

# Notice of Council



Date: Tuesday, 15 October 2024 at 7.00 pm

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

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**Chairman:**

Cllr L Dedman

Cllr C Adams  
Cllr S Aitkenhead  
Cllr H Allen  
Cllr M Andrews  
Cllr S Armstrong  
Cllr J Bagwell  
Cllr S Bartlett  
Cllr J Beesley  
Cllr P Broadhead  
Cllr D Brown  
Cllr O Brown  
Cllr R Burton  
Cllr J J Butt  
Cllr P Canavan  
Cllr S Carr-Brown  
Cllr J Challinor  
Cllr A Chapmanlaw  
Cllr B Chick  
Cllr J Clements  
Cllr E Connolly  
Cllr P Cooper  
Cllr M Cox  
Cllr D d'Orton-Gibson  
Cllr B Dove  
Cllr M Dower

**Vice Chairman:**

Cllr S Bull

Cllr M Earl  
Cllr J Edwards  
Cllr G Farquhar  
Cllr D Farr  
Cllr A Filer  
Cllr D A Flagg  
Cllr M Gillett  
Cllr C Goodall  
Cllr A Hadley  
Cllr J Hanna  
Cllr E Harman  
Cllr R Herrett  
Cllr P Hilliard  
Cllr B Hitchcock  
Cllr M Howell  
Cllr A Keddie  
Cllr M Le Poidevin  
Cllr S Mackrow  
Cllr R Maidment  
Cllr A Martin  
Cllr D Martin  
Cllr G Martin  
Cllr J Martin  
Cllr C Matthews  
Cllr S McCormack

Cllr P Miles  
Cllr S Moore  
Cllr A-M Moriarty  
Cllr B Nanovo  
Cllr L Northover  
Cllr M Phipps  
Cllr K Rampton  
Cllr Dr F Rice  
Cllr J Richardson  
Cllr V Ricketts  
Cllr C Rigby  
Cllr K Salmon  
Cllr J Salmon  
Cllr P Sidaway  
Cllr P Slade  
Cllr V Slade  
Cllr M Tarling  
Cllr T Trent  
Cllr O Walters  
Cllr C Weight  
Cllr L Williams  
Cllr K Wilson  
Cllr G Wright  
Vacancy

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All Members of the Council are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to attend or view the live stream of this meeting at the following link: <https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?Mid=5909>

If you would like any further information on the items to be considered at the meeting please contact: Democratic Services on 01202 096660 or [democratic.services@bcpcouncil.gov.uk](mailto:democratic.services@bcpcouncil.gov.uk)

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

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](http://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
CHIEF EXECUTIVE

