheme had already been considerably delayed.
- The BIC was a key site within the town but was not well utilised as there was a lot of area for active frontage which could be improved. Redeveloping the BIC site along with the winter gardens site would present opportunities for the reprovision of facilities across the sites.

The Chairman thanked officers and all committee members taking part in the discussion.

18. Work Plan

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

The Corporate and Community Overview and Scrutiny Committee was asked to consider and identify work priorities for the year ahead. The Chairman had set out a number of items to be included in the Committees Work Plan and asked Committee members could advise of any items which needed to be included within the Plan in addition to those outlined. Those suggested included:

- Annual Climate Plan report
- Update on the Local Plan
- Local Transport Plan

It was pointed out that there were only three ordinary meetings remaining this year. The number of items currently suggested would require 4 items on each agenda and there were a number of potential issues which may come forward.

19. Future Meeting Dates

The dates outlined for future meetings of the committee were agreed as follows:

Wednesday 21 September 2022
Wednesday 16 November 2022
Wednesday 1 March 2023

The meeting ended at 7.56 pm

CHAIRMAN

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
PLACE OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the Meeting held on 21 September 2022 at 6.00 pm

Present:-

Cllr S Gabriel – Chairman

Cllr R Lawton – Vice-Chairman

Present: Cllr S Bartlett, Cllr E Coope, Cllr D Farr, Cllr M Iyengar, Cllr A Jones, Cllr C Rigby and Cllr V Slade

Present virtually: Cllr A HAdley

Also in attendance: Cllr D Borthwick and Cllr S Moore

20. Apologies

Apologies were received from Cllr A Hadley and Cllr N Brooks. Cllr A Hadley was joining the meeting virtually.

21. Substitute Members

There were no substitute members.

22. Declarations of Interests

Cllr S Gabriel advised for transparency that in relation to agenda item 8, Poole Crematorium fell within his ward.

Cllr H Allen advised for transparency that in relation to agenda item 7, they worked with a team within the NHS which assisted homeless persons.

23. Public Issues

The Committee was advised that 5 questions and 4 statements had been received. Questions and statements were read out by members of the public and the Democratic Services Officer as follows:

Question from Ms Boyce in relation to agenda item 6

1. Can the Portfolio-Holder please tell us, in detail, what is being done to improve bus services to Winkton. The Council's "enhanced partnership" with bus operators, whose draft forms Background Paper 2 to the agenda, looks to "increase the frequency of existing services" and "assess the overall bus network ... to identify any gaps in provision" (p. 48). Such gaps are glaringly evident in the Winkton to Christchurch bus service, which operates just three days of the week, twice-daily. I raise

this as a Christchurch resident, as there is no Christchurch councillor on this committee who can do so on my behalf.

Response from Cllr M Greene, Portfolio Holder for Sustainability and Transport

Winkton is served by the morebus 125 which runs two-return journeys between Ringwood and Christchurch via Winkton on each of Mondays, Wednesdays and Fridays.

A new hourly bus service, the 23 route, was introduced in neighbouring Burton at the end of 2021. This is being funded through the DfT Better Deal for Buses programme. Passenger numbers on this service are encouraging and we are hopeful that after three years they will be sufficient to support a long-term commercial route. This service is approximately 500m from Winkton.

The indicative BSIP funding does include a revenue allocation to increase the frequency of some existing bus services. However, this is very much aimed at attracting high numbers of new passengers, and in particular those that would otherwise travel by car. As well as having a positive impact on congestion and air quality, this should also make the bus network more sustainable with a reduced need for subsidy in the future. Very importantly, the Council will also be required to demonstrate value for money with such initiatives.

In contrast to the popularity of the No. 23 Route, the number of passengers boarding the 125 service in Winkton since the start of this year has averaged just over one per week. While an increase in frequency might indeed lead to a corresponding increase in passenger numbers, it is extremely unlikely that increase would be to the extent that it would satisfy the requirements for BSIP funding. So, regrettably, I do not expect any expansion of this service.

Questions received from Mr A McKinstry in relation to agenda items 8 and 9:

2. Why were the reports for Items 8 and 9 on tonight's agenda - respectively, the Bereavement Services business plan (including the future of Poole Crematorium), and an update on the BDC - still not available to the public as of 11.45 p.m. on 13 September, the day of the deadline for public questions?

Responses provided by Officers

The Chief Executive and Deputy Leader/Portfolio holder agreed to defer the BDC LLP business plan from 26 October 2022 Cabinet. This deferment will enable BDC to review the Partnership Business plan work programme and funding strategies in light of the recent 7 September Finance update and the recommendation to that no new financial commitments will be made until such time as there is a balanced budget for 2023/24 other than

with the specific agreement of the Chief Finance Officer in consultation with the Portfolio Holder for Finance. Place O&S were due to review the Cabinet report, however as this item had been deferred officers have had to urgently draft a revised report for Place O&S to consider.

Elected Members and Officers wished for the Overview and Scrutiny Committee meeting on the 21st September 2022 to have sight of the full and final Bereavement Services Business Plan Update and Options for the future of Poole Crematorium due to be presented at Cabinet on the 28th September 2022. The report was receiving final reviews ahead of being issued on Thursday 15th September 2022 which was the deadline for Cabinet report submission.

For clarity the deadline for public questions was extended to allow a clear working day for questions to be submitted following the publication of the associated reports. No further questions were received on these items.

Question received from Mr McKinstry in relation to agenda item 5:

3. Can the Constitution be amended so that public questions can be submitted until these reports are uploaded? I'm still fuming over the KPMG reports being released five weeks after public questions, and likewise with tonight's reports, the lack of a cremator at Poole is an emotive subject and one that several residents might have wished to comment on. There is no harm in updating the Constitution where such shortfalls are apparent - especially as Cllr. Broadhead said, when moving to abolish the OSB on 10 May, that he wanted the voice of residents to come "shining through" at scrutiny sessions.

Response from Cllr Sean Gabriel – Place O&S Committee Chair:

The Constitution Review Working Group is currently undertaking a review on a number of aspects of the Constitution. Public questions and statements is one of the areas that will be considered for potential changes by the group. The Constitution Review Working Group will be reporting into the Audit and Governance Committee in November to consider this matter.

Question received from Mr McKinstry in relation to agenda item 7:

4. These concluding questions relate to the severe weather emergency protocol for homeless people, Item 7 on tonight's agenda. First, can we have an explanation of why SWEP wasn't implemented until 15 July this year, when a Level 3 heatwave alert was issued by the Met Office on 11 July and Dorset Council activated its protocol on 9 July. We *may* have the answer already, because a BCP spokesperson told the Echo on 12 July that "SWEP is activated only when there is a real risk of loss of life" - a remark that shocked and horrified a number of local residents.

Response from Cllr Karen Rampton, Portfolio Holder for People and Homes:

The SWEP response commenced on 11th July, the same day as the MET Office alert. It wasn't initially described as SWEP in case of confusion. There is a misconception amongst some people that the hot weather response means a universal offer of accommodation when that could be or is in fact one of a range of responses. Other responses which were implemented being additional outreach, sun hats provided, sunscreen provided, water provided, shaded area provision, welfare check and safety advice. I emailed all councillors on 15th of July my press statement to correct the misleading and inaccurate version published in the Echo on 15th. I made it clear that SWEP had been triggered and had been so throughout the week. SWEP triggers a review of interventions; some are stepped up and some are left in place as they are considered appropriate. The comms on this occasion could have been clearer, SWEP activation in August was clearer and was very prompt.

Question received from Mr McKinstry in relation to agenda item 7

5. This authority has acquired a reputation for implementing SWEP only grudgingly. This was evident not only in the July heatwaves but also in the failure to activate SWEP on 1-2 April, when temperatures dropped to -3 degrees Centigrade; and on 21-22 February, when wind speeds reached 69 mph across the conurbation. Why does this reluctance exist, and is it legacy thinking from the days of Poole and Bournemouth Borough Councils, who both pursued very hostile policies against the homeless - in Poole's case, even fining homeless people under PSPOs, a policy which was described at the time as "inhumane"?

Response from Cllr Karen Rampton, Portfolio Holder for People and Homes:

SWEP is an emergency response during extreme weather. SWEP has criteria for triggering based on MET office forecasts, in line with government guidance and is consistent with other councils. Temperatures vary and show as different on apps and other sources and forecasts are different for different areas. We use the standard 3 nights of zero or below. Two years ago we made a change so that SWEP is activated if there is Amber or Red Storm Warning. The first one being Boxing Day 2020. As I say SWEP is an emergency response, we want rough sleepers to have accommodation with out needing extreme interventions. SWEP compliments all the other services and is part of a range of interventions in place which we carry out with our partners across the homelessness partnership to prevent homelessness.

The Portfolio Holder expressed her dissatisfaction with the way that this question was worded and pointed out that there was a dedicated and hardworking team across the homelessness partnership.

Statement from Mr Tallamy in relation to agenda item 6

1. Having no transport of my own, I am a regular bus user across the BCP region so I hope that PH Cllr Mike Greene includes rural areas for improved bus services and connectivity in his discussions with providers rather than concentrating on already well provided urban and town centre routes. Many of our outlying areas have already seen reductions in their timetables and others such as Winkton have no fit for purpose

service at all and what is currently in place is an ill thought out gesture which I feel sure he is already well aware of.

Statement from Mr Tallamy in relation to agenda item 6

2. As the bus service improvements being discussed here at tonight's meeting also form an integral and vital part of the Council's Climate Action Plan I hope that PH Cllr Greene will soon be presenting a, in my opinion, long overdue fully substantiated, documented and workable plan to Council and residents alike for scrutiny, a matter I deemed important enough to email the PH about on the 15th August 2022 and as to date have received neither an acknowledgement or other response from him.

Statement from Mr Stretch in relation to agenda item 8

3. Families are unhappy knowing their loved-ones are being transported from Poole to Bournemouth in a van.
Dorset is not served realistically with 9 crematoria, the furthest crematoria Andover is 1.5hrs by motorcar.
One replacement bariatric cremator would be adequate, equivalent to that of New Milton crematorium, Cost £450k, not £2M.
Tapper's have persuaded their clients to migrate to their own, hence the reduction of numbers.
Local Funeral Directors would use Poole if there were a cremator present.
The public wish to continue to use
Poole, <https://savepoolecrem.org/> over 3K signatures
Private companies have offered to purchase the facility.

Statement from Mr McKinstry in relation to agenda item 7

4. An afterthought on SWEP: I'm glad the protocol is being reviewed, and am hoping the "flexibility and discretion" cited in tonight's report might be exercised more readily: activating SWEP across less than three consecutive nightly freezes, for instance, or (as suggested in Paragraph 29) continuing accommodation provision after SWEP is lifted. As homelessness can affect anyone, these would be very welcome revisions to the protocol. My worry now is that non-statutory services such as SWEP may be suspended altogether under the Council's new, beleaguered financial strategy. Hopefully this scenario can be discussed tonight, when Item 7 comes up for consideration.

The Chairman varied the order of business to take agenda item 9 next.

24. Update on the Bournemouth Development Company LLP

The Portfolio Holder for regeneration presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these minutes in the Minute Book. The Committee was informed that Bournemouth Development Company LLP ("BDC") was a

joint venture between BCP Council and MUSE Developments Limited a subsidiary of Morgan Sindall Group plc. As a result of the 7 September 2022 Cabinet Finance Update Muse as Development Manager to BDC are reviewing and updating the Partnership Business Plan (PBP) funding strategy and work programme. It is expected that the PBP will be brought to a future Cabinet for consideration. The purpose of the report was to provide an update on current BDC project activity and note the actions which flowed from an independent review of the BDC governance structure conducted by Local Partnership in March 2021. The Committee raised a number of points in the subsequent discussion, which were responded to by the Portfolio Holder and officers:

- The viability of plans for office schemes given the number of people now working from home. Office demand was being looked at including plans of current users for expansion or contraction. Interest was expected in a particular site as it provided good transport links. The Portfolio Holder advised that potential users want to see firm commitments on developments. There would be further detail available in the Business Plan when published.
- The impact of new developments on the demand for older office space. It was noted there was still a demand for grade A office space and there wasn't necessarily a direct causation.
- The effects of permitted development on provision of affordable homes. It was noted that whilst provision of homes was positive there were some unintended consequences to be addressed.
- Concerns were raised about buy to rent on some sites and how this could be addressed. BDC were looking to attract local interest in the homes being built and the number of properties being let out would likely be higher through a private developer.
- The hierarchical relationship between FuturePlaces and BDC. There was not one but there were some areas of common interest. Currently FuturePlaces was doing their own piece of work on the Winter Gardens site which would be investigated in terms of the BDC agreement.
- Whether there were any interim uses being looked into for the Winter Gardens site.
- Reprovision of public parking spaces at Eden Glen development site.
- Whether taking something through the open market could have received better financial returns. It was not always necessarily the best approach to take things through market. The Portfolio Holder undertook to provide a written response to this issue.

It was noted that the Business Plan would be considered in the following month by Cabinet.

25. Update on Bus Services within the Bournemouth, Christchurch and Poole Area

The Portfolio Holder for Transport and Sustainability provided a verbal update to the Committee on the implications of Yellow Busses ceasing services in the area and the implications of the Bus Service Improvement

Plan Implementation report which had recently considered by Cabinet a copy of which was circulated to Committee members and a copy of which appears as Appendix 'B' to the minutes in the Minute Book. The Portfolio Holder highlighted a number of points including:

- Notification of the final award was still awaited to push forward some of the measures within the Improvement Plan but this was expected in the following few days. It was noted that the report would go forward to Council in November.
- Initiatives highlighted within the paper included, a multi-modal and multi-operational map bringing different providers together, bus priority measures and additional bus shelters.
- Yellow Buses had been loss-making for a few years and covid had a significant impact, with increased home working and home shopping. Despite support from central and local government, passenger numbers had not recovered as quickly as anticipated.
- Go South Coast had not made any attempt to acquire Yellow Buses but had been able to move very quickly to expand their network to cover many Yellow Bus routes. However, there was an issue with sufficient numbers of drivers, and they had set up an emergency recruitment desk. Much of the former network was covered after just one day.
- Yellow Buses was also responsible for three school routes but as they ceased operation during the school holidays additional provision was able to be put in place for the schools' return.
- Routes 18,33 and 36 had been picked up by the Zella Group for a 6-month contract, which was currently being retendered and would be in place from February next year.
- The Council had a duty of regard to the overall bus network and were working with Go South Coast.

