

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
CABINET

Minutes of the Meeting held on 04 September 2024 at 10.15 am

Present:-

Cllr M Earl – Chairman

Cllr M Cox – Vice-Chairman

Present: Cllr D Brown, Cllr R Burton, Cllr A Hadley, Cllr J Hanna,
Cllr R Herrett, Cllr A Martin, Cllr S Moore and Cllr K Wilson

Also in attendance: Cllr P Canavan (Chair of the Health and Adults Social Care Overview
and Scrutiny Committee)

35. Declarations of Interests

There were no declarations of interest made on this occasion.

36. Confirmation of Minutes

The Minutes of the meeting held on 17 July 2024 were confirmed and signed as a correct record.

37. Public Issues

Cabinet was advised that there had been no statements or petitions submitted from members of the public on this occasion but that one question had been received in relation to Agenda Item 10 (Progress update on the 'Best Value Notice').

Public Question received from John Sprackling

The Association is concerned about the short life of BCP Future Places Ltd. Please can the Council say what the costs of setting up and closing down the Company were, what benefits were achieved and what has the Council learned from the exercise.

Response by the Leader of the Council and Portfolio Holder for Dynamic Places, Councillor Millie Earl

To remind members of the public, Cabinet received a report 27th September 2023 which explained [The future of Future Places regeneration and development.pdf \(bpcouncil.gov.uk\)](#).

In Jan 24 Audit & Governance Committee and Cabinet received the following reports relating to improved governance arrangements for council owned companies:

A&G: [Council Owned Companies Shareholder Governance Review.pdf \(bpcouncil.gov.uk\)](#)

Cabinet: [Council-Owned Companies - Shareholder Governance Review.pdf \(bpcouncil.gov.uk\)](#)

At Full Council in February 2024, a Council officer, Mr Chris Shephard, was asked to oversee the closure of Future Places Ltd. On July 25, 2024, the FuturePlaces Ltd board decided to close the company, having undertaken the necessary work, and this process is currently underway with Companies House with an application submitted.

The total net cost of establishing and closing BCP FuturePlaces Ltd amounted to £5.3 million. In addition, the Council incurred further expenses of £546,000 for work procured from the company, along with some minor legal and financial administration costs.

The benefits are that significant technical surveys were undertaken on several sites and that multidisciplinary approach continues to be valid and relevant information to inform the delivery strategies for the sites.

In terms of lessons learned:

1. The work Future Places undertook was preparatory in relation to the sites they were focused on, not delivery.
2. Much of the learning has been incorporated by transferring the people into the Investment and Development directorate, where we continue to benefit from their experience and expertise

38. Recommendations from the Overview and Scrutiny Committees

Cabinet was advised that there were no additional recommendations from the Overview and Scrutiny Committees on items not otherwise indicated on the Cabinet agenda on this occasion.

The Leader advised that given the confidential nature of the Appendices at Agenda Item 7 (Risk & Insurance – Annual Review Contract Update Renewals) that it was proposed that this item would be moved to the end of the agenda to minimise any disruption if required to go into confidential/exempt session.

39. Council Budget Monitoring 2024/25 at Quarter One

The Portfolio Holder for Finance 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.

Cabinet was advised that the report provided the quarter one 2024/25 projected financial outturn information for the general fund and housing revenue account (HRA).

Cabinet was informed that the February 2024 Council had approved the general fund budget for 2024/25 which had been balanced on the assumption of £38m in savings, efficiencies, and additional resources.

In relation to this Cabinet was advised that the quarter one budget monitoring position for 2024/25 demonstrates the ongoing financial challenges to this authority from relentless increasing demand and cost pressures, pressures not dissimilar to those faced by all upper tier local

authorities, and that the council's robust financial governance and proactive management of its budget is enabling significant mitigation.

Cabinet was informed that services are expected to implement mitigation strategies to address emerging operational pressures identified within the first quarter, and that this was critical to maintaining the financial health and sustainability of the council as the medium-term financial plan makes no allowance for replenishing any reserves used to balance 2024/25 budget.

Cabinet was advised that the expenditure on the Special Educational Needs and Disability Service (SEND), which is within the high needs budget, continues to exceed the government grant made available as part of the Dedicated Schools Grant (DSG) and reflects the rising demand for services in this area, and that this position has significantly worsened from the already dire position assumed in the budget for 2024/25. BCP Council has taken steps to manage this situation locally but, as a national issue, these steps are limited, in relation to this Cabinet was advised that conversations for an urgent solution continue with the Department for Education (DfE) and the Ministry of Housing, Communities, and Local Government (MHCLG).