7 October 2024

**DEBATE  
NOT HATE**



Available online and  
on the Mod.gov app

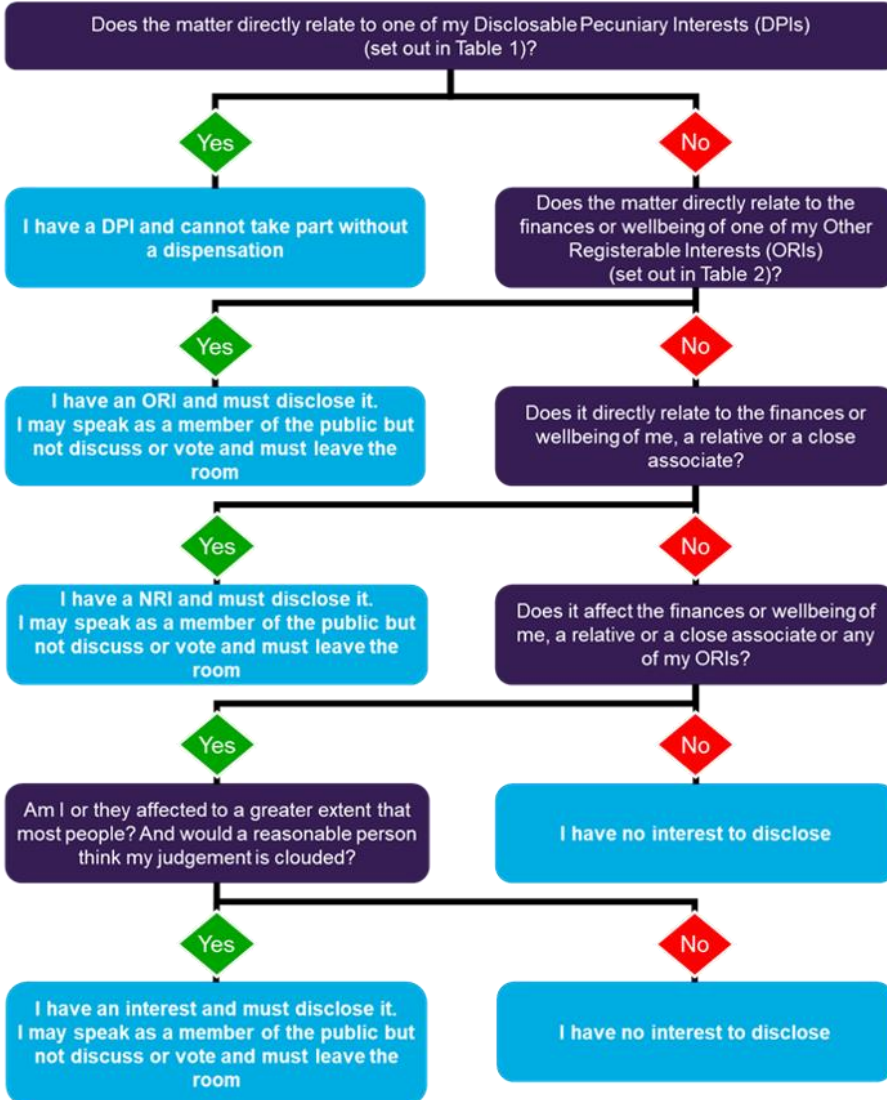


## Maintaining and promoting high standards of conduct

### Declaring interests at meetings

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

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



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

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

#### Bias Test

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

#### Predetermination Test

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

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

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

### Selflessness

Councillors should act solely in terms of the public interest

### Integrity

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

### Objectivity

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

### Accountability

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

### Openness

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

### Honesty & Integrity

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

### Leadership

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

# AGENDA

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

## 1. Apologies

To receive any apologies for absence from Councillors.

## 2. Declarations of Interests

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

Declarations received will be reported at the meeting.

## 3. Confirmation of Minutes

To confirm and sign as a correct record the minutes of both the Extraordinary Meeting and the Council meeting held on 23 July 2024.

## 4. Announcements and Introductions from the Chairman

To receive any announcements from the Chairman.

## 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.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

The deadline for the submission of public questions is mid-day Wednesday 9 October 2024 (3 clear working days before the meeting).

The deadline for the submission of a statement is mid-day Monday 14 October 2024 (the working day before the meeting).

The deadline for the submission of a petition is Tuesday 1 October 2024 (10 working days before the meeting).

## 6. Petition - Preserve the Biannual Hush Club Event in Southbourne

Council is advised that a petition with in excess of 2000 valid signatures has been received from Mr Bob Smith-Thomas requesting that the biannual Hush Club Event in Southbourne be preserved:

*The Hush Club's annual events have long been a cornerstone of unity and charity in the Southbourne community. Held twice a year on the cliff top by the Riva Café, these family-friendly gatherings bring together locals, fostering strong community ties and providing a platform for fundraising efforts.*

*Regrettably, the continuation of these beloved events is under threat. We believe in the immense value of these events for our community and the charities they support. Hence, we urge the authorities to permit the continuation of the Hush Club's events, so that we may continue to unite, celebrate, and support our community together.*

*By adding your signature, you are championing the cause of community togetherness and charity in Southbourne. Let's come together and show that Southbourne stands united in preserving this local event.*

*It is also worth bearing in mind that Cafe Riva host a weekly "Rendezvous at Riva" where a DJ plays Saturday and Sunday and I believe this may be the reason for the complaints rather than the twice a year Hush club events. I noted on a recent visit that their speakers were pointing inland facing Fishermans Walk. The Hush Club speakers are aimed across the cliff top to limit the noise levels to local residents.*

*In their last event Mr Andrew Hill from the Environmental department at BCP was in attendance who confirmed with Rob Green that the noise levels were satisfactory and well within BCP council regulations.*

I would like the council to consider lifting the ban on The Hush Club for next year to host the two charity events as they have done for the past many years.