Members raised a number of issues which were responded to by the Portfolio Holder, including:

- Bus lane enforcement operation in the BCP area. There was no change to this provision, which needed to be done by camera enforcement. The cost of this needed to be balanced against the outcomes. However, the Council were looking at any less cost intensive options.
- The impact of the national capping of bus fares for the winter and the cost of this to the Council. The Portfolio Holder supported this and advised that it would need to be seen whether a reduction in fares would increase bus use significantly. The Portfolio Holder undertook to share the information on this once it became available.
- The price of school bus fares and impact of new contracts which may lead to people moving away from bus use. It was understood that the prices hadn't increase on school routes. However this was a good point with further consequences beyond school routes.
- Whether it was possible to align bus service fares to BCP areas, parts of BCP were currently outside of Zone 1 making the journey costs very expensive. The meeting was informed that it should be ensured that boundaries were in the right place for everyone.

- Integrated transport links and improvements to pedestrian routes from bus stops. The Portfolio agreed that an enhanced partnership should support this and would like to see Beryl Bikes and trains included within integrated journey planning. The Portfolio Holder also commended officers for the work done on this.
- Whether anything could be done to prevent the loss of some well-established routes with lower usage. Changes to the services and numbering over the last few years had impacted the number of passengers accessing services.

26. Overview of SWEP protocol (Severe Weather Emergency Protocol)

The Lead Member for Homelessness presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these minutes in the Minute Book. The Committee was provided with background and a description of the current SWEP arrangements and triggers, the report also discussed the wider offer in place all year round for those verified as rough sleeping in the BCP area. The report also outlined the review process for the protocol which was currently underway. There were a number of points raised in the subsequent discussion and responded to by the Portfolio Holder, Lead Member and Officers, including:

- The trigger for SWEP when there was a severe weather warning in hot weather. It was noted that even if SWEP was not triggered, the outreach team would still be doing a lot of work to help those sleeping rough. However, the hot whether SWEP protocol was being looked at to ensure clarity.
- It was noted that the Met Office weather report was used by the Council to identify when to trigger SWEP. There was a query as to whether there was any flexibility regarding this. It was noted that this would be picked up in the SWEP review this year, the current mandatory trigger for SWEP was 3 nights with temperatures below zero but there was a level of discretion around triggering this. The Council was also looking at other areas and their arrangements for triggering SWEP. Further work would take place with partners regarding the risk and experience of outreach.
- There was now a mandatory trigger in place for amber and red weather warnings and the review of the SWEP protocol was looking to clarify some of the elements of discretion in triggering SWEP
- The Committee was informed that a number of those accommodated remained inside following the SWEP period. These were people who had an offer of accommodation but for whatever reason had not taken up that offer. It was noted that this was not the ideal way for someone to be accommodated. However, sometimes people had not wanted to accept an offer initially but could then be brought in through SWEP if eligible.
- There was a concern raised that the Committee had not been able to see the proposed protocol for the coming year, it was noted that there was still further work to be done to this.

- Whether there was funding available or a possibility that people accommodated during SWEP could be provided with individual rooms rather than, sometimes less satisfactory, arrangements within communal halls.

The Portfolio Holder praised the partnership work that was underway on this issue. The Committee was informed that the comments from members today should help strengthen the protocol moving forward. The Officers working on SWEP were commended and it was noted had always taken the SWEP responsibility very seriously.

The meeting adjourned at 8.38pm and resumed at 8:45pm

27. Bereavement Services business plan phase one update report and options appraisal for the future Poole Crematorium facility

The Portfolio Holder for Environment and Place presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book. The report sought to ensure the future need for crematoria facilities in Bournemouth, Christchurch and Poole was met and provide a progress update on the delivery of Bereavement Services Business Plan 2020 – 2026. The paper set out an options appraisal, data and evidence for the future Poole Crematorium facility. It was noted that the current provision contributed towards the Council's income supporting the Medium-Term Financial Plan. In response to a comment the Committee was informed that the deceased were transferred sensitively via a private ambulance. In the following discussion a number of points were raised and responded to by the Portfolio Holder and Officers, including:

- How the current situation was arrived at and what action had been taken previously to try to address this. Prior to local government reorganisation the cremators required new parts and parts from other cremators were used for this purpose. At the point of entering the pandemic the decision was taken to close temporarily and use the cremators in Bournemouth. There was built in maintenance schedules for other cremators.
- Whether there had there been any consultation with residents regarding the lack of cremation facilities. There were strong public feelings around the issue, and it didn't appear much weight had been given to the community impact. Whilst there had not been any public consultation, there had been consultation with funeral directors.
- How and why all three cremators became unserviceable and what options had been explored for reusing or copying parts. It was noted that the equipment was serviced and maintained whilst operational. However, it was no longer possible to bring them back into use. The last major upgrade was 17 years ago, and the normal lifespan of a cremator was 12 years.
- There was ambition to reinstate the cremators in Poole but the changing technology around this would need to be investigated.

Installing an electric cremator would require demolishing part of the building and installing a gas cremator would not meet the Council's carbon reduction aims. There was a desire to invest in a crematorium which would meet all the needs of the community. It was suggested that there should be a technical report in place to confirm that it was not feasible to bring the equipment back into service. It was noted that the technical report had already been produced and would be shared with members.

- Concerns were raised regarding the implications of delaying instillation of new cremators to investigate emerging technologies and the timescale involved. The knowledge around the new technology was not yet good enough and the Portfolio Holder advised that they wanted to wait for better data on this before deciding on the most appropriate course of action to ensure best use of capital expenditure.
- The impact that direct cremations or unattended cremations were having on the provision of this service. It was noted that only 20 percent of cremations at Bournemouth were direct cremations.
- That there should be a timeframe in place for restating the operation of cremators at the Poole crematorium.
- There was interest in using the facilities at Poole, even though people were aware that no cremations take place on the site. The Council considered the needs of the bereaved and understood that people would want their loved one cremated where the committal took place. The Portfolio Holder offered to arrange a viewing of the hall at Poole for any members interested.

RESOLVED: The Committee recommend to Cabinet that, subject to no further information coming forward from the technical report on the existing cremating equipment, that Cabinet aim for a reopening of cremators at the Poole Crematorium facility by 2025/26.

Voting: Nem. Con.

28. Forward Plan

The Chair presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' to these Minutes in the Minute Book. The Chair advised that he had asked for an update to come forward on the changes in the budget how it may affect services within the remit of the Committee. Which would be an additional item to add to the next meeting but would be intended to provide a quick update

The Chairman advised that he appreciated the feedback from everyone in terms of the work the Committee would be looking at. The Chairman asked to include engagement with O&S for the Cabinet report on Poole Town Quay.

The Chairman advise that he would welcome the Tree Strategy Working Group and the Committee agreed to proceed with this.

A member referred to a paper coming forward in terms of Leisure Services. It was noted that this was in the remit of Corporate and Community O&S Committee and would be scrutinised by that Committee.

29. Future Meeting Dates

The dates for the next meetings were noted.

The meeting ended at 10.12 pm

CHAIRMAN

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CABINET



Report subject	Finance Strategy Update Report
Meeting date	26 October 2022
Status	Public Report
Executive summary	<p>In response to the Councils request for a £76m Capitalisation Direction covering a three-year period, the Department of Levelling Up, Housing and Communities (DLUHC) issued a minded to £20m offer for 2022/23 only, subject to various conditions. This included the requirement for the Council to produce a full plan for addressing its budget gap in 2023/24 and share that with DLUHC by the end of September 2022. It was subsequently acknowledged this position would be set out in this October report.</p> <p>This report demonstrates that the Council has made further good progress in prudently positioning itself to deliver, and also sets out how it would achieve, a balanced budget for 2023/24. The challenge now will be translating this work into a detailed implementation workstream and strength testing the deliverability of the assumptions that have been made particularly those around service savings and efficiencies and to avoid double-counting savings across the transformation programme.</p> <p>In addition, the report sets out that work is now being undertaken to determine if the Council can avoid drawing down on a capitalisation direction for 2022/23 by bringing forward in the region £20m of non-strategic asset disposals by 31 March 2023.</p>
Recommendations	<p>It is RECOMMENDED that Cabinet:</p> <ol style="list-style-type: none"> 1) Acknowledges the materially improved financial position for 2022/23 which is now expected to produce a surplus of at least £7.8m, excluding transformation costs. This is in the context of an additional c£25m of in year cost of living pressures. 2) Acknowledges the plan to deliver a balanced budget for 2023/24 and that its deliverability will now be tested as part of the implementation process. 3) Authorises officers to commence the work to ensure the deliverability of the budget including any necessary consultations as required.

	<p>4) Acknowledge the intent to consider the extent to which a capitalisation direction can be avoided in 2022/23 by bringing forward the disposal of non-strategic assets.</p> <p>5) Agree that the current expenditure controls remain in place to generate additional in-year savings.</p> <p>It is RECOMMENDED that Council:</p> <p>6) Approve £1.9m of investment in 2022/23 in a specific transformation workstream in Children's Services as set out in appendix A.</p> <p>7) Approve the further release of earmarked reserves as set out in appendix C.</p>
Reason for recommendations	Further to a recommendation agreed by Cabinet on the 7 September 2022, an update on the Council's financial strategy will be a standing item on the Cabinet agenda until such time as there is a balanced budget for 2023/24.
Portfolio Holder(s):	Councillor Drew Mellor, Leader, and Portfolio Holder for Finance & Transformation
Corporate Director	Graham Farrant, Chief Executive
Report Author	Adam Richens, Chief Finance Officer, and S.151 Officer adam.richens@bcpcouncil.gov.uk
Wards	Council-wide
Classification	For Decision

Background

- Further to reports to Cabinet on the 22 June, and the 7 and 28 of September 2022 it has been established that the Council needs a revised financial strategy for funding the cost of its Transformation Investment Programme, net of any already assumed capital receipts, and for balancing the revenue budgets in the short and medium term.

Figure 1: Transformation Investment Programme

	22/23 £m	23/24 £m	24/25 £m	Total £m
One-off costs	15.6	3.7	1.9	21.2
Base budget staff costs apportioned to Transformation	6.7	6.7	6.7	20.1
Redundancy costs	1.2	10.4	0.7	12.3
Data & insight capability	1.4	0.4	0.0	1.8
Contingency	0.4	0.4	0.7	1.5
Core Transformation Programme	25.3	21.6	10.0	56.9
Children's services transformation programme <i>(not budgeted)</i>	2.0	5.0	5.0	12.0
Adult Services transformation programme <i>(not budgeted)</i>	2.0	5.0	5.0	12.0
Capital Receipts - already delivered	(1.9)	0.0	0.0	(1.9)
Capital Receipts - scheduled and assumed deliverable	(7.4)	(3.7)	(1.1)	(12.2)
Transformation Investment Programme	20.0	27.9	18.9	66.8

Pay and Reward project - Implementation cost			9.1	9.1
Capitalisation Direction - Total Investment Programme	20.0	27.9	28.0	75.9

It should be emphasised this programme includes £6.7m of base revenue budget staff costs assumed as being rechargeable to the programme in the three years 2022/23 to 2024/25.

2. Following dialogue with government, as part of the Exceptional Financial Support programme, DLUHC issued a "minded to" decision to provide the Council with a £20m Capitalisation Direction for 2022/23 subject to the following conditions.
 - The Council produces a full plan for addressing its budget gap in 2023/24 and beyond and share that with DLUHC by the end of September 2022. This plan should utilise all the resources available to the Council to close the budget gap, be fully within the spirit and intent of all local government guidance and aim to eliminate any exceptional financial support required going forward.
 - An external assurance review of the Council's finances and governance arrangements in the Autumn of 2022.
3. Additionally, like all local authorities the Council has had to deal with the implications of rapidly increasing inflation driven by the post pandemic economic environment, the war in Ukraine, and government fiscal policies. It is therefore important to consider the council's financial strategy and position in the context of the significant funding gaps being signalled by all local authorities as a sector at this time.
4. As part of the 28 September 2022 Finance Update Report, Cabinet endorsed a financial strategy focused on traditional financial management process and designed to enable the Council to set a balanced budget for 2023/24 and beyond. These workstreams were listed as.

a) Financial Outturn.

The aim being to deliver a surplus in 2022/23 which can be used to create resources (via an earmarked reserve) which then can be drawn down in support of the 2023/24 budget. This process should be facilitated by a previous Cabinet decision not to undertake any new financial commitments until such time as there is a balanced budget for 2023/24.

b) Transformation Programme.

Review proposed expenditure to ensure it is absolutely necessary to deliver the key essential elements of the programme, costs associated with service enhancement are avoided, and processes are adopted to avoid or reduce redundancy costs.

c) Non-Strategic Asset Disposals.

Establish a schedule of non-strategic assets disposals which can be used, via the Flexible Use of Capital Receipts (FUCR) statutory guidance, to fund, as a minimum, the £17.9m 2023/24 and £8.9m 2024/25 of Council approved revenue transformation expenditure (net of the current approved capital receipts). In addition, the ambition, will be to fund an additional £10m of investment in both 2023/24 and 2024/25 in the Children's and Adults' specific transformation programmes subject to the presentation of robust business cases which demonstrate both budget savings and adherence to the statutory guidance. This gives a target receipt of a minimum of £26.8m and a maximum requirement of £46.8m over the two year from April 2023 to 31 March 2025.

d) Accommodation Strategy.

Fundamental review of buildings occupied by BCP Council with a view to further consolidating the staff in the Civic Centre and considering future options for owned buildings or passing back leasehold properties as soon as practical.

e) Commercial Opportunities.

In line with the approved recommendation of Cabinet on 7 September 2022, explore options across the council to deliver revenue through further commercialisation.

f) Staff Cost Base

Consider several proposals designed to reduce the employee cost basis of the authority either temporary or permanently, including.

- Increase the percentage of the employee establishment not budgeted for 2023/24 from 2% to 5%.
- Determine extent to which vacant posts can be held or permanently removed.
- Limit the use of agency employees.
- Bring forward at pace a council wide apprenticeship programme.