Further to this the Leader advised the Cabinet that whilst there had been no formal recommendations from the Overview and Scrutiny Board that there had been a long and thorough debate on this item at the recent meeting of the Board.

The Chair of the Health and Adults Overview and Scrutiny Committee addressed the Cabinet speaking specifically on the proposed virement from the adult social care budget to the children's social care budget.

RESOLVED that Cabinet: -

(a) Note the budget monitoring position for quarter one 2024/25.

RECOMMENDED that Cabinet: -

(b) Recommend to Council the revenue budget virement set out in paragraph 5.

RESOLVED that Cabinet: -

(c) Request a detailed report to October Cabinet from the Corporate Director for Children's Services on the High Needs Dedicated Schools Grant expenditure forecast and available mitigation measures in 2024/25. This report will need to seek Council approval for any additional resources over the approved budget.

Voting: Unanimous

Portfolio Holder: Finance

Reason

To comply with accounting codes of practice and best practice which requires councils to regularly monitor the annual budget position and take any action to support the sustainability of the council's financial position.

To comply with the council's financial regulation concerning approval for budget virements.

40. Pay and Reward final position

The Portfolio Holder for Transformation and Resources 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.

Cabinet was advised that since the creation of BCP Council through the merger of the four preceding councils in April 2019 that the Council have been working with the trade unions to negotiate a new Pay and Reward package which aligns pay and conditions across all colleagues.

Cabinet was informed that this report sets out the final steps taken before pay outcomes are released to colleagues and the associated financial impact of finalising arrangements in anticipation of moving towards implementation should a positive ballot outcome be achieved.

RESOLVED that: -

- (a) Cabinet agree the final negotiated position and financial costs associated with implementing Pay and Reward as set out in this report; and**
- (b) Cabinet delegate to the Chief Executive, in consultation with the Leader of the Council, to make any final adjustments to the scheme and to implement the final arrangements.**

Voting: Unanimous

Portfolio Holder: Transformation and Resources

Reason

To allow the negotiation of a new Pay and Reward package to move forward to implementation, subject to successful collective bargaining with the relevant trade unions.

41. Monitoring Progress with the Shared Vision for Bournemouth, Christchurch and Poole - Q1

The Leader of the Council 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.

Cabinet was advised that BCP Council had adopted 'A Shared Vision for Bournemouth, Christchurch and Poole 2024-28' in May 2024, and that the Shared Vision is the corporate strategy which sets out the Council's vision, priorities and ambitions as well as the principles which underpin the way the council works as it develops and delivers its services.

Further to this Cabinet was informed that incorporated in the Vision are a set of measures of progress for achieving the vision, priorities and ambitions, and that this is the first quarterly performance monitoring report for the Vision, presenting an update on the progress measures with the intention being for the focus areas outlined in the vision to be included in the performance report at Q2.

Cabinet was advised that the vision can also be monitored through a new performance dashboard which is available on the [Council's website](#) providing up-to-date real time information on the progress measures.

RESOLVED that Cabinet: -

- (a) considered the quarter one performance;**
- (b) noted the changes made to the published list of measures in the corporate strategy;**
- (c) noted that the vision performance dashboard will be expanded to include further lenses to view the data; and**
- (d) noted that the live vision performance dashboard has been published on the council website alongside this Q1 performance report.**

Voting: Unanimous

Portfolio Holder: Leader of the Council

Reason

Our Shared Vision for Bournemouth, Christchurch and Poole sets out the priorities and ambitions that the Council's performance will be judged against and as such is a vital component of the Council's performance management framework.

An understanding of performance against targets, goals and objectives helps us assess and manage service delivery and identify emerging business risks.

42. Progress update on the 'Best Value Notice'

The Leader of the Council 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.

Cabinet was advised that the Council was issued with a 'Best Value Notice' by the Department for Levelling Up, Housing & Communities (DLUHC) on 3 August 2023, and that this had followed an assurance review that was commissioned in response to the Council's July 2022 request for a capitalisation direction under the Exceptional Financial Support programme.

In addition Cabinet was informed that the Chief Executive had also carried out an internal assurance review prior to this, with the conclusions supported by the external review.