## **ITEMS OF BUSINESS**

### **Recommendations from the Cabinet and Committees**

Please refer to the recommendations detailed in items 7 to 13 below.

7. **Cabinet 4 September 2024 - Minute No. 39 - Council Budget Monitoring 2024/25 Quarter One** 35 - 70
- RECOMMENDED that Cabinet: -**
- (b) **Recommend to Council the revenue budget virement set out in paragraph 5.**
- Note - resolutions (a) and (c) were resolved matters by the Cabinet.
8. **Cabinet 2 October 2024 - Minute No. 55 - Poole Civic Centre** 71 - 90
- PLEASE NOTE: Should the Council wish to discuss the detail of Appendices A or C it will be necessary to exclude the press and public and move into exempt session. If applicable, the following resolution should be moved:
- “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 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.”*
- RECOMMENDED that Council: -**
- (a) **note the confidential draft minutes and the recommendations of the Cross-Party Asset Disposal Working Group meeting held on the 20 September 2024; and**
- (b) **approve the open market disposal of the former civic centre in Poole on such terms to be approved by Cabinet based on a**

detailed report of bids received to support them in their decision making which includes social, environmental and financial benefits.

- |   |                  |
|---|------------------|
| <p><b>9. Cabinet 2 October 2024 - Minute No. 59 - Community Governance Review of BCP Council area</b></p> <p><b>RECOMMENDED that: -</b></p> <ul style="list-style-type: none"><li><b>(a) a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007;</b></li><li><b>(b) the timetable and Terms of Reference for the Review, as set out at Appendix 1 to this report, be approved;</b></li><li><b>(c) the Director of Law and Governance and Head of Democratic Services be authorised to take all necessary steps in relation to the Review; and</b></li><li><b>(d) a Working Group be appointed to consider the Review and make recommendations to the Council comprising a total of 10 councillors, with a composition as set out in paragraph 18 to this report.</b></li></ul> | <p>91 - 100</p>  |
| <p><b>10. Cabinet 2 October 2024 - Minute No. 60 - Council Owned Companies Shareholder Governance Review</b></p> <p><b>RECOMMENDED that Council: -</b></p> <ul style="list-style-type: none"><li><b>(a) Approve the Shareholder Advisory Board and Shareholder Operations Board Governance Framework for inclusion in the Council's Constitution;</b></li><li><b>(b) Approve the Guidance to Councillors and Officers Appointed to Outside Bodies for inclusion in the Council's Constitution; and</b></li><li><b>(c) Delegate authority to the Monitoring Officer to take all steps necessary to ensure the Council's Constitution remains up to date in respect of these documents.</b></li></ul>   | <p>101 - 148</p> |
| <p><b>11. Cabinet 2 October 2024 - Minute No. 61 - Hawkwood Road Community Centre - Towns Fund Masterplan</b></p> <p><b>RECOMMENDED that Council: -</b></p> <ul style="list-style-type: none"><li><b>(1) approves the demolition of the former W H Smith building (625 Christchurch Road), the creation of the new pedestrian boulevard and the construction of the new Community Centre and associated hard and soft landscaping for a total scheme cost of £4.1m;</b></li><li><b>(2) approves the financial strategy for the scheme as set out in paragraphs 11-22 with specific approval for the use of £4.1m of Towns Fund grant funding to pay for the delivery of the Community Centre;</b></li><li><b>(3) approves entering into a Service Level Agreement with the</b></li></ul>  | <p>149 - 198</p> |

council's Construction Works Team (CWT), for the building of the Community Centre and pedestrian boulevard between Hawkwood Road and Christchurch Road; and

- (4) approve the delegation to the Chief Operations Officer, in conjunction with the Director of Finance and the Director of Law & Governance authority, to enter into a contract for the building works, providing all key parameters (including delivery within approved capital budget) are met.