It should be noted that any savings in staff or third party will, in the first instance, be considered as part of the programmed transformation savings.

g) An Enabling Council – Strength Based Approach

Consider the extent to which the community would be better placed to manage council assets and the services delivered within them through volunteers and other sources of funding.

h) Invest to Save

Consider robust self-financing business cases that utilise the council's ability to borrow to invest in capital infrastructure which additionally will drive down operational costs or avoid demand pressures.

i) Harmonisation of Services

The Council has ambitions to harmonise all services across the conurbation following on from Local Government Reorganisation. Good progress has been made. The proposal now is to review all outstanding areas of harmonisation with an intent to eliminate as many areas of difference as possible, within the budget parameters

j) Integrated Care System

Advance ongoing discussions with the representatives of the new Integrated Care System (who represent the delivery of National Health Services across Dorset) with a view to determining how the two organisations can more effectively work together with a view to driving down the overall costs of the system.

k) Review of Earmarked Reserves and Company/Third Party Balances

Annual review of earmarked reserves to ensure funds are not being tied up unnecessarily and were appropriate being released to support the proposed budgets of the council.

l) Capitalisation – Recharges

Further review of any costs currently charged to revenue which in line with the Local Authority Accounting Code of Practice can be legitimately charged to capital. Similarly, consideration should be undertaken to ensure robust arrangements are in place regarding costs apportioned/charged against government grants and the housing revenue account.

m) Review of the Council's Collection Funds

A fundamental and detailed review of the collection funds, both Council Tax and Business Rates, as the position starts to stabilise in a post pandemic environment.

n) Influence and Lobbying

This includes requesting government support the council in managing the financial consequences of the cost-of living crisis as well as changing legislation or allowing local authorities to increase appropriate statutorily set fees (such as penalty charge notices for car park enforcement), or where the fee does not cover the cost of the service provided, and charges in reflection of previous and future forecast rates of inflation.

o) Service Rationalisations

Consideration of services that the local authority is not required to provide and any expenditure on services that it is required to provide which is above the statutory minimum.

Updated Medium Term Financial Plan

- The 28 September Cabinet report set out the previous MTFP position assuming the council meets the conditions for the 2022/23 £20m capitalisation direction further to the minded to offer from DLUHC.

Figure 2: Cabinet 28 September forecast MTFP Position

	23/24	24/25	25/26	26/27	Total
	£m	£m	£m	£m	£m
Annual - Net Funding Gap	16.4	2.0	(3.0)	(1.1)	14.4
Cumulative MTFP - Net Funding Gap	16.4	18.5	15.5	14.4	

- Figure 3 below sets out the current MTFP updated for the work carried out since the 28 September Cabinet report. As a reminder to councillors, the following MTFP variance charts show changes in the revenue budgets, on an annual basis, either positive numbers which represent additional costs to be met, or negative which represent forecast cost reductions or additional income. The variances are shown in the year in which they are expected to be first seen and are then assumed to recur on an ongoing basis in each of the following years. One-off changes will be seen as an entry in one year and will then being reversed out in a following year. For example, it is currently assumed to use £7.8m from the forecast outturn for 2022/23 in support of the 2023/24 budget.
- From the table it can be demonstrated that the Council has identified the potential actions that now will be necessary to balance the 23/24 budget based on the current assumptions. These assumptions will need to be constantly reviewed in the hope that the service and cost of living pressures can be lowered from those currently predicted which in turn will mean that not all of the service-based savings will need to be implemented. That said, the work required to enable delivery of these service-based saving will now need to start in earnest which will include consideration of any necessary stakeholder and staff consultation or engagement.

The service-based savings and efficiencies are presented above and below a sub-total line. The reason for this is to emphasise that although a lot of these savings will be challenging for an organisation, those below the line will be more challenging and this should be set in the context of further workstreams including conversations with our health colleagues, detailed work on our current vacancies as well as at least the potential to receive some support from government in relation to the £55m of Cost of Living pressures we have been faced with over 2 years.

It can therefore be summarised that the balanced position for 2023/24 is achieved after £42.6m in savings and efficiencies made up of £9.6m of currently unitemised transformation related third party spend savings, £0.6m of currently unidentified savings in Children's Services, and £32.4m of itemised service-based savings and efficiencies of which £4.6m are noted as being more challenging.

For scaling purposes, the £42.6m of total savings and efficiencies amount to 16% of the Council's £272m Net Revenue Expenditure.

Figure 3: Funding Gap for 2023/24 (Updated MTFP Position)

Adjustments to the cost of services	23/24 £m	24/25 £m	25/26 £m	26/27 £m	Total £m
Adult social care and public health	18.8	13.5	8.2	8.7	49.2
Adult social care reforms	12.8	17.2	2.6	0.0	32.6
Children's services	14.6	8.4	9.0	9.6	41.6
Operations	9.3	4.3	1.9	1.5	17.0
Reversal of securitisation of income stream proposal	(3.7)	0.0	0.0	0.0	(3.7)
Resource services	(0.6)	1.4	0.5	0.4	1.7
Staff costs being charged to transformation prior 25/26	0.0	0.0	6.7	0.0	6.7
Capitalisation direction 22/23 cost of capital & interest repayments	0.0	0.0	0.0	0.0	0.0
Transformation base revenue budget costs	1.1	0.0	0.0	0.0	1.1
Transformation redundancy costs that cannot be charged against FUCR	2.1	(1.9)	(0.1)	0.0	0.1
Corporate priorities one-offs for 2022/23	(8.2)	0.0	0.0	0.0	(8.2)
Pay related costs	8.3	3.8	3.8	3.8	19.7
Pay and grading project	0.0	9.1	(4.5)	0.0	4.6
Contingency	0.2	0.1	0.0	0.0	0.3
Debt and capital adjustments	(0.1)	(0.1)	(0.3)	(0.1)	(0.6)
Treasury Management & Investment income adjusted disposals	(1.6)	1.4	(0.1)	0.0	(0.3)
Total adjustments in respect of cost of services	53.0	57.2	27.7	23.9	161.8
Adjustments in respect of resource levels					
Council tax – revenue - 2.99% per annum (1.99% basic + 1% SC precept)	(6.8)	(7.1)	(7.4)	(7.7)	(29.1)
Council tax - taxbase	(3.0)	(2.6)	(1.3)	(1.3)	(8.2)
Council tax - second homes 100% premium	0.0	(5.3)	0.0	0.0	(5.3)
Council tax - empty homes premium after 1st rather than 2nd year	0.0	(0.9)	0.0	0.0	(0.9)
Collection fund – (surplus) / deficit distribution net of S31 grant	4.7	(2.6)	0.0	0.0	2.1
Government core grant funding changes	0.8	0.0	2.5	0.0	3.3
Assumed social care reforms funding	(12.8)	(17.2)	(2.6)	0.0	(32.6)
Assumed additional social care grant funding	(3.1)	(2.7)	(2.7)	(2.7)	(11.2)
Reserve Funding - One-off funding supporting 2022/23 budget	36.1	0.0	0.0	0.0	36.1
Reserve Funding - Removal of COMF contribution 2022/23 priorities	1.0	0.0	0.0	0.0	1.0
Reserve Funding - Improved outturn 2021/22 to support 23/24 budget	(14.2)	14.2	0.0	0.0	0.0
Reserve Funding - Redirect earmarked reserve to support 23/24 budget	(5.3)	5.3	0.0	0.0	0.0
Reserve Funding - Assumed surplus 2021/22 to support 23/24 budget	(7.8)	7.8	0.0	0.0	0.0
Total previously assumed adjustments in resource levels	(10.4)	(11.1)	(11.5)	(11.7)	(44.8)
Assumed additional savings, and efficiencies					
Unitemised Transformation savings	(9.6)	(17.8)	0.0	0.0	(27.4)
Following transformation, further net FTE reductions	0.0	0.0	(7.2)	0.0	(7.2)
Scheduled service based savings (include. Adults, Children's, Transformation)	(27.8)	(5.4)	(2.6)	(3.0)	(38.8)
Unidentified Adult Social Care savings (2.99% growth restriction)	0.0	(3.0)	(3.1)	(3.5)	(9.6)
Unidentified Children's savings (2.99% growth restriction)	(0.6)	(5.4)	(6.5)	(7.0)	(19.5)
Total assumed annual extra savings and efficiencies	(38.0)	(31.6)	(19.4)	(13.5)	(102.5)
Sub Total - Annual – Net Funding Gap	4.6	14.5	(3.2)	(1.3)	14.6
Sub Total - Cumulative MTFP – Net Funding Gap	4.6	19.1	15.9	14.6	
Scheduled service based savings (includes Adults, Children's, Transformation)	(4.6)	1.3	(0.3)	0.1	(3.5)
Annual – Net Funding Gap	(0.0)	15.8	(3.5)	(1.2)	11.1
Cumulative MTFP – Net Funding Gap	(0.0)	15.8	12.3	11.1	

8. This updated 4-year MTFP position will move BCP Council onto a significantly more sustainable footing at a time when there is significant uncertainty across the sector with many authorities publicly questioning their ability to balance 23/24 budgets without external support. This should be set in the context of this Council being challenged with cost-of-living pressures current estimated to be around £25m in 22/23 and £30m for 2023/24. Collectively a £55m impact over the two-year period since the 22/23 budget was set in February 2022.
9. The key variances from the position as set out in the 28 September 2022 report to Cabinet include.
 - a) Further improvement in the forecast outturn for 2022/23. Analysis of these further variances, which amount to a £3.7m increase in the surplus, now mean that the overall surplus for the year is predicted to be £7.8m and is presented as Appendix D to this report.

This improvement includes the assumption that Council will agree to charge £1.9m to the Children's Services specific transformation programme in 2022/23 as set out in Appendix A. This expenditure is principally £1.5m of costs previously included in the forecast outturn for 2022/23 which delivers transformation related savings, that are now included in the budget proposals for 2023/24, and therefore can be refinanced either via the capitalisation direction or alternatively via the flexible use of capital receipts. The total £1.9m includes £400k of expenditure yet to be incurred regarding the building stronger foundations. Business cases for future transformation funding to support the savings assumptions previously hardcoded into the MTFP based on a 2.99% restriction in their growth will be brought forward in due course.

To aid the delivery of a surplus in 2022/23, this report recommends the continuation of the existing expenditure control that no new financial commitments are made (other than with the specific agreement of the Chief Finance Officer in consultation with the Portfolio Holder for Finance) until the 2023/24 budget is formally set in February 2023.

- b) An additional proposal for redirecting earmarked reserves as set out in Appendix C.
- c) Review of the assumptions underpinning the MTFP. For example, the latest position includes a further pressure of £0.1m per annum, as advised by Public Sector Audit Appointments (PSAA), regarding a 150% increase in the external audit fee level from next financial year.
- d) Review of staff cost base costs including a refinement of the vacancy drag estimate and review of vacant posts that do not need to be replaced etc.
- e) The investment in care technology as per the business case that is presented elsewhere on this Cabinet agenda.
- f) Recognising the intent to avoid the need to draw down on a capitalisation direction in 2022/23 by bringing forward the disposal of Non-Strategic Assets. Confidential Appendix B provides details of these assets. Council will only be formally asked to dispose of the assets once officers have explored the feasibility of delivering within the required timeframe and prior to formal sale.
- g) Service efficiencies and changes which have been identified at this time and subject to further work to determine any constraints around their implementation

for 1 April 2023 onwards. For example, certain proposals will need consultation with stakeholders such as the public or employees.

Reserves

10. Councils generally hold two main forms of reserves.
11. **Unearmarked Reserves** are set aside to help manage the risk to the council's financial standing in the event of extraordinary or otherwise unforeseen events and to mitigate the underlying operational risk associated with the operation of the council and the management of service expenditure, income, and the council's funding
12. Analysis included in the June MFP Update report to Cabinet showed that on a net revenue expenditure (NRE) basis despite a £0.7m additional investment as part of the 2022/23 budget the percentage dropped to 4.7% which puts us on the lower side of the median, and below the level 5% previously recommended minimum used by the Chartered Institute of Public Finance and Accountancy (CIPFA).
13. The council's financial strategy continues to be to increase the unearmarked reserves by £0.7m per annum.
14. **Earmarked Reserves:** *are set aside for specific purposes including those held in support of various partnerships where the council is the accountable body, reserves committed to supporting the 2022/23 budget of the Council, reserves which represent government grants received in advance of the associated expenditure, reserves held on behalf of third parties and several reserves the council is required to hold in line with statute or its own governance requirements.*
15. As set out in Figure 5 below the Council had earmarked reserves of £114m as at the 31 March 2022. Of this the majority (£40m) relates to government grants received in advance of the actual expenditure including £18m specifically to mitigate the impact that various Covid business rates reliefs will have on the council's business rates collection fund. It should also be borne in mind that the 2022/23 budget assumed that £36m would be drawn down from the Financial Resilience and Transition/Transformation earmarked reserves to finance the approved level of expenditure.
16. The financial strategy supporting the development of the 2023/24 budget, as referenced earlier in this document, sets out the intention to constantly challenge each of the earmarked reserves to ensure that funds are not being tied up unnecessarily. The intention from the review is where appropriate to release these resources to support the proposed budgets of the council. This approach will though need to acknowledge the relationship with the growing deficit on the Dedicated Schools Grant.

Figure 5: Latest Reserve Forecast

	Balance Actual 31/3/21 £m	Balance Actual 31/3/22 £m	Balance Estimate 31/3/23 £m	Balance Estimate 31/3/24 £m	Balance Estimate 31/3/25 £m	Balance Estimate 31/3/26 £m	Balance Estimate 31/3/27 £m
Un-earmarked Reserves	15.3	15.3	16.0	16.7	17.4	18.1	18.8
Earmarked Reserves	153.8	114.4	35.1	13.9	12.5	12.6	12.8
Reserves Established to support the 2023/24 Budget							
Cost of Living Mitigation from 21/22			14.2	0.0	0.0	0.0	0.0
Redirected Earmarked Reserves			5.3	0.0	0.0	0.0	0.0
Assumed 2022/23 surplus			7.8	0.0	0.0	0.0	0.0
Total General Fund Reserves	169.1	129.7	78.4	30.6	29.9	30.7	31.6
Dedicated Schools Grant (1)	(7.8)	(20.3)	(37.0)	(62.2)	(99.5)	(149.9)	(215.7)
Dedicated Schools Grant (2)	(7.8)	(20.3)	(37.0)	(57.6)	(80.2)	(102.3)	(121.7)
Net Position DSG1 – (Deficit)	161.3	109.4	41.4	(31.6)	(69.6)	(119.2)	(184.1)
Net Position DSG2 – (Deficit)	161.3	109.4	41.4	(27.0)	(50.3)	(71.6)	(90.1)

Please note that the forecasts for the accumulating deficit on the Dedicated Schools Grant (DSG) has not yet been updated based on the output of the first module of the Delivering Better Value (DBV) in Special Educational Needs and Disability Programme. In addition, it is hoped that the later modules of this programme will indicate how this deficit could/should be addressed.

Options appraisal

- This paper builds on the previous recognition of material changes to the risk profile of the 2022/23 budget and MTFP. This includes significant costs pressures associated with the cost of living, changes to the FUCR statutory guidance, messages from the Secretary of State around ensuring authorities also adhere to the spirit and intent of legislation, and the government being minded-to offer the council a £20m capitalisation direction for 2022/23.