Cabinet was advised that in response to receiving the 'Best Value Notice', an action plan had been agreed by Cabinet on 6 September 2023 and had been monitored and updated regularly since.

Further to this Cabinet was informed that the 'Best Value Notice' had expired on 2 August 2024, and that the report outlined the good progress made against the action plan.

RESOLVED that Members noted the good progress made against the Best Value Notice action plan.

Voting: Unanimous

Portfolio Holder: Leader of the Council

Reason

All actions in response to the 'Best Value Notice' are complete.

Officers have given DLUHC, and now the Ministry of Housing, Communities and Local Government (MHCLG), regular updates and received positive feedback from Civil Servants on progress and engagement.

43. Financing Nature

The Portfolio Holder for Climate Response, Environment and Energy 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.

Cabinet was advised that the report sets out the opportunity available to BCP Council following the recent introduction of Biodiversity Net Gain (BNG) planning policy, set out under the Environment Act 2021 and implemented through BCP Council's forthcoming Local Plan.

Cabinet was informed that the BNG policy requires development sites to deliver a biodiversity net gain of at least 10%, and that this presents an opportunity to enhance BCP Council owned green spaces for people and wildlife, funded by a sustainable revenue stream and business model, established through the property developer market, and that establishing a mechanism for selling offsite BNG units will also ensure the Council can meet its own BNG obligations that might arise to develop its own land.

Further to this Cabinet was advised that access to nature for people and local communities is essential to their health and wellbeing, and that increasing investment in BCP's natural environment will support peoples' access to high-quality green space and help to mitigate against the local effects of global climate breakdown.

In relation to this Cabinet was informed that creating a mechanism for financing nature could help deliver BCP Council's environmental objectives, aligned with the Corporate Strategy, and enable equitable access to nature for our communities.

RESOLVED that Cabinet: -

- (a) approves the principle of creating a mechanism to enable BCP Council to sell BNG units from Council owned land (preferred option of the 3 options detailed in the cabinet report);**
- (b) approves the use of up to £400,000, with a flexible drawdown arrangement, of Community Infrastructure Levy (CIL) to the Environment service to make biodiversity enhancements to Council-owned sites in advance of the sale of units; and**
- (c) approves that this project 'Financing Nature' be brought back to Cabinet as soon as practical but within 9 months, with a detailed implementation plan.**

Voting: Unanimous

Portfolio Holder: Climate Response, Environment and Energy

Reason

The Financing Nature working group are exploring options for developing a mechanism to attract funding to enhance BCP Council's green infrastructure for the benefit of people and nature. This exciting and innovative project, which is supported by several national organisations such as Natural England and the National Trust, would put BCP Council at the forefront of nature restoration in England. It would also support an efficient and impactful BNG policy in line with national requirements and the forthcoming BCP Local Plan.

The purpose is to ensure that development mitigation be directed to strategic sites for greatest benefit and, as the mitigation will be delivered in advance of impact, provide a cost-effective offer to developers to meet BNG obligations with maximum benefit for BCP Council. It also:

- Provides an opportunity for BCP Council to direct the development of the emerging BNG market across the planning policy area.
- Supports the delivery of BCP Council's corporate strategy, the growth of the local green economy, and improved access to high-quality natural assets.
- Supports the aims and principles of the adopted Green Infrastructure and Urban Forest strategies.
- Serves as a proof of concept for a new mechanism that can sustainably fund the long-term creation, restoration, and management of habitats.

Doing nothing presents significant risk to BCP's natural environment, ecosystems and communities and missed income for green space improvements. It also presents a significant risk for housing delivery in the region, especially affordable housing. This would mean that BCP's green net would not deliver the benefits it has the potential to deliver for the people of BCP. Along with this, the condition of BCP's green spaces would likely continue to erode and cause a greater maintenance and financial burden on already stretched services and revenue budgets. Additionally, it might also impact on the ability and cost associated with the Council seeking to develop its own sites, where it's not possible to deliver onsite BNG.

44. Hurn Neighbourhood Plan

The Leader of the Council presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'F' to these Minutes in the Minute Book.

Cabinet was advised that neighbourhood planning gives local people the opportunity to develop a shared vision for their neighbourhood and shape the development and growth of their local area, and that BCP Council as the Local Planning Authority has a legal duty to support and advise town/parish councils and neighbourhood forums through the process to

prepare neighbourhood plans, following statutory legislation, regulations and procedure.