**12. Cabinet 2 October 2024 - Minute No. 62 - Constitution Hill Road, Poole, Dorset, BH14 0QA** 199 - 212

**RECOMMENDED that Council: -**

1. Approve a further £995k for design, planning and demolition of existing buildings;
2. Approve the delegation to the Chief Operations Officer in conjunction with the Director of Finance and the Director of Law & Governance authority to enter a contract for demolition providing all key parameters (including delivery within approved capital budget) are met;
3. Appropriate the site for housing purposes under section 19 of the Housing Act 1985; and
4. Transfer the site to the Housing Revenue Account (HRA) from the General fund at an appropriate certified value of the land.

Note - resolution 5 was a resolved matter by the Cabinet.

**13. Cabinet 2 October 2024 - Minute No. 63 - High Needs Schools Grant Expenditure Forecast** 213 - 228

**RECOMMENDED that Council: -**

- (a) approves a further £16.5m increase in the forecast 2024/25 expenditure on the Special Educational Needs and Disability (SEND) service. This brings the total funding forecast to £44.5m more than the grant made available by government as part of the dedicated Schools Grant; and
- (b) request the Corporate Director of Children's service to implement the further mitigation measures outlined in this report.

**14. Overview and Scrutiny Annual Report** 229 - 318

This is the annual report of the Statutory Scrutiny Officer on Overview and Scrutiny (O&S) activity within BCP Council. There is a requirement to report on the work of O&S to Council, to ensure good visibility of the function and Council ownership of activity and any improvements required.

The annual report contains a summary and analysis of O&S activity during 2023-24, reflections on working practices and an action plan identifying strategic improvements to the O&S function.

All O&S committees received the annual report for consideration, providing opportunity for comment prior to the supply of the final report to Council.

## 15. Questions from Councillors

The deadline for questions to be submitted to the Monitoring Officer is Monday 7 October 2024.

## 16. Notices of Motions in accordance with Procedure Rule 10

### **Bournemouth Women's Refuge**

The following motion submitted in accordance with Procedure Rule 10 of the Meeting Procedure Rules has been proposed by Councillor D Farr and seconded by Councillor H Allen: -

There has been no scrutiny of the decision to close Bournemouth's only Women's Refuge for those fleeing abusive relationships.

**We ask the decision be reversed and the council's policy on social care for vulnerable individuals escaping domestic violence must be fully scrutinised before committee.**

### **Council Elections Voting System**

The following motion submitted in accordance with Procedure Rule 10 of the Meeting Procedure Rules has been proposed by Councillor J Salmon and seconded by Councillor Oliver Walters.

**This Council believes that the current First-Past-the-Post (FPTP) electoral system used for local elections does not fully reflect the diverse political preferences of our electorate. We propose that the Leader of the Council contacts the Secretary of State for Housing, Communities and Local Government and requests that BCP Councils 2027 local elections are used as an opportunity to trial an alternative Single Transferable Vote (STV) system.**

#### **Background:**

##### **1. Electoral Fairness:**

- The FPTP system often results in disproportionate representation, where the distribution of seats does not accurately reflect the share of votes each party receives.
- STV is a proportional representation system that aims to allocate seats more fairly, ensuring that the majority of votes contribute to the election outcome.

##### **2. Voter Empowerment:**

- Under FPTP electors are frequently pressured to vote for candidates they do not favour out of fear of one they dislike even more being successful.
- Under FPTP any votes cast for the candidate who is not successful are simply ignored.
- STV allows voters to rank candidates in order of preference, reducing wasted votes and empowering voters to express nuanced preferences.

##### **3. Encouraging Positive Campaigning:**

- FPTP can encourage negative campaigning as parties focus

on winning narrow pluralities.

- STV incentivizes positive campaigning, as candidates must seek not only first-choice votes but also second and third preferences from a broader electorate.