The “minded to” offer of a £20m Capitalisation Direction for 2022/23 is an opportunity for the council to avoid bringing forward further capital receipts or resources currently earmarked in support of the 2023/24 budget to fund the cost of its transformation programme in the current financial year. This offer is contingent upon the Council meeting the conditions of the offer letter. Conversations with officers at DLUHC indicate that there is a strong likelihood that the external assurance review of the Councils finances and governance arrangements will still proceed regardless of whether the Council signals an intention not to take the capitalisation direction.

Conclusion

- Cabinet has prudently positioned the council to deliver a balanced budget for 2023/24. The forecast funding gap has reduced from £36.4m to £16.4m to now

zero through finding efficiencies and service reductions that can be delivered to reduce expenditure. Work will now commence on ensuring the deliverability of the assumed savings including any necessary public or employee consultation, to ensure that the savings are delivered by 1 April 2023 so that the full year effect of the saving is achieved.

The balanced budget position should be seen in the context of the funding gaps being signalled by all local authorities at this time be that due to demand pressures or due to the impact of the cost of living.

Work is also now required to determine the feasibility of bringing forward £20m of non-strategic asset sales by the 31 March 2023 to avoid drawing down on the capitalisation direction, if possible.

Despite having moved to the assumption in the current drafting of the budget MTFP of the council not drawing down on the Capitalisation direction Cabinet still welcome the external governance and finance assurance reviews that were a condition of the capitalisation direction and are in dialogue with DLUHC with expectation that these will be commissioned later in October.

Summary of legal implications

19. The council has a fiduciary duty to its taxpayers to be prudent in the administration of the funds it holds on their behalf and an equal duty to consider the interests of their community which benefit from the services it provides.
20. It is the responsibility of councillors to ensure the council sets a balanced budget for the forthcoming year. In setting such a budget councillors and officers of the council have a legal requirement to ensure it is balanced in a manner which reflects the needs of both current and future taxpayers in discharging these responsibilities. In essence, this is a direct reference to ensure that Council sets a financially sustainable budget which is mindful of the long-term consequences of any short-term decisions.
21. As a billing authority, failure to set a legal budget by 11 March each year may lead to intervention from the Secretary of State under section 15 of the Local Government Act 1999. It should however be noted that the deadline is, in reality, 1 March each year to allow sufficient time for the council tax direct debit process to be adhered to.

Summary of human resources implications

22. There are no direct human resource implications of this report. However, the MTFP and budget will have a direct impact on the level of services delivered by the council, the mechanisms by which those services are delivered and the associated staffing establishment.
23. This report acknowledges that the transformation programme and the actions necessary to manage future years funding gaps are likely to have an impact on future staffing levels.

Summary of sustainability impact

24. There are no direct sustainability implications of this report

Summary of public health implications

25. There are no direct public health implications of this report.

Summary of equality implications

26. A full equalities impact assessment will be undertaken as part of the final February 2023 report to members as part of the annual budget process.

Summary of risk assessment

27. The risks inherent in the 2022/23 budget were clearly set out in the February 2022 Council budget report for 2022/23. This and the previous June and September finance reports to Cabinet recognised a change in the risk profile and recommends appropriate mitigation to maintain a balanced budget for 2022/23 and make a material impact on the potential funding gap for 2023/24. Key risks include.

Capitalisation Direction.

Not presenting a full plan to balance the 2023/24 budget to DLUHC would have jeopardised the Councils ability to achieve a £20m capitalisation direction in 2022/23. This would have meant either additional in-year capital receipts needing to be generated (which the Council will now test the feasibility of achieving) or utilising the resources currently supporting the balancing of the 2023/24 budget. The second of these would impede the ability to set a legal, balanced budget for 2023/24. Associated with this would have been at least the possibility of direct government intervention in the council.

Accumulating Deficit on the Dedicated Schools Grant

Accumulated and growing deficits on the dedicated school's grant which by the 31 March 2024 will be greater than the total reserves available to the council. Unless the current regulation that allows the council to ignore this position is extended this will mean the councils s151 Officer, and probably may others nationally, will be required to issue a s114 notice for 2023/24.

BCP FuturePlaces Ltd

The Council have committed a £8m working capital loan to BCP FuturePlaces Ltd a wholly owned teckal company established to drive the Councils regeneration ambitions. They recover expenditure incurred principally by being paid for successful business cases approved by the Council. The £8m working capital loan represents about 50% of the council's current unearmarked reserves.

Adults & Children's Services: Unidentified Savings

The MTFP as set out in Figure 3 includes an assumption that Children's Services will deliver £0.6m in, yet unidentified savings in 2023/24. In addition, there are further annual unidentified savings across Adults and Children's Services which grow to £29m per annum for 2026/27. This assumption is based on a 2.99% annual growth restriction in Adults and Children's services included in the February 2022 budget report and is aligned to the intended £10m investment in a specific service-based transformation programme in these service areas in both 2024/25 and 2025/26 to deliver the savings presumed by the growth restriction.

Transformation Investment Programme: Unitemised Savings

As at the date of this report the Council has delivered £7.1m (82%) of the £8.7m annual transformation savings target that was set with £1.6m remaining to be delivered. Looking forward to 2023/24 the MTFP assumes an additional £10m of annual transformation savings (£18.7m cumulative annual total). This further £10m

is identified against a third party spend workstream but the savings are yet to be itemised against relevant budget headings.

Uncertainty

The only certainty at this moment in time is uncertainty. There are currently high levels of financial planning unpredictability caused by the cost-of-living crisis and constant changes and variations to the costs of goods, materials and services required to deliver council operations.

Potential Public Spending Reductions

The Chancellor is due to set out his plans for the public finances, accompanied by an assessment from the Office for Budget Responsibility (OBR), on 31 October 2022. There is currently differing views as to whether the government are likely to stick to the spending plans for 2023/24 and 2024/25 as set out in the Spending Review 2021 (SR21). The indications are that should spending cuts be implemented then local government would not be protected.

Social Care Reforms

These reforms will levy significant new responsibilities on local authorities as well as introducing a cap on care costs. There is a significant risk that the Government grant will be insufficient to cover the full cost associated with these reforms and the staffing needed to enable their delivery.

Background papers

28. February 2022 Budget report to Council.

Appendix 3 s25 Reserves Report CFO.

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?CId=284&MId=4812&Ver=4>

29. June 2022 MTFP Update report to Cabinet.

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=5011&Ver=4>

30. Finance Update (including Quarter One 2022/13 Budget Monitoring) report to 7 September 2022 Cabinet.

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=5013&Ver=4>

31. Addendum to the 7 September 2022 Finance Update (including quarter one budget monitoring) report to Cabinet.

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=5013&Ver=4>

32. Finance Strategy Update report to 28 September 2022 Cabinet.

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?CId=285&MId=5014&Ver=4>

Appendices

- A Children's Services costs charged to transformation in 2022/23
- B Schedule of Non-Strategic Asset Sales (Confidential)

- C Further Review of Earmarked Reserves
- D 2022/23 Additional Variance Analysis

Financial Strategy 2023/24

Children's Services – Transformation 2022/23 Costs

Council is recommended to charge the following costs to the Children's Services transformation layer in 2022/23.

Amount £	Description	Further Detail
630,000	Eden Brown	
400,000	Cost of Transformation Consultants	
400,000	Project Managers	Building Stronger Foundations workstream
300,000	Practice Learning Reviewers	
75,000	Operations Manager - Mash	
68,000	Head of Service – Quality Assurance	
43,333	Early Help & Partnership Service Manager	
1,916,333	Total Cost to be charged to Transformation	

Consequently this expenditure will support the delivery of the savings within the Medium-Term Financial Plan (MTFP)

Shown on an incremental basis

2023/24 £000s	2024/25 £000s	Description	Further Details
(250)	(300)	Quality Performance Information & Governance	
(143)		Corporate Parenting	
(131)		Targeted Family Support	
(107)		Contracts & Service Level Agreement	
(106)		Safeguarding & Early Help	
(70)		Spend on P-Cards	
(63)		Service Level Agreement – Safe Families	
(55)		Workforce development refinanced by grants	
(47)		Family Hub	
(12)		Reduce subscription expenditure	
(984)	(300)	Total Savings	

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Financial Strategy 2023/24

Review of Earmarked Reserves (October 2022)

Cabinet is recommended to release the following amounts in support of the 2023/24 proposed budget of the Council.

(£1.5m) Asset Investment Strategy, Rent, Renewals and Repairs Reserve

Resources set aside as part of the process of managing annual fluctuations in the rent, landlord repairs and costs associated with the council's commercial property acquisitions as set out in the Non-Treasury Asset Investment Strategy. Reduction reflects the intent in the financial strategy to dispose of the core non-strategic asset investments. This proposal increases the proposal to increase the reduction from 50% as set out in the September 2022 report to 100%.

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BCP COUNCIL
Budget Variances 2022/23

				£000 June Total Variance	£000 September update	£000 September Total	£000 October update	£000 October Total Variance
Directorate / Service	Type	Description						
Adult Social Care								
Adult Social Care - Services	Cost of living and other service pressures	Third Party Payments	Potential care costs increase following fair cost of care exercise	1,800		1,800		1,800
		Third Party Payments	Care costs for people with long term conditions	1,729		1,729		1,729
		Various	Other miscellaneous pressures (each less than £100k)	149		149		149
	Savings, Efficiencies and Mitigations	Third Party Payments	Adjustment to the residential and homecare budget from Covid grants	(257)		(257)		(257)
		Third Party Payments	Care Cost for people with Learning Disabilities and Mental Health needs	(587)		(587)		(587)
		Income	Estimated additional income from Health for Continuing Health Care eligible people and Section 117	(1,233)		(1,233)		(1,233)
		Income	Service user contributions	(364)		(364)		(364)
		Reserves	Utilisation of earmarked reserves specific to the service	(415)		(415)		(415)
		Employee costs	Directorate unfilled vacancies	(365)		(365)		(365)
		Review of earmarked reserves	Covid pressures		(113)	(113)		(113)
Review of earmarked reserves	Various others each less than £100k		(235)	(235)		(235)		
Adult Social Care - Services Total				457	(348)	109	-	109
Commissioning Centre of Excellence & Public Health	Cost of living and other service pressures	Third Party Payments	Tricuro contract impact of cost of living including energy prices	171		171		171
		Various	Other miscellaneous pressures (each less than £100k)	52		52		52
	Savings, Efficiencies and Mitigations	Third Party Payments	Tricuro efficiencies to manage energy cost pressure	-		-		-
		Employee costs	Directorate unfilled vacancies	(171)		(171)		(171)
				(52)		(52)		(52)
Commissioning Centre of Excellence & Public Health Total				-	-	-	-	-
Adult Social Care Total				457	(348)	109	-	109
Children's Services								
Children's Services	Cost of living and other service pressures	Third Party Contributions	Health contributions for care placements	1,483		1,483		1,483
		School Transport	Non-delivery of SEND transport savings assumed in the 2022/23 base budget	750		750		750
		School Transport	SEND / mainstream transport contract costs due to the cost of living including fuel prices	1,250		1,250		1,250
		School Transport	Mainstream transport - other reasons	(200)		(200)		(200)
		Electricity/Gas costs	Assumed price variations	182		182		182
		Staffing	Overall staffing - continued need for higher than expected levels of agency	1,960		1,960	(886)	1,074
		Staffing	Continuation of additional purchased team (assumed to end in Sept 2022)	630		630	(630)	-
		Care	Residential care 16-18 savings not deliverable as project not taken forward	211		211		211
		Care	UASC - pressure of grant deficit for those aged over 18	708		708		708
		Savings, Efficiencies and Mitigations	Review of earmarked reserves	Review of Public Health Partnership		(635)	(635)	
	Children's Services Total				6,974	(635)	6,339	(1,934)
Children's Services Total				6,974	(635)	6,339	(1,934)	4,405
Operations								
Housing	Cost of living and other service pressures	Electricity/Gas costs	Assumed price variations	155		155		155
		Income pressure	Telecare reduction to budgeted income assumed 22/23	250		250		250
		Expenditure pressure	Council New Build Housing Acquisition Strategy (CNHAS) saving assumed in the 2022/23 base budget	219		219		219
		Expenditure pressure	Housing related support contracts inflationary clause	150		150		150
		Service pressures	Housing Options & Partnerships	-	253	253	(99)	154
	Savings, Efficiencies and Mitigations	Service saving	Additional one-off dividend from Bournemouth Building Maintenance Ltd	(200)		(200)		(200)
		Service saving	Harmonisation of recharges to the two HRA neighbourhood accounts	(100)		(100)		(100)
		Service saving	Homelessness Prevention Grant utilised to cover budget costs	(100)		(100)		(100)
Housing Total				27	(69)	(42)	23	(19)
Environment	Cost of living and other service pressures	Income pressure	Crematorium income pressure	600		600		600
		Expenditure pressure	Hydrotreated Vegetable Oil (HVO) costs	400		400		400
		Expenditure pressure	Volume of waste bins that need replacement	200		200		200
		Expenditure pressure	Waste Disposal Contract	150		150		150
	Savings, Efficiencies and Mitigations	Service saving	Sales of recycle material - value and volume	(1,000)	(2,149)	(3,149)	49	(3,100)
		Service saving	Capitalisation of neighbourhood highways costs less associated borrowing costs	(930)		(930)		(930)
		Service saving	Defer move to HVO fuel across corporate fleet assets (cost avoidance)	(400)		(400)		(400)
		Service saving	Sales of waste material from the Household Waste Recycling Centres	(100)		(100)		(100)
		Service saving	Green Waste Income	(278)		(278)		(278)
		Service saving	Miscellaneous saving less than £100k		(25)	(25)		(25)
		Service saving	Bereavement Services pricing increase options		(167)	(167)		(167)
		Service saving	Borrow to finance bin replacements		-	-	(347)	(347)
		Service saving						
Environment Total				(1,358)	(2,341)	(3,699)	(298)	(3,997)