Cabinet was informed that the Hurn Parish Council is preparing a Neighbourhood Plan, which is at an advanced stage having been through independent examination, and that the examiner's report (dated 9 August 2024) has concluded that subject to modifications, it meets basic conditions and legal requirements and can now proceed to referendum.

Cabinet was asked to accept the findings of the examiner including his recommended modifications; approve the Local Planning Authority's decision statement; and approve the modified Neighbourhood Plan for referendum.

Cabinet was advised that if at referendum there is a majority vote (50% plus 1) in favour of the neighbourhood plan, then the neighbourhood plan will come back to Council to become a 'Made' plan for the Hurn Neighbourhood area and form part of the statutory development plan.

RESOLVED that Cabinet: -

- 1. Considered each of the recommendations of the examiner which relate to:**
 - a. a number of modifications to the Submission Version Plan (Appendix 1)**
 - b. that the referendum area should not be extended beyond the designated Neighbourhood Area (Appendix 2)**
- 2. Agreed with the recommendations by the examiner that the Hurn Neighbourhood Plan be modified as defined by the examiner (Appendix 3);**
- 3. Agreed that the modified Hurn Neighbourhood Plan proceeds to referendum;**
- 4. Approved the Local Planning Authority's Decision Statement and list of modifications as tabled (Appendix 4); and**
- 5. Amend the Local Planning Authority's Decision Statement and list of modifications as tabled (Appendix 4) to reflect Cabinet's decision**

Voting: Unanimous

Portfolio Holder: Leader of the Council

Reason

To meet the statutory obligations including provisions set out in the from the Localism Act 2011, the Town & Country Planning Act 1990, the Neighbourhood Planning Act 2017, and the Neighbourhood Planning Regulations 2012 (as amended).

45. Commissioning & Procurement Transformation Update

The Portfolio Holder for Transformation and Resources presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'G' to these Minutes in the Minute Book.

Cabinet was advised that the purpose of the report was to provide Cabinet with an update on the commissioning and procurement centre of expertise, including the outcome of a review into the future of the combined commissioning & procurement functions.

Cabinet was informed that the report also highlighted a major change in October 2024 with the introduction of new procurement legislation that will influence much of what the Council purchases.

Cabinet was advised that the report was seeking approval for the BCP Council Procurement and Contract Management Strategy 2024 - 2029, setting out the approach the council will take in all significant procurement activity.

RESOLVED that Cabinet: -

- (a) Noted the content of this report on the progress, challenges and next steps in the Council's Commissioning & Procurement approaches;**
- (b) Noted the outcome of the officer review of the combined commissioning and procurement centre of expertise and the intention to separate the functions;**
- (c) Noted the Council's preparations for implementation of the Procurement Act 2023, and the opportunities for continued development of the contract management and procurement approach, including the establishment of a contracts and procurement board; and**
- (d) Approves the BCP Council Procurement & Contracts Management Strategy 2024 - 2028**

Voting: Unanimous

Portfolio Holder: Transformation and Resources

Reason

An effective corporate approach to procurement and contract management is crucial in the light of ever challenging budget reductions and the delivery of the future legislative challenges to ensure internal compliance and delivery of best value for the residents of the area.

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

Cabinet was advised that no urgent decisions had been taken in accordance with the Constitution since the last meeting of the Cabinet.

47. Cabinet Forward Plan

The Leader advised that the latest Cabinet Forward Plan had been published on the Council's website.

In relation to this the Leader encouraged scrutiny to review the Forward Plan and encouraged the Chairs of the relevant Scrutiny Committees to approach the appropriate Portfolio Holder or Officers if they wish to scrutinise particular reports and the timelines don't work.

48. Exclusion of Press and Public

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

49. Risk & Insurance - Annual Review Contract Update Renewals

This item was restricted by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

The Portfolio Holder for Finance presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'H' to these Minutes in the Minute Book.

Cabinet was advised that the report updated councillors on the position of the council's annual insurance contract review and the material changes and implications to the council.

RESOLVED that Members agree to recommendations a) to g) as set out in the Confidential Appendix 2 of this report.

Voting: Unanimous

Portfolio Holder: Finance

Reason

To maintain and continue to develop the long-term insurance strategy of the council. The objective of the procurement is to balance the risk versus the cost of the insurance cover taking into consideration the risk appetite of the council and the funds available to support self-insurance.

The meeting ended at 12.48 pm

CHAIRMAN