#### **4. Successful Implementation Elsewhere:**

- STV is already successfully used in several other democracies and in various elections within the United Kingdom, such as the Northern Ireland Assembly and local elections in Scotland.

#### **Proposal:**

- 1. This Council instructs the Leader of the Council to write to the Secretary of State for Housing Communities and Local Government requesting that legislation be passed to allow the trial of STV in the 2027 local elections noting that BCP Council would be happy to pilot STV.***

#### **Changes to the Winter Fuel Allowance and protecting pensioners from fuel poverty**

The following motion submitted in accordance with Procedure Rule 10 of the Meeting Procedure Rules has been proposed by Councillor P Broadhead and seconded by Councillor B Dove: -

#### **Council Notes:**

- **The Labour Government's recent decision to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit, as announced by Chancellor Rachel Reeves.**
- **The estimated impact of this decision, which in the BCP Council area alone could see 75,627 pensioners lose their fuel allowance, and which Age UK says will mean 2 million pensioners across the UK who badly need the money to stay warm this winter will not receive it.**
- **The significant role that Winter Fuel Payments play in helping older residents of the BCP Council area and across the UK afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.**
- **The criticism from Age UK, the Countryside Alliance and other charities, highlighting the social injustice and potential health risks posed by this sudden policy change.**
- **The additional strain this decision will place on vulnerable pensioners, many of whom do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.**

#### **Council believes:**

- **That the Winter Fuel Payment has been a lifeline for many older people across the UK and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in**

financial hardship.

- While some pensioners currently in receipt of the Winter Fuel Payment may not require it, many thousands across the BCP Council region sit just above the cut-off for Pension Credit and will now lose their allowance.
- The decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest older residents.
- The government's approach fails to consider the administrative barriers and stigma that prevent eligible pensioners from claiming Pension Credit, leaving many without the support they desperately need.

**Council resolves to:**

- (a) Bring forward a Council-led local awareness campaign to alert those eligible of Pension Credit which in some respects will help access to the Winter Fuel Payment for those most in need.**
- (b) Request that the Council Leader write to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.**
- (c) Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves.**
- (d) Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners across Bournemouth, Christchurch and Poole are supported in claiming their entitlement.**

## **17. Urgent Decisions taken by the Chief Executive in accordance with the Constitution**

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

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**  
**COUNCIL**

Minutes of the Meeting held on 23 July 2024 at 7.00 pm

Present:-

Cllr L Dedman – Chairman

Cllr S Bull – Vice-Chairman

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

Also in  
attendance:

6. Apologies

Apologies for absence were received from Councillors Brian Castle, Mike Cox, Jackie Edwards, Andy Hadley and Chris Matthews.

7. Declarations of Interests

The Chief Executive advised that no individual declarations of interest had been received.

The Monitoring Officer confirmed a dispensation had been granted to the members of Cabinet in respect of agenda item 3: Appointment of Leader of the Council, to enable them to fully participate in the debate and vote. It was confirmed that the granting of this dispensation would be reported to the next meeting of the Standards Committee.

8. Appointment of Leader of the Council

The Chair sought nominations for Leader of BCP Council.

Nominations were received for the new Leader of the Council as follows:  
Cllr M Earl (nominated by Cllr V Slade, seconded by Cllr A Martin.)  
No other nominations were received.

In the absence of any other nominations Councillor M Earl was confirmed as Leader of the Council unopposed.

Cllr Earl confirmed that Cabinet would comprise:

- Councillor Mike Cox as Deputy Chairman and Portfolio Holder for Finance;
- Councillor David Brown as Portfolio Holder for Health and Wellbeing;
- Councillor Richard Burton as Portfolio Holder for Children, Young People, Education and Skills;
- Councillor Jeff Hanna as Portfolio Holder for Transformation, Resources and Governance;
- Councillor Andy Martin as Portfolio Holder for Customer Communications and Culture;
- Councillor Andy Hadley as Portfolio Holder for Climate Response, Environment and Energy;
- Councillor Kieron Wilson as Portfolio Holder for Housing and Regulatory Services;
- Councillor Richard Herritt as Portfolio Holder for Destination, Leisure and Commercial Operations;
- Councillor Sandra Moore as Portfolio Holder for Communities and Partnerships.