				£000 June Total Variance	£000 September update	£000 September Total	£000 October update	£000 October Total Variance		
Directorate / Service	Type		Description							
Destination & Culture	Cost of living and other service pressures	Expenditure pressure	BH Live	436		436		436		
	Savings, Efficiencies and Mitigations	Service saving	Cultural Compact	(129)		(129)		(129)		
		Service saving	Festival Coast Live	(125)		(125)		(125)		
		Service saving	Cultural development and networking	(100)		(100)		(100)		
		Service saving	Income from BH Live		(200)	(200)		(200)		
	Review of earmarked reserves	SLM reserve		(560)	(560)		(560)			
Destination & Culture Total				82	(760)	(678)	-	(678)		
Coroners	Cost of living and other service pressures	Expenditure pressure	Increased / complex caseload	100		100		100		
Coroners Total				100	-	100	-	100		
Transport & Engineering	Cost of living and other service pressures	Expenditure pressure	Car Parks, rates increases, card charges and other expenditure items	852		852	75	927		
	Savings, Efficiencies and Mitigations	Service saving	Car park income increase to reflect previous year's performance	(691)		(691)	(572)	(1,263)		
		Service saving	Beach car park tariffs increased	(359)		(359)		(359)		
		Service saving	Remove seasonal concession for car parking		(150)	(150)		(150)		
		Service saving	Street lighting (excluding utility pressure)	(132)		(132)		(132)		
		Service saving	Recharging to capital schemes	(340)		(340)		(340)		
		Service saving	FCERM one off surplus savings from reserve that was to be used for Hamworthy sea wall defences		(260)	(260)		(260)		
		Service saving	Capitalisation of asset engineering		(125)	(125)		(125)		
		Service saving	Various others savings each less than £100k		(119)	(119)		(119)		
		Service saving	Additional income from capital recharges				(400)	(400)		
		Transport & Engineering Total				(670)	(654)	(1,324)	(897)	(2,221)
	Savings, Efficiencies and Mitigations	Service saving	Utilisation of the Community Prosecutions Earmarked Reserve	(105)		(105)		(105)		
		Service saving	Stopping allocation to development of VRN		(150)	(150)		(150)		
		Service saving	Recharge of community safety salaries to DA Grant			-		-		
		Service saving	Various others savings each less than £100k		(110)	(110)		(110)		
Communities Total				(105)	(260)	(365)	-	(365)		
Operations Directorate General	Cost of living and other service pressures	Electricity/Gas costs	Assumed price variations	3,106		3,106		3,106		
		Expenditure pressure	Other miscellaneous pressures (each less than £100k)	545		545		545		
	Savings, Efficiencies and Mitigations	Service saving	Other miscellaneous savings (each less than £100k)	(622)		(622)		(622)		
Savings, Efficiencies and Mitigations		Service saving	Cleaner, Greener, Safer - Total	(388)		(388)		(388)		
Operations Directorate General Total				2,641	-	2,641	-	2,641		
Operations Total				717	(4,084)	(3,367)	(1,172)	(4,539)		
Resources & Transformation										
Customer & Service Delivery	Cost of living and other service pressures	Electricity/Gas costs	Facilities Management - Assumed price variations	485		485		485		
		Service pressures	Library PFI Contract inflationary clause	150		150		150		
		Service pressures	Other less than £100k	83		83		83		
Customer & Service Delivery Total				718	-	718	-	718		
Resources & Transformation General	Cost of living and other service pressures	Employee costs	Major projects team salaries pressure	135		135		135		
		Third Party Payments	Software contracts inflationary clause - resources	157		157		157		
		Third Party Payments	Software contracts inflationary clause - SVPP, dev, customer	14		14		14		
		Service pressures	Other miscellaneous variances (each less than £100k)	38		38		38		
		Transformation	Shortfall against transformation target	1,595		1,595		1,595		
Resources & Transformation General Total				1,939	-	1,939	-	1,939		
Resources & Transformation Total				2,657	-	2,657	-	2,657		
Central Items										
Central Items	Cost of living and other service pressures	Various	Other miscellaneous pressures (each less than £100k)	(34)		(34)		(34)		
		Employee costs	Assumption that the pay award will be above budget at 4% (May) / £1,925 per FTE (June)	4,139		4,139		4,139		
		Employee costs	Assumed 20% element of transformation related redundancy costs which cannot be funded from the FUCR in line with the regulation	250		250		250		
		Interest	Assumed interest payable on capitalisation direction	436		436		436		
	Savings, Efficiencies and Mitigations	Income	Additional Treasury Management Income due to higher interest rates and the additional money made available to the council in advance of the 2021/22 financial year	(1,320)	(100)	(1,420)	(531)	(1,951)		
		Earmarked Reserve	Release Transformation Mitigation Earmarked Reserve not utilised as planned in 2021/22	(1,949)		(1,949)		(1,949)		
		Earmarked Reserve	Release part of the additional 2021/22 surplus to support the impact of the cost-of-living crisis on the council - at June not needed	-		-		-		
		Grant Income	Contain Outbreak Management Fund resources that the Council is able to carry forward into 2022/23 to fund previously planned expenditure	(1,437)		(1,437)		(1,437)		
		Grant Income	Anticipation that the final reconciliation of the Covid 19 Sales, Fees and Charges grant claim will be approved by government	(1,402)		(1,402)		(1,402)		
		Financial Services	Stour Valley and Poole Partnership Revenue and Benefits (SVPP) – release of the 2021/22 operational reserve	(435)		(435)		(435)		
		Contingency	Contingency released to support in-year position	(2,256)	70	(2,186)		(2,186)		
		Beach Huts	Beach hut income as not being transferred to a special purpose vehicle	(3,700)		(3,700)		(3,700)		
		Corporate Provisions	Bournemouth Development Company (BDC) released portion of provision	(1,000)		(1,000)		(1,000)		
		Minimum Revenue Provision	Winter Gardens finance loan		(304)	(304)		(304)		
		Transformation	Remove 2022/23 share of redundancy costs that cannot be charged to transformation		(250)	(250)		(250)		
		Employee costs	Removal of 1.25% National Insurance Levy from November 2022		(583)	(583)		(583)		
		Electricity/Gas costs	Utility Cost Forecast variation based on Government support package				(100)	(100)		
		Central Items Total				(8,708)	(1,167)	(9,875)	(631)	(10,506)
		Central Items Total				(8,708)	(1,167)	(9,875)	(631)	(10,506)
		Grand Total				2,097	(6,234)	(4,137)	(3,737)	(7,874)

PLACE OVERVIEW AND SCRUTINY COMMITTEE



Report subject	Fire Breaks
Meeting date	16 November 2022
Status	Public Report
Executive summary	<p>There are over 2,500 hectares of open space across BCP that include a very diverse range of habitats including amenity parks, heathland, woods, meadows, river corridors, ponds and lakes, and extensive coastal areas comprising cliff, dunes and undercliff habitats.</p> <p>Some of these habitats can be susceptible to arson and wildfire and given that these spaces are managed across different teams, from Countryside and Parks in Environment to Seafront and Tourism in Destination and Culture, a joined up and holistic approach is required to address community concerns from wildfires and how we manage these spaces.</p> <p>This report was requested to consider the current policy on wildfires following a large heathland fire on Canford Heath nature reserve earlier this year, and other wildfire events across BCP. It has been noted how effective the Urban Heaths Partnership was in managing the fire at the time and in related activity in the weeks after, reassuring residents and working collaboratively across many organisations on wildlife rescues, information and education events and campaigns to ban disposable BBQ's.</p> <p>There is significant existing resource dedicated to making our green spaces and nearby land that are susceptible to wildfires, as safe as possible. This report summarises some of this resource and work to enable a discussion at scrutiny.</p>

Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) Endorse the current management approach to wildfires</p> <p>(b) Endorse the current work of the Emergency planning team to support and react to events on the ground</p> <p>(c) Acknowledge the strong partnership working already in place through the Urban Heaths Partnership and Dorset & Wiltshire Fire and Rescue Service.</p>
Reason for recommendations	<p>Significant partnership resource and effort is already in place to ensure wildfire risk is minimised, including a wide range of public-facing activity, education and enforcement.</p> <p>Emergency planning and protocols are in place.</p> <p>Approach to risk management will be reviewed and assessed to ensure measures are up to date</p>
Portfolio Holder(s):	Cllr Mark Anderson, Environment
Corporate Director	Jess Gibbons, Chief Operations Officer
Report Authors	<p>Martin Whitchurch, Strategic Lead for Greenspace</p> <p>Simon Wilkins, Senior Emergency Planning and Resilience Officer</p>
Wards	Council-wide
Classification	For Information

Title: Fire Breaks

Background

1. BCP's Countryside team manage our heathland and other nature reserves, with the Urban Heaths Partnership (UHP), and invest a significant amount of time and

resource on an annual basis to ensure that paths, access tracks, gates and stiles are kept open and accessible in the event of emergency access being required.

2. On an annual basis our most at risk heathland sites are assessed in joint visits by DWFRS and BCP staff, as part of the UHP coordinated programmes, and site-specific interventions and management. This long-standing arrangement allows a detailed understanding of fire risk to be understood and to ensure that appropriate action is taken, based on officer knowledge and experience of previous fires, habitat management and practical options for change.
3. Over the winter season, works are prioritised that address any concerns that are identified. Works are timed to take place through the winter owing to the sensitive nature of heathland sites, managing constraints of bird nesting season and to avoid damage to reptiles and their habitats.
4. 'Fire defendable lines' are then created that provide the fire service the best possible chance of managing a wildfire. They serve as access routes for specialist vehicles, such as tractors and bowsers or off-road fire service vehicles and ensure fire officers and council staff can navigate and access large areas of the heaths quickly and safely.
5. A 'Fire Break' is a natural or man-made break in vegetation continuity such as a mown strip or grazed patch. It still has vegetation on it such as mown grass. A 'Fuel Break' is a natural or man-made break in fuel continuity such as a track, river or sandy patch where the vegetation is completely absent. A 'Fire Belt' is a natural or man-made break in fuel type such as a strip of Beech planted within a pine plantation or a strip of willow following a damp area across a heathland. All of these are 'Fire Defendable Lines'.
6. Heathland management work is either funded through Countryside Stewardship, an agri-environmental grant that supports our management of the sites, or through revenue funds if outside of this agreement.
7. Heathland Mitigation (through developer contributions) funding pays for a set level of wardening and enforcement of issues on the heaths.
8. The Bournemouth cliffs have experienced wildfires in the past, mostly from BBQs or beach huts at the foot of the cliffs. Management responsibility of these areas is split across Countryside, who have areas in active management, and with Seafront and Tourism, as well as some areas in private ownership. Goats are used in some areas to manage the scrub as it is otherwise difficult to maintain given the cliff gradient.
9. There are extensive grass meadows across the UCP estate as part of the SANG provision, as well as other sites across BCP with similar meadows. Wildfires are rare in these areas and lower risk owing to lack of combustible material. Management relies on the knowledge and expertise from the Countryside teams and using similar risk-based approaches.

10. As SANG provision increases across BCP there will be a need to include similar measures across all these sites with extensive meadows.

Dorset & Wiltshire Fire and Rescue Service (DWFRS)

11. DWFRS have a range of fire appliances available to respond to wildfire events. Some of these are specialist appliances such as light off-road vehicles (M1), Heavy off-road vehicles (P4) and the service has one Unimog (P9) available from Wareham. These vehicles are based at local Stations in and around the BCP area. If necessary, additional resources are requested from Hampshire and Isle of Wight FRS. DWFRS also has a National Wildfire Tactical Advisor that attends most significant wildfire events.

Urban Heaths Partnership (UHP)

12. BCP Council are one of 10 partners in UHP and as such benefit from collaborative working with the Fire service, Natural England, Dorset police and other landowners and NGO's. The Partnership's aim is to alleviate urban pressures on the Dorset heaths brought about by new residential development in the area, funded by Heathland Mitigation (Developer Contributions).
13. UHP have a range of educational and information programmes that support the Council's management of the heathlands, among them:

a) Fire Reduction Techniques

- i) **Site Specific Risk Information.** Working with Dorset & Wiltshire Fire & Rescue Service developed individual Site Information, including identification of fire access gates and routes and rendezvous points recorded on maps held on appliance mobile data terminals and in hard copy by local crews.
- ii) **Early warning fire text and WhatsApp groups.** Fire Control send text messages to a group of land managers of heathland sites anytime a heathland fire is called through. This information is then shared with a wider group of land managers within the partnership via WhatsApp. Information can be shared very quickly via the group which has an agreed response to support each other during fire incidents.
- iii) **Fire training.** Training in Fire behaviour, how to respond to fire incidents and how to provide best support for DWFRS during an incident is provided annually for land managers, rangers and wardens.
- iv) **Operation Heathland.** Close collaboration with Dorset Police has been key within the partnership, each year Dorset Police run an internal Order which provides Officers across the area with information on how to deal with heathland related incidents. Regular partnership meetings take place to discuss shared partnership intelligence, monitoring fire and other incidents to identify any potential

spates or trends. The meeting also looks at actions which might help alleviate risks or promote messages.

b) Firewise

- i) **Firewise UK.** Based on the international programme from The National Fire Protection Association (NFPA). Firewise information suggests simple practical steps for the home and garden which can reduce the risks of wildfire damage to homes close to heathlands or forest in Dorset. The information is equally relevant to individual homeowners or communities.
- ii) **Summer engagement.** Firewise information has been shared at 11 pop up events ran on sites including Upton Country Park, Canford Heath and Stour Valley. Two events at Asda, Canford Heath and Westbourne Fire Station open day were attended, over 560 people were engaged with. After the Canford Heath fire information leaflets were delivered to 200 homes in the area in partnership with BCP and DWRFS staff.
- iii) **K9 Firewise volunteer patrols.** Volunteer dog walkers recording their walks and reporting fires and anything suspicious seen on site over 500 patrols recorded.

c) Awareness Raising Campaigns.

- i) **#Operation Heathland Campaign.** A social media campaign raising awareness of heathland habitat and asking people to share information with others to help protect them. Posts/tweets sent out regularly under this hashtag are shared by partner communication teams.
- ii) **BBQ Campaign.** Social media and on-site campaign to raise awareness that it is illegal to have a BBQ or campfire on heathlands in Dorset under a PSPO. Similar messaging is used across BCP, although PSPO's are not currently in effect. Posts/tweets have been sent out regularly and shared by partner communication teams. Banners have been put up on sites to reinforce the message. Litter Free Dorset have been targeting supermarkets to request that they stop selling disposable BBQs.

d) Proactive Education Programme.

- i) **Arson courtroom drama sessions.** The Arson Courtroom Drama (ACD) is a curriculum-based session specifically designed to reinforce the importance of heathlands due to their wildlife and biodiversity and highlight the consequences of heathland fires to the wildlife and the community. Aimed at 12 – 13 year olds, it is based in a courtroom setting with students acting the roles of Judge, Accused, Witnesses,

Defence and Jury. Delivered to target schools close to heathland sites.

- ii) **Heathland themed sessions.** Sessions illustrating the importance of heathlands due to their wildlife and biodiversity are delivered on site or in the classroom to younger students to target schools.

e) Monitoring.