Lead Members were confirmed as:

- Councillor Margaret Phipps as Lead Member for Local Plan Delivery;
- Councillor Mark Howell as Lead Member for Regeneration Projects;
- Councillor Simon McCormack as Lead Member for Homelessness and cost of living.

**RESOLVED that:**

- (a) Council notes Councillor V Slade's resignation as Leader of BCP Council following her election as the Member of Parliament for Mid Dorset and North Poole;**
- (b) Council appoints Councillor M Earl as Leader of BCP Council;**
- (c) Council notes the appointment of 9 Cabinet Members and 3 Lead Members and the allocation of responsibilities;**
- (d) Council notes that once appointed the Leader of BCP Council will appoint a Deputy Leader from among the Cabinet Members;**
- (e) Upon receipt of the Cabinet Member appointments and allocation of responsibilities, the Monitoring Officer will take steps to ensure the Council's Constitution is updated.**

Voting: 67:0 (2 abstentions)

The meeting ended at 7.26 pm

CHAIRMAN

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**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**COUNCIL**

Minutes of the Meeting held on 23 July 2024 at 7.15 pm

Present:-

Cllr L Dedman – Chairman

Cllr S Bull – Vice-Chairman

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

9. Apologies

Apologies for absence were received from Councillors Brian Castle, Mike Cox, Jackie Edwards, Andy Hadley and Chris Matthews.

10. Declarations of Interests

The Chief Executive advised that no individual declarations of interest had been received.

The Monitoring Officer confirmed a dispensation had been granted to all Councillors in respect of agenda item 11: the motion submitted by Councillor P Cooper and seconded by Councillor P Canavan. The reason for the dispensation was to ensure all Councillors were freely able to fully participate in the debate and vote. It was confirmed that the granting of this dispensation would be reported to the next meeting of the Standards Committee.

Councillor Marion Le Poidevin declared an interest in respect of agenda item 10: Member's Allowances Scheme 2024-2025, as she was the

recipient of the Special Responsibility Allowance that was proposed for alteration and reduction.

Councillor J Bagwell left the meeting at 7.43pm.

11. Confirmation of Minutes

Consideration was given to the minutes of the meetings held on 23 April and 7 May 2024.

**RESOLVED that the minutes the meetings held on 23 April and 7 May 2024 be approved as a correct record.**

12. Announcements and Introductions from the Chairman

The Chairman updated Council on her activity since the previous meetings. Highlights included:

- Stephen Ford Memorial;
- Women's Day;
- Poole D-Day commemoration;
- New Forest Airfield D-Day commemoration;
- Armed Forces Day;
- Dorset Armed Forces Community Business Support Network;
- Winton Library Garden;
- Graduations from Kinson Academy;
- Cllr Hilliard's appointment as Mayor of Christchurch.

The Deputy Chairman updated Council on his activity since the previous meetings. Highlights included:

- Garden Party at Buckingham Palace;
- National Coast Watch Institution 30<sup>th</sup> anniversary event.

13. Public Issues

The public questions and statements set out in the minutes below are printed as per the wording used within the submissions made in accordance with the constitution.

As a number of public questions were on a similar topic, a single response was given to those questions as set out below.

**Public Question from Daniel Glennon**

In his response to a question from a resident at the April full council meeting, Councillor Hadley acknowledged that we "need to act with urgency across a wide range of measures" to tackle the climate crisis and this should include individuals "considering a low meat diet".

With this in mind, will the council consider banning all advertising for meat and dairy products on assets they have control over, for example lamppost

banners and roundabouts? There is already a similar ban on alcohol, tobacco and gambling.

Further, will the council commit to using its own communications channels to promote the benefits of a plant-based diet to BCP residents? These would be two easy to achieve and low cost wins in the fight against climate breakdown.

**Public Question from Nicola Harris**

30 councils have endorsed the Plant Based Treaty to address 1/3 of greenhouse gas emissions which come from the food sector. What we eat matters more than how far it's travelled because food miles account for just a tiny proportion of emissions. For example, UK meat and dairy production account for around 50% of our methane emissions. Scientists agree we must cut methane by 45% this decade to avoid a 1.5C temperature rise.