- i) **Incident recording.** Fires and other incidents are recorded on Dorset Explorer to help identify any trends occurring and inform site management.
- ii) **Heathland fires attended by DWFRS.** The table shows heathland fires attended by DWFRS in the BCP area February – September 2022

Month	Fires
February	1
March	8
April	9
May	21
June	24
July	14
August	17
September	7
TOTAL	101

BCP Emergency planning

- 13. The Food and Agriculture Organization of the United Nations (FAO) describes a wildfire as: “Any unplanned and uncontrolled wildland fire that, regardless of ignition source, may require suppression response or other action according to agency policy”. The UK has a predominantly managed landscape and hence the reference to ‘wildland’ within the FOA definition may prove to be misleading. A more accurate description of wildfire within the UK is: “Any uncontrolled vegetation fire which requires a decision, or action, regarding suppression.”
- 14. BCP Council Emergency Planning and Resilience Team has been working with council services and prepared a new draft BCP Council wildfire response plan for use in the event of wildfires within the council area. This is to achieve consistency between the mitigation and response to any wildfire which may occur on BCP Council land as responsibility currently lies with two different services: Environment and Destination and Culture.
- 15. New wildfire digital mapping is being produced jointly with Dorset and Wiltshire Fire and Rescue Service showing all suitable access points to identified risk locations. This is currently being developed by BCP Council's GIS Team. Work is

also being undertaken by Destination and Culture to produce mapping for Upton County Park and Highcliffe Castle.

16. The new mapping will include the location of suitable buildings which can be used as a rest centre in the event of a wildfire at the identified risk locations. Where a wildfire occurs at a location which is not an identified risk location, BCP Council has a list of pre-identified locations which can be used as a rest centre.
17. A multi-agency debrief was held following the Canford Health Fire on 14th May 2022 and learning identified is being incorporated into The Dorset Local Resilience Forum (LRF) plan and/or the BCP Council Wildfire Response Plan.
18. Learning is also being sought from other LRFs regarding the numerous wildfires which occurred in other parts of the country during the summer heatwave.
19. An LRF subgroup led by BCP Council has produced a draft Poole Harbour Islands Evacuation Plan. This was led by BCP Council as any evacuees from the islands would be taken to Poole as the nearest and most appropriate evacuation point.
20. New evacuation plans are to be produced for Hengistbury Head due to the risk of people being stranded in the event of a wildfire and not being able to leave using normal routes.
21. Any recommendations identified during the emergency planning debrief and review process to highlight best practice or possible improvements will be submitted via an issues paper to Environment and Destination and Culture for consideration.

Options Appraisal

22.

a) Do nothing, maintain current service provision.

Advantages – There is a well set up, administered and funded partnership and other agency work is already in place. Significant fires do occur, but they are well prepared for and sufficient mitigation is in place.

Urban Heaths Partnership has recently been reviewed externally and no issues have been found with regards to preventing wildfires.

Statutory bodies involved in the partnership and supportive of processes in place.

Disadvantages – current resource could be insufficient.

b) Formally review current service and management of sites most at risk of wildfire.

Advantages – could identify gaps in provision

Disadvantages – lengthy and resource required

Existing partnership regularly reviews the approach to heathland management

Summary of financial implications

23. There are no specific financial impacts from this report and recommendations, current financial arrangements have been outlined as follows:
24. The Countryside team is partly funded by external funding to manage the land as part of agri-environmental schemes, known as Countryside Stewardship and Higher Level Stewardship.
25. These funds bring in approximately £235,000pa that supports our management of the sites in question, including staff, machinery, vehicles and materials costs.
26. The Urban Heaths Partnership funding is derived from Heathland Mitigation funds (Developer contributions) and is split as follows
 - BCP fund 73%, £290,701 pa
 - Dorset council fund 27%, £107,520 pa
 - Total cost (projected for 22/23): £398,221
 - Including all salaries and on costs, running costs, vehicles, severance, wildlife monitoring and bird surveys.

Summary of legal implications

27. BCP Council has a statutory duty to protect biodiversity and manage designated nature reserves, such as our 19 Sites of Special Scientific Interest (SSSI), 65 Sites of Nature Conservation Interest (SNCI), 25 Local Nature Reserves, 2 Special Areas of Conservation and 1 Special Protection Area (SPA). These spaces are internationally or nationally protected for their wildlife value, protecting from wildfires is just one of many aspects to be considered in their management.
28. BCP Council is a Category 1 responder under the Civil Contingencies Act 2004. This requires the council to
 - Assess the risk of emergencies occurring and use this to inform contingency planning.
 - Put in place emergency plans.
 - Put in place Business Continuity Management arrangements.
 - Put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency.
 - Share information with other local responders to enhance co-ordination.
 - Co-operate with other local responders to enhance co-ordination and efficiency; and
 - Provide advice and assistance to businesses and voluntary organisations about business continuity management (Local Authorities only)

29. BCP Council assesses risks jointly in the Dorset Local Resilience Forum (LRF). The risks requiring assessment are identified in the National Security Risk Assessment published by the Cabinet Office. Wildfire is one of the risks which must be assessed. This is currently rated as a medium risk on the Dorset LRF Community Risk Register.

Summary of human resources implications

30. The Countryside team manages most spaces at risk of wildfire, with a range of different job roles in place to mitigate the impact of pressures (including fire) on heathland. Continuing this service and staffing level, at a minimum, is vital in protecting and conserving the heathlands, protecting from wildfire and other pressures; but also enhancing biodiversity.
31. The Countryside has seen numbers of frontline staff reduced as a result of changes to structures, redundancies and efficiency savings.
32. This report does not advocate for any change to staffing levels in specifically managing wildfires.

Summary of sustainability impact

33. The Countryside team specialise in careful management of our protected nature reserves and other green spaces, advocating and delivering positive benefits for nature. As such the management of our countryside estate is critical in at least maintaining our current position within the Climate and Ecological Emergency, and seeking opportunity to increase biodiversity and wildlife numbers, mitigate climate change through management of all habitat types and create new space for nature to thrive.

Summary of public health implications

34. Managing green space so that it is safe and accessible for all users is essential and at the core of service delivery. People can freely access green space sites where appropriate and there are significant benefits in doing so for mental and physical health.
35. There are significant public health risks from the smoke produced by wildfires. Vulnerable people such as the very young, very old and those with respiratory disorders may be hospitalised. There is often a spike in hospital admissions during large or multiple wildfire incidents.

Summary of equality implications

36. An EIA has not been prepared for this scrutiny report owing to the nature of the discussion requested by members. Should any further requests for change in service or policy be recommended then the EIA process will then be followed.

Summary of risk assessment

37. A risk-based approach to the management of wildfires is being managed within existing service delivery.
38. No other significant risks identified at this time.

Background papers

Appendices

CABINET



Report subject	WISE Fly Tipping Enforcement Review
Meeting date	23 November 2022
Status	Public Report
Executive summary	<p>On 25 May 2022 Cabinet considered the report Fly-tipping and Fly Posting Enforcement Pilot Review and resolved that the pilot be extended and a further report be presented in November 2022 with recommendations for the service long-term.</p> <p>This report outlines the work carried out since May 2022 with the Councils Communications Team and Waste Compliance Officers in line with recommendations made to Cabinet, it summarises some of the learning from other Local Authorities and provides an update on the performance and data of the pilot.</p> <p>The report considers the long-term plans to meet the challenges facing the Council with regards to environmental crimes and makes recommendations with regard to the way forward.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <ul style="list-style-type: none"> a) Cabinet approves the end of the existing pilot in March 2023. b) Cabinet approves Option 2, the extension of the scope of the service, to include investigation and issuing of fines for littering, fly-tipping and fly-posting offences to be provided by a contractor, subject to Tender process. c) Cabinet approves the level of fines for littering at £150 with an early repayment level within 14 days of issue at £75.
Reason for recommendations	<p>The Fly Tipping and Fly Posting Enforcement pilot over the last 14 months has delivered a robust response. It is therefore recommended that this continues.</p> <p>In addition, a similar extended model to include littering enforcement is now recommended to tackle the environmental damage of this behaviour and to improve the quality of the environment across Bournemouth, Christchurch and Poole. The costs of this service will be covered by the revenue collected from payments of fines, of which 17.5% will be paid to the Council by the</p>

	contractor to be reinvested in the service.
Portfolio Holder(s):	Councillor Bobbie Dove, Councillor Mark Anderson, Councillor Nicola Greene
Corporate Director	Jess Gibbons, Chief Operations Officer
Report Authors	Matthew King, Regulation Team Manager Peter Haikin, Head of Regulation
Wards	Council-wide
Classification	For Recommendation

Background

1. On 26 May 2021, Cabinet approved a pilot model of commissioning a contractor to undertake investigations and enforcement of fly-tipping and fly-posting incidents. The contractor employed is Waste Investigations Support and Enforcement (WISE) Ltd. The contract commenced on 31 August 2021 and has continued since that date.
2. On 25 May 2022 Cabinet approved the extension of the pilot for a further 6 months, subject to improvements in effective and increased communications, enhancement of working with the Council's Waste Compliance Officers and consideration of models applied by other Councils. This extension also allowed for a longer pilot period to assess performance against objectives.
3. It was resolved that a further Cabinet report be brought in November 2022 with recommendations for the service in the longer term.

Summary of Pilot

4. A detailed summary of the work carried out since May 2022 and the performance and data from the commencement date of 31 August 2021 is available in Appendix 1.
5. Officers met with two other Local Authorities identified as delivering best practice and exploring their approach has helped to inform recommendations for future service delivery and understand the significant investment of resources required over a long period of time to enable an effective in-house provision.
6. A media campaign, Your Waste, Your Duty, was launched in July 2022 alongside a press release and supported through messaging issued to 35,000 e-newsletter subscribers. In addition, the online reporting system and website has been updated to assist effective messaging to residents and businesses.
7. The joint working between WISE and Waste Compliance Officers has been increased and strong working relationships have been developed leading to improvements in waste management in many areas of BCP affected by uncontrolled waste.

8. In conclusion, the pilot has delivered its strategic and operational aims and evidenced the ongoing need and benefit of continuation of the service.

Assessment of Outcomes

9. Research by the Jill Dando Institute indicates that there are several reasons why people fly tip. Main factors include ease, reward, and risk. The research also notes that to successfully tackle the problem, interventions should focus on increasing effort, increasing risk, reducing rewards and reducing provocations, as well as removing excuses.
10. The pilot enforcement project has focused on two of these key areas;
 - i) increasing the risk to the offender through investigation and enforcement
 - ii) removing the excuses that offenders can use to rationalise the crime. A strong communication strategy has focused on educating residents and business and highlighting the harm of fly tipping and unacceptable waste management.
11. Data on fly tipping is collected nationally and reported annually by the Department for Environment Food and Rural Affairs (DEFRA). Prior to the pilot, there was a gap in being able to accurately provide data relating to fly tipping. The pilot has resolved this issue and enabled improved capture of detailed information on location, type and volume. This has resulted in the ability to quantify the problem and facilitate an improved, targeted response.
12. 2,271 investigations have been carried out from end of August 2021 to 23 September 2022, clearly demonstrating that the pilot has enabled investigation of all reports as well as proactive visits and enforcement where businesses are failing to meet their duty of care. From this perspective, the pilot has been very successful in its aims of increasing the risk to offenders by ensuring that investigations are undertaken, penalties are issued where offences have been evidenced, and ensuring that waste from businesses is correctly disposed of where otherwise it may have been fly-tipped.
13. The payment rate for Fixed Penalty Notice's (FPN's) has remained comparable to the previous review in May 2022 at 67.2% and the Council has received a total of £9,053.50 from the agreed 10% proportion of recovered fines. This has been reinvested into the service, funding prosecutions which are awaiting a trial date, and will fund future printed communications including signage, posters, leaflets and bin tags publicising the service. Unpaid fines are reviewed and referred to Legal Services for prosecution.
14. Throughout the duration of the pilot the rate of complaints has remained extremely low, at 0.016% of cases where a fine has been issued. Of the 12 cases escalated to the Council during the pilot, one has been upheld, one partially upheld and 10 not upheld. On review of these cases, it has been clear that the conduct of officers has met strong professional standards, supported by a requirement to work to the Council's Code of Conduct and wear body worn cameras that are viewed periodically or when complaints are received.
15. Feedback from colleagues in Waste Services and Environmental Health has been consistently positive throughout the pilot, with officers reporting better outcomes now that engagement and education for non-compliance can be followed up with appropriate enforcement action for offenders.

16. Throughout the pilot, communications have been improved through the website and online mapping system to ensure residents are aware their report has been received and is being investigated prior to any clearance. Some reports do not warrant an investigation and a triage system is being planned for those occasions where there is obviously no evidence to locate offenders, for example where the item is a piece of furniture and no witnesses are forthcoming. Clearance can then be undertaken in a timely manner by Waste teams.

Litter Enforcement

17. The Council experiences issues of littering across Bournemouth, Christchurch and Poole. These issues increase significantly during seasonal peaks, impacting in particular on our parks and open spaces such as the seafront. During peak periods of high temperatures, BCP sees record numbers of people visiting local beaches and regrettably, a significant amount of litter left behind. This year in the two heat waves in July and August, approximately 50 tonnes and 30 tonnes of litter respectively were collected from the beaches.
18. While Council officers with other duties made every effort to educate visitors, many had to litter pick after each day to ensure the beaches were safe and presentable for the next morning. Pressure on waste and cleansing services is increased at these peak times and public concern about the impact of these behaviours is heightened. Improved communications challenging poor behaviour has had a positive impact although much detritus was left by members of the public with no penalty.
19. In other areas of BCP, evidence of littering can be found. Resourcing littering enforcement in a proactive manner has been a challenge to BCP Council. It is therefore recommended that a similar model to the pilot for fly-tipping should be applied to maximise the benefit of any contractual arrangement and to ensure that there are consequences to offenders in relation to a broader set of environmentally damaging behaviours.

In July 2019, the Council declared a climate and ecological emergency and committed to taking a number of actions including educating and engaging with residents and businesses to reduce waste. Dropped waste has a significant adverse impact on the environment as it can be blown or washed into rivers, waterways, parks, woods and oceans taking years to degrade, as illustrated in the table below, and polluting our ecosystems as it does. Whilst the Council will continue to provide education many of these behaviours will only change if there are consequences to littering through enforcement.

Type of Waste	Time to Biodegrade
Paper bag	Up to 1 month
Fruit peels	Up to 2 years
Cigarette butt	Up to 12 years
Plastic bag	Up to 20 years
Plastic including bottles and can ring holders	Up to 450 years
Chewing gum	Never
Glass bottle	Never

NB. Data traced from various sources including Keep Britain Tidy and Zero Waste Scotland. Times are dependent on where litter is dropped and the conditions there

Options Appraisal

20. With the pilot due to end shortly, a tendering process will be required if a private contractor is to continue delivering this service. Accordingly, the following options have been considered:

Option 1 – Subsidise a contract for fly-tipping enforcement

21. The existing contractual arrangement cannot continue as WISE has advised it is not commercially viable to enforce only fly-tipping and fly-posting. This is in line with the findings of wider market testing.
22. If the Council were to seek to pursue a fly tipping/fly posting only contract, market testing suggests that either no providers will come forward, or there will be a requirement for the Council to pay a minimum of £200 per day for each investigating officer employed. These costs would also cover the back-office management of the service, an essential element of any service moving forward.
23. Under this arrangement, the Council would retain 100% of fines that were paid. Taking account of typical collection rates, a reasonable level of income generated by one enforcement officer (the minimum resource required for BCP) would be circa £70,000 per annum, with costs of circa £50,000 (including on-costs, back-office support, and 50 weeks coverage). The Council would therefore secure a net revenue of circa £20,000 per annum which could then be reinvested into the service. However, the financial risks would be transferred from the contractor to the Council; such risks include failure to secure the anticipated level of fines, sickness absence, and staff-turnover.

Option 2 – Tender a contract at cost-neutral to include littering enforcement

24. This option addresses the commercial constraints outlined in option 1 as well as the identified need outlined regarding litter enforcement.
25. Projections based on the size of the population suggest a team of 4 officers and a team leader would be required to adequately patrol and respond to a broader scope of littering offences, fly-tipping and fly-posting. The Council can set the proportion of revenue received from fines within the terms of any tender.
26. The business model would require a zero-tolerance approach to littering but would provide scope to warn offenders where they may have inadvertently fly-tipped, for example by leaving a bag or item next to their bin. These scenarios have been most apparent in press coverage during the pilot, therefore this approach would reduce that risk significantly.
27. Research of national data alongside projections provided by the current contractor, which reflects contracts with other Local Authorities, suggest that £298,500 total revenue would be collected from paid FPNs each year within this model. The typical littering payment rate is approximately 75%, slightly above the payment rate of other waste-related offences.
28. With the suggested fine levels set as below, the Council would require through tendering, that a minimum of 17.5% collected revenue is returned to the Council and ring-fenced for reinvestment to our enviro-crime response. This would result in a projected £52,000 revenue back to the Council per annum for reinvestment.

29. The fine levels would remain the same for fly-tipping and fly-posting, while littering offences would be the maximum level permitted at £150 with a reduced level of £75 if paid within 14 days. Criteria would be set by the council to make allowances for special circumstances with payment so that the lower rate could be extended if required.
30. A communications plan will be required which will be funded by revenue from the contract and would utilise resource from previous comms relating to litter, particularly on the seafront. Any model will necessitate a zero-tolerance policy to littering and public signage advising of penalties for all littering will be introduced.

Option 3 – Revert to in-house service provision

31. Current capacity within Council teams would not result in an effective service without further investment and it would take significant time to implement. A better system for logging all offences would also be required to help ensure officers understand the true demand of investigations in the area.
32. Based on the data of the pilot to date and projections for required littering enforcement, administration support and resources would be required at circa £200,000 per annum with on-costs.
33. Additional funding for legal costs to pursue offenders who have committed a serious offence or have not paid their fine would also be required.
34. Training existing staff, who have other responsibilities, to fine for littering and other waste offences, has been considered. Experience of other Councils suggests this is not effective and dilutes existing roles with no obvious success. This is supported with local experience of littering enforcement being passed to CSAS officers in previous years but zero fines being issued, due to competing demands from other areas of their responsibility.
35. On the spot issuing of fines is a unique skill and differs from the issuing of parking fines for example, where often the offender is not present when a fine is issued. For this reason, a new team of externally recruited officers would be required, and external training sourced at cost to the Council.
36. Significant investment into a suitable IT system would be required before the commencement of the service and while this spend maybe recovered from collected fines, the risk to the Council of this expenditure prior to income being available is significant.
37. Capacity would need to be released for at least 6 months to set up an in-house service and, due to current pressures on existing officers, this would mean temporary employment of an officer at a suitable managerial grade estimated at £25,000 plus on-costs.

Summary of Options

38. It is recommended that the Council adopt option 2 and openly tender a contract for the service provision of enforcement of littering, fly-tipping, fly-posting and failure to meet business duty of care.
39. The Council requires a more focused approach to the challenges it faces with many aspects of enviro-crime, and an experienced contractor with existing skills, systems and knowledge can provide a suitable solution that will benefit responsible businesses and residents, while helping to protect the environment.

40. To ensure continuity of existing service, the current provider will be contracted with existing terms for fly-tipping and fly-posting enforcement until March 2023. This is in line with advice from Procurement and the new contract, to include littering, will then commence and ensure there is adequate time prior to Summer 2023 to address any challenges.
41. The contract will be managed robustly through the Environmental Protection Leadership Team who are well placed to ensure this is managed effectively. This includes reviewing complaints to respond to concerns and provide reassurance that a proportionate response is being applied, consistent with the Council's values.
42. The fine levels set by the Council for littering will be £75 within 14 days of service and £150 thereafter, although the contract terms will seek to ensure anyone experiencing hardship are given consideration for an extension at the lower payment rate. It is predicted that a higher rate after 14 days will encourage more offenders to pay the lower rate. The existing fines for fly-tipping, fly-posting and other waste offences will remain as illustrated in paragraph 63.
43. It is recommended the Council requires 17.5% of collected revenue to be paid at the end of each 3-month period. Predictions based on conversations with the existing contractor suggest this should be approximately £52,000 per annum. This revenue will be ring-fenced for enviro-crime related activities, including support for communications, publicity, education, and prosecutions of offenders who do not pay the fines.
44. The required enforcement model for littering and most other offences will be zero-tolerance, although officers will build in allowance for first-time offenders of one item of waste left by bins or just outside driveways. Offenders would be given one-day warning to remove waste before a fine is issued.
45. A communications plan to help educate the public on what constitutes a littering offence and the damage it can do to the environment will be undertaken.
46. The contract will be procured for 2 years initially, with the option of extension for a further 3 years.

Summary of financial implications

47. Fees for Fixed Penalty Notices (FPNs) for relevant offences covered by the contract can be set by the Council within certain levels and it is proposed the following amounts will be charged for the relevant offences in line with the statutory limits:

Littering:

£75 within 14 days, £150 within 28 days

Fly-tipping:

£200 within 14 days, £400 within 28 days

Fly-posting:

£75 within 14 days, £150 within 28 days

Household duty of care:

£200 within 14 days, £400 with 28 days

Failing to provide Waste Transfer Notes:

£180 within 14 days, £300 within 28 days

Commercial Waste Receptacles:

£75 within 14 days, £110 within 28 days

48. The higher penalty will remain for each FPN served until the case is referred to Court at which point, if the perpetrator is found guilty of the offence, fines, victim surcharge and costs may be awarded.
49. The provider will be responsible for the collection of all payments on behalf of BCP Council. The contractor will retain 82.5% of the revenue and pay BCP Council 17.5% of all income generated at the end of each quarter.
50. To comply with VAT regulations, the provider will issue a VAT-only invoice to the Council in relation to the 82.5% revenue they will retain. Any VAT charged will be fully recoverable by the Authority through the VAT return process. The service and finance will put processes in place to ensure all tax regulations are adhered to for both the Council and the provider so that neither party is put at any risk.
51. The Council will not be liable should the provider not meet the expectations indicated. The agreement is based on zero cost to the Council and should BCP Council terminate the contract on grounds set out in the terms and conditions of the contract and with consideration of the provider's agreed code of conduct, there will be no cost applied.
52. Based on experience to date, discussions with the existing contractor and available national data, projections for 12 months across the BCP area and the following financial information is forecast:

Offence	Number of FPNs (served/paid)	Amount Recovered through FPN payment
Fly-tipping, Duty of Care and Fly-posting	771/517	£84,000
Littering	3,848/2,860	£214,500
		£298,500

53. From the recovered fines, the provider will pay their operational and staffing costs. The Council will receive 17.5% of the total recovered payments, which at the projected rate will be **£52,237.50**, based on the assumptions outlined. This will support prosecutions, communications and the management of the contract by Council officers.
54. There is a risk that the forecasted penalty and recovery amounts are inaccurate, and revenues fall short of expectation. However, the recommended option leaves the financial risks in relation to employment and support costs with the service provider, and there will be an option within the contract for the Council to terminate the contract with 90 days' notice.

Summary of legal implications

55. The Council is the enforcement authority in relation to the offences relating to this report as set out below. Officers carrying out these duties and investigating and enforcing matters will be authorised to act for and on behalf of the Council in relation to the following:
- i) Section 87 of the Environmental Protection Act 1990 deals with the offence of littering. Section 88 of the Environmental Protection Act 1990 permits the issuing of a fixed penalty notice for an offence of this type.
 - ii) Section 33 of the Environmental Protection Act 1990 deals with the offence of fly tipping and permits the issuing of a fixed penalty notice for an offence of this type
 - iii) Section 34 of the Environmental Protection Act 1990 deals with offences relating to failing to comply with the duty of care in relation to handling commercial waste permits the issuing of a fixed penalty notice for an offence of this type
 - iv) Section 47 of the Environmental Protection Act 1990 deals with offences relating to failing to comply with notices served in relation to requirements to provide receptacles for commercial and industrial waste. Section 48 of the Environmental Protection Act 1990 permits the issuing of a fixed penalty notice for an offence of this type
 - v) Section 132 of the Highways Act 1980 deals with offences relating to fly-posting. Section 43 of the Anti-Social Behaviour Act 2003 permits the issuing of a fixed penalty notice for an offence of this type.
56. The Council would appoint the provider under a contract for services for a fixed period of 24 months with a right to terminate on 60 days' notice at any time of the contract. Legal Services advice will be sought in connection with preparation of the contract.
57. Where any fixed penalty notice is not paid, the decision to issue legal proceedings will remain with the Council's Monitoring Officer while the company would provide the Council with full information and a clear recommendation as to the merits of proceeding with a prosecution. As part of any contract, we will seek to ensure officers are available to give evidence at any trial including where the contract or service may have come to an end.
58. Officers will use body worn cameras during any engagements with alleged offenders to help ensure accuracy and transparency. The Regulation of Investigatory Powers Act (RIPA) 2000 has been considered during this review of services provided by private enforcement companies. It is deemed that the required work will not require authorisation under RIPA, with no covert or directed surveillance required to achieve the aims of the service.
59. Data sharing to enable the contractor to investigate all reported incidents, as well as any found proactively on patrol, will be permitted through the contract for the service. The Council would be the data controller and the private company the processor. The company would be carrying out actions on behalf of the Council as they do not have the power to enforce in their own right and can only use information obtained to carry out their obligation under the contract.

60. Based on the sums anticipated to be collected, the Council's Procurement team has advised that the contract be openly tendered with a planned start date of March 2023.

Summary of human resources implications

61. There are no adverse implications for human resources. The collected revenue will help ensure adequate capacity is in place for management of the contract.

Summary of sustainability impact

62. The environment will benefit from less litter on the street which if successful, this contract should deliver.
63. More people being educated through communications and officer engagements that littering, fly-tipping and fly-posting is a crime and will be penalised, while understanding that it has a hugely negative impact on the environment, should result in less incidents and an improved environment.
64. Less litter will result in less potential harm to wildlife, less waste going down drains and reduced costs for Council services to clear.

Summary of public health implications

65. Littering and fly-tipping has a detrimental impact on public perception of the quality of affected environments, including publicly accessible greenspaces. Public use of greenspaces, and the degree of health & wellbeing benefit derived from that use, is partly determined by greenspace quality. The anticipated reduction in littering, fly-tipping and fly-posting will contribute to wider efforts to maintain and enhance the quality of public greenspace (and the wider public realm) and associated benefits for public health and wellbeing.

Summary of equality implications

66. There are no adverse effects on protected groups and all communities should benefit long term from reduced environmental crime with the success of this service. An equality impact screening tool has been included at Appendix 3.

Summary of risk assessment

67. There is a risk to the reputation of BCP Council if the service receives adverse commentary or complaints are received regarding the officers carrying out these duties. To mitigate this risk, a robust training plan for any newly employed officers and a complaints procedure will be in place and oversight by officers from the Council will occur regularly and when allegations of poor practice are made. All interactions between officers and suspects will be captured on body worn cameras ensuring a fair and impartial investigation of any complaints can be carried out. Where poor practice is identified, the Council will meet with the company's management team to discuss in detail and help to reduce repeat occurrences. The Council can instruct the company to withdraw any FPN if it so decides.
68. A Communications Strategy will be developed to reinforce the key Council values that enforcement activity is not undertaken lightly or to generate income but is a necessary driver to make and keep our communities clean. The launch of the service will set out rules that residents and businesses should be adhering to and updates via local press and social media will be released at regular times to illustrate

the impact of the service and further highlight the need for individuals to manage and dispose their waste lawfully.

Background papers

UCL Jill Dando Institute of Crime Science: Fly-tipping: Causes, Incentives and Solutions

<https://tacklingflytipping.com/Documents/NFTPG-Files/Jill-Dando-report-flytipping-research-report.pdf>

Appendices

Appendix 1: Summary, Performance and Data

Appendix 2: Communications

Appendix 3: EIA Screening Tool

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Appendix 1 – Summary, Performance and Data – Fly Tipping and Fly Posting Pilot (August 21 – September 22)

Communications

1. In July 2022, the Council's Communications Team launched a publicity campaign called 'Your Waste, Your Duty' working closely with officers from the Regulation and Environment Teams. The communication strategy highlighted the work of Waste Enforcement Officers from WISE and provided information to householders and businesses on their own duties around managing waste responsibly.
2. Along with a press release, which was featured in local media, information relating to the Enforcement Pilot was issued to nearly 35,000 subscribers signed up to the BCP News and Alerts and Business E-Newsletters. The targeted messaging outlined waste management duties for commercial and residential premises and explained the robust response that they would face if offences were evidenced. Further messaging will be going out to a further 34,000 subscribers signed up to the Parks and Open Spaces and the Waste and Recycling E-Newsletters in Autumn 2022.
3. At the end of September, a social media campaign commenced and focused on providing simple, clear messaging on what constitutes fly-tipping, with examples of unacceptable behaviour, information about the number of fly tipping reports and FPNs (fixed penalty notices) issued, and Council facilities for disposal (Appendix 2). This will continue throughout Autumn and reach 54,000 Facebook and 39,000 Twitter followers.
4. The BCP fly-tipping webpage has been updated, bringing together information previously split over multiple subject areas. The page now includes expanded information on reporting, investigation, and enforcement of fly tip alongside legal methods of waste disposal for householders and businesses, including links to the Council's Tip Check app and information about recycling and donation.
5. The impact of the communication campaign on people's understanding of the enforcement pilot is difficult to judge in the short timescale. Anecdotal evidence suggests that some of the messaging has been effective, as there have been fewer concerns raised in the past 2 months about the identity of WISE and the reasons for issuing FPNs.
6. Key departments, agencies and stakeholders, including registered social landlords, universities and letting agencies, have been engaged with and encouraged to help educate their service users on waste management and the possible consequences of non-compliance.

Enhanced Joint Working with Waste Compliance Officers

7. The Council's Waste Compliance Officers have a good knowledge of the areas where challenges are greatest, and WISE has worked closely with them to ensure a co-ordinated approach. This approach has enabled bin capacity and locations to be considered for businesses or residential blocks where management of waste has been challenging, with follow-up enforcement action should engagement fail to produce the desired outcomes.
8. Businesses previously issued with a fine for failing to produce evidence of meeting their duty of care, will be revisited to ensure compliance continues and to offer additional information or support.

Learning from Best Practice in other Councils

9. In June 2022 officers met with colleagues from a nearby Council that has established an in-house enviro-crime service. Other Local Authorities with a mix of services with private contracts and in-house provision have also been engaged, and it was evident that operating models differ widely.
10. An advantage to having an enforcement function in a separate service area to that of waste & environment (as is the case with BCP Council) is that advice can be given by officers separated from enforcement functions. Engagement Officers can struggle with enforcement and this approach gives clear lines of responsibility and expectation that also enables officers to concentrate on their specific functions rather than being distracted by competing demands. The disadvantage is that there is often a delay between the investigation of dumped waste and subsequent clearance, as separate teams are responsible for each function.
11. Although the co-ordination of service provision appears more straightforward for in-house service provision, this option is expensive given the number of directly employed officers required, the desire to educate rather than fine in many cases, and the back-office management of such a service. Collaborative working across Council departments and closer relationships with operational decision-makers, including the involvement of Environment Officers and Comms Teams deliver benefits.
12. CCTV has been utilised by some local authorities and the Environment Agency, and during the pilot has been a regular subject of discussion. There are strict legal codes for deployment and invariably permission must be sought through the courts under the Regulation of Investigatory Powers Act (RIPA); this is usually reserved for targeting regular fly-tip incidents, often in rural areas and of significant size, where evidence suggests that there are one or two entities responsible. RIPA authorisations are usually confined to a limited period of time and would be unlikely for CCTV focused on a car park, alleyway, or other locations regularly used by members of the public.
13. Existing Council CCTV, as well as cameras of businesses and residents, have been utilised within BCP during this pilot and has led to 25 referrals to the Police for registered vehicle keepers. 21 fines have been subsequently issued with supplementary evidence provided by the witness. However, the benefits of CCTV should not be over-emphasised, as this is just one of several investigative options and is costly due to the time required to examine lengthy film footage and capital funding.

Pilot Data (All data is from 31 August 2021 to 23 September 2022)

Table A: Fly-tipping		
Investigations	FPNs served/paid	Breakdown
2,271	365 / 241	106 x Business fly-tipping 189 x Domestic fly-tipping 8 x Household duty of care (failure to ensure household waste has been transferred through an authorised person/company) 62 x littering (small fly-tips, such as a bag of waste)

Table B: Business Duty of Care		
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Inspections	FPNs served / paid	Education
578	384 / 260	86 (including engagement work through Christmas and New Year)

Table C: Fly-posting	
Investigations	FPNs served/paid
30	22/17

Representations and Complaints

To WISE	Escalated to Council	Findings
536	12	10 not upheld 1 partially upheld 1 upheld

NB. Representations are not complaints and include cases where evidence has been sent to WISE to prove that an offence has not taken place, such as presentation of proper waste transfer notes

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Appendix 2 – Communications

Social Media Assets



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Equality Impact Assessment: conversation screening tool

Policy/Service under development/review:	Littering, Fly-tipping and Fly-Posting Enforcement
What changes are being made to the policy/service?	Harmonisation of response to littering, fly-tipping and fly-posting offences across BCP Council through use of private company at nil cost to Council
Service Unit:	Communities
Persons present in the conversation and their role/experience in the service:	Matthew King, Community Enforcement & Environmental Protection Manager Peter Haikin, Head of Regulatory Services Rebecca Lawry, Regulatory Services Equality Champion
Conversation dates:	w/c 11/10/22
Do you know your current or potential client base? Who are the key stakeholders?	Residents and community groups of BCP Council Businesses operating in the BCP Council area Members of BCP Council Officers within BCP Council in the Regulation, Waste, Parks, Events and Seafront teams Residents and community groups within the BCP Council area Dorset Police Environment Agency
Do different groups have different needs or experiences in relation to the policy/service?	All groups have a need for a consistent Council response to offenders of littering, fly-tipping and fly-posting. Some groups may not understand rules for waste and communication and education forms part of the policy change.
Will the policy or service change affect any of these service users?	Yes, predominantly in a positive manner, with the aim of the change to policy resulting in less money and resource being spent on clearances of litter, waste and fly-posting and more being spent in other priority areas.
[If the answer to any of the questions above is 'don't know' then you need to gather more evidence and do a full EIA. The best way to do this is to use the Capturing Evidence form]	
What are the benefits or positive impacts of the policy/service change on current or potential service users?	Money and resource spent on dealing with the results of littering and fly-tipping adversely affect all residents and businesses of the Council and if this reduces as is hoped, this is a benefit and positive impact for all groups.
What are the negative impacts of the policy/service change on current or potential service users?	There is a potential impact on residents who may not fully understand laws for waste disposal. Each case will be considered fully to understand if someone has been exploited due to a protected characteristic by a rogue individual or trader before considering formal action.
Will the policy or service change affect employees?	Yes, to a limited degree, with employees within Communities having to learn more about enforcement measures against offenders of littering, fly-tipping and fly-posting. It should also be a positive change for employees of Cleansing and Waste who spend some of their time clearing waste dumped by offenders, which adds to existing heavy workloads. They will be pleased to see offenders are held to account.
Will the policy or service change affect the wider community?	Yes, as above in a positive manner, except for offenders who do not accept education or knowingly act in an unlawful way
What mitigating actions are planned or already in place for those	A communications strategy to help increase knowledge of rules around waste management and fly-posting will be implemented

negatively affected by the policy/service change?	prior to the launch of the new service and each case will be considered fully to understand if someone has been exploited due to a protected characteristic by a rogue individual or trader before considering formal action.
Summary of Equality Implications:	There are no adverse effects on protected groups and all communities should benefit long term from reduced environmental crime with the success of this service.

For any questions on this, please contact the Policy and Performance Team by emailing performance@bcpcouncil.gov.uk



OVERVIEW AND SCRUTINY COMMITTEE

Report subject	Work Plan
Meeting date	16 November 2022
Status	Public Report
Executive summary	The Chairman and Vice Chairman of the Place O&S Committee have worked with Officers to identify the priority areas of work for the Committee with contributions from the Committee members. The work priorities of the Committee have been developed on the basis of risk. The proposed Work Plan is attached at Appendix A. The Committee is asked to consider the proposals contained in the Work Plan and approve or amend the contents. A link to the current published Cabinet Forward Plan is included within the report to aid the Committee in deciding on its priorities for scrutiny.
Recommendations	It is RECOMMENDED that the Place Overview and Scrutiny Committee amend as appropriate and then approve the Work Plan attached at Appendix A to this report.
Reason for recommendations	The Council's Constitution requires all Overview and Scrutiny bodies to set out proposed work in a Work Plan which will be published with each agenda.

Portfolio Holder(s):	Not applicable
Corporate Director	Graham Farrant, Chief Executive
Contributors	Lindsay Marshall, Overview and Scrutiny Specialist
Wards	N/A
Classification	For Decision

Background

1. All Overview and Scrutiny (O&S) bodies are required by the Constitution to consider work priorities and set these out in a Work Plan. When approved, this should be published with each agenda.
2. The Constitution requires that the Work Plan of O&S bodies shall consist of work aligned to the principles of the function. The BCP Council O&S function is based upon six principles:
 1. Contributes to sound decision making in a timely way by holding decision makers to account as a 'critical friend'.
 2. A member led and owned function – seeks to continuously improve through self-reflection and development. Enables the voice and concerns of the public to be heard and reflected in the Council's decision-making process.
 3. Engages in decision making and policy development at an appropriate time to be able to have influence.
 4. Contributes to and reflects the vision and priorities of the council.
 5. Agile – able to respond to changing and emerging priorities at the right time with flexible working methods.
3. The O&S Committee may take suggestions from a variety of sources to form its Work Plan. This may include suggestions from members of the public, Officers of the Council, Portfolio Holders, the Cabinet and Council, members of the Committee, and other Councillors who are not on the Committee.
4. The Constitution requires that all suggestions for O&S work will be accompanied by detail outlining the background to the issue suggested, the proposed method of undertaking the work and likely timescale associated, and the anticipated outcome and value to be added by the work proposed. No item of work shall join the Work Plan of the O&S Committee without an assessment of this information.

Summary of financial implications

5. When establishing a Work Plan, the Constitution requires the Overview and Scrutiny Committee to take into account the resources, including Councillor

availability, Officer and financial resources, available to support their proposals. The Committee may wish to consider the Cabinet Forward Plan to aid in planning its work: [BCP Council – Democracy](#)

6. To ensure sufficient resource availability across all O&S bodies, Officer advice is that, in addition to agenda items, one additional item of scrutiny inquiry work may be commissioned by an Overview and Scrutiny body at any one time. This may take the form of a working group or task and finish group, for example. Bodies commissioned by the Overview and Scrutiny Committee may have conferred upon them the power to act on behalf of the parent body in considering issues within the remit of the parent body and making recommendations directly to Portfolio Holders, Cabinet, Council or other bodies or people within the Council or externally as appropriate.

Summary of legal implications

7. The Council's Constitution requires all Overview and Scrutiny bodies to set out proposed work in a Work Plan which will be published with each agenda.

Summary of human resources implications

8. N/A to this decision

Summary of environmental impact

9. N/A to this decision

Summary of public health implications

10. N/A to this decision

Summary of equality implications

11. Any member of the public may make suggestions for Overview and Scrutiny work. Further detail on this process is included with Part 4 of the Council's Constitution.

Summary of risk assessment

12. N/A to this decision.

Background papers

None

Appendices

Appendix A – Overview and Scrutiny Committee proposed Work Plan

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Work Plan – BCP Place Overview and Scrutiny Committee

The following work plan items are suggested as early priorities to the Place O&S Committee by the Chair and Vice Chair, following consultation with officers.

Meeting Date: Wednesday 16 November 2022					
1	Future Places – Introduction from the Independent Chair To meet the new Chair and provide an opportunity for the Committee to highlight any areas it would wish to scrutinise in the future.	To enable the Committee to receive a brief update and consider future options for scrutiny.	Committee Report	PH – Development, Growth and Regeneration Sarah Longthorpe – Director Regeneration	Update requested at meeting on 16.06.22 The substantial update and business cases will be scheduled
2	WISE Fly Tipping To consider the Place related aspects of this report prior to Cabinet	To enable the committee to consider this issue and make recommendations prior to consideration by Cabinet.	Cabinet report	PH – Environment and Place; Community Safety and regulatory Services Sarah Longthorpe – Director Regeneration	Request to consider this report received from Committee member
3	Firebreaks To consider the current policy on this issue and any future proposals.	To enable the Committee to consider any proposals before consultation	Committee Report	PH – Environment and Place Kate Langdown – Director Environment	Report requested at the meeting held on 16.06.22. Contact Democratic Services for further information.
4	Budget Update To provide the Committee with an overview of the impact of budget balancing on services within Place remit	To enable the Committee to have an oversight of the issues affecting service areas and consider whether this may impact future work for the committee.	Committee report	All PH areas covered by the Committee	Agreed by the Committee at is meeting in September 2022. Contact Democratic Services for Further information

Meeting Date: Wednesday 1 March 2023					
1	Bereavement services report To consider an update on this since decisions were taken by Cabinet in September 2022.	To enable the Committee to maintain an oversight of this issue as it progresses.	Committee Report	PH – Environment and Place	Contact Democratic Services for further information.
2	Update report from the Tree Strategy Task and Finish Group To receive an update and consider any recommendations from the group	To enable the Committee to have an overview of the work of the group and consider any recommendations made.	Task and Finish Group Report	PH – Environment and Place	Contact Democratic Services for further information.
3	Climate Plan (TBC) Annual report – to consider the Council's work in response to the Climate Emergency	To enable the Committee to monitor this issue and target scrutiny as required.	Committee Report	PH – Transport and Sustainability	Contact Democratic Services for further information. Deferred from November meeting to allow annual report and action plan to be merged.
DATE to be allocated					
1.	Strategic Transport Plan To consider an update on progress and timescales for the Strategic Transport Plan.	To enable the Committee to consider any proposals before consultation	Committee – Briefing note	PH – Transport and Sustainability	Contact Democratic Services for further information. Deferred from November meeting following a delay in government announcements

2.	Flooding and FCERM To consider a report providing an annual update on this issue	To enable the Committee to maintain oversight of this issue and target scrutiny as required.	Committee Report or information only paper	PH – Environment and Place	Contact Democratic Services for further information.
3.	Play Strategy To consider the Council's play strategy once developed.	To enable the committee to maintain an oversight of this issue and contribute as appropriate.	Committee report	PH – Environment and Place	
4.	Future Places – To consider an update following the request made by the Committee when last considered, this will include a review of the recent business cases.	To enable the Committee to maintain an oversight of the issue and make any recommendations as appropriate.	Committee Report	PH – Development, Growth and Regeneration Sarah Longthorpe – Director Regeneration	Previously scheduled for November 2022 meeting
Commissioned Work Work commissioned by the Committee (for example task and finish groups and working groups) is listed below: Note – to provide sufficient resource for effective scrutiny, no more than 2 items of commissioned work will run at a time. Further commissioned work can commence upon completion of previous work.					
	Tree Strategy Working Group To consider and feed into the developing Tree Strategy for BCP	To ensure that there is an overview on this issue and member engagement as the strategy develops	Task and Finish Group	PH – Environment and Place	
Update Items The following items of information have been requested as updates to the Committee. The Committee may wish to receive these in an alternative to format to Committee updates (e.g. by emailed briefing note outside of the Committee) to reserve capacity in Committee meetings for items of value-added scrutiny.					

	Flooding and FCERM To consider a report providing an annual update on this issue. Place O&S is the statutory body to consider.	To enable the Committee to maintain oversight of this issue and target scrutiny as required.	Committee Report or information only paper	PH – Environment and Place	Contact Democratic Services for further information.
Annual Reports					
	Climate Plan Annual report – to consider the Council's work in response to the Climate Emergency	To enable the Committee to monitor this issue and target scrutiny as required.	Committee Report		