During an Instagram Q&A last September, councillor Hadley agreed schools could be encouraged to introduce carbon labelling on menus. When Edinburgh agreed their Plant Based Treaty action plan, they committed to a carbon labelling trial with Klimato in schools and also signed up Edinburgh University. Can the council outreach to schools and invite them to consider carbon labelling, and can the council explore this in areas where they have influence over catering and food menus.

**Public Question from Helen Winter**

In light of the climate crisis and BCP Council's declaration of the climate emergency, would the Council consider passing a motion to supply and serve 100% plant-based food at all internal meetings and events? BCP could join other councils - such as Oxfordshire, Cambridge, Exeter and Norwich - who have led the way on this initiative and signal their commitment to taking action on the climate crisis.

In addition to the environmental benefits, plant-based food is the most inclusive option. It's not about taking away personal choice – plant-based food is delicious, healthy and for everyone!

**Public Question from Chris Jolliffe**

An analysis by the Office of Health Economics shows that plant-based diets would save the NHS £6.7bn yearly, with 2.1 million fewer cases of disease. Research consistently shows that local governments are trusted more than national politicians making the council well-positioned to introduce plant-based initiatives and deliver public education. Councils such as Edinburgh and Amsterdam have endorsed the Plant Based Treaty and developed plant-based food strategies. What more can the council do to help normalise plant-based foods and encourage the community to eat them?

**Public Question from Sasha Jolliffe**

Scientists say we've breached 6 of 9 planetary boundaries for liveability on Earth. Our food system is a main driver of 5 of those breached boundaries: climate change, land-use change, biodiversity loss, water use, nitrogen and phosphorus pollution.

It is well-established that plant-based diets have the lowest environmental impact. Even if we ended fossil fuels today, food emissions alone would breach the 1.5C target of the Paris Agreement. A recent Nature Food study showed that vegan diets result in 75% less greenhouse emissions, water pollution and land use compared to diets containing more than 100g of meat daily. Vegan diets were also shown to cut wildlife destruction by 66% and water use by 54%.

Could BCP join 30 councils, including Edinburgh, Belfast and Amsterdam, in endorsing the Plant Based Treaty and committing to a plant-based food strategy to complement our climate action plan?

**Public Question from Colin Middleton**

When tendering contracts for public events, such as the Christmas market, can businesses be asked to include plant-based options to promote inclusivity and sustainability and increase the current offerings? When 75% of a menu is plant-based, a tipping point occurs which encourages people to choose more sustainable options. What else can the council do in this area?

**Public Question from Tom Harris**

Councils have poured £238 million of pension funds into factory farming investments, fuelling human rights abuses, the climate emergency, deforestation, biodiversity loss, and large-scale animal suffering.

According to Feedback Global's 2022 analysis, through the Dorset Pension Fund, BCP invested £3 million in industrial animal farm companies and £0.5 million in soya animal-feed companies, including JBS and Tyson.

Around 90% of Amazon deforestation is linked to the continued expansion of animal agriculture, where pristine rainforests are torn down to graze cattle and grow animal feed - all to satisfy our appetite for meat and dairy. Since these products end up in our supermarkets, ultimately, we must take collective responsibility in finding solutions to Amazon deforestation.

In support of Plant Based Treaty, could the council liaise with Dorset Council and look at divesting from factory farming and supporting plant-based projects and soft energy solutions?

**Public Question from Sarah Ward**

According to the British Ecological Society agricultural pollution is the biggest perpetrator of freshwater pollution. They also stated that changes to farming practices to prevent agricultural pollution should be a top priority for restoring England's waterways. Only 16% of England's rivers are classified as being in good ecological health and we have seen how passionate local people are about the pollution of our precious rivers.

We can greatly reduce the harm to our environment from agricultural pollution by switching to a plant-based food system.

Will BCP council lead by example and also help to normalise plant-based eating by implementing an action plan to promote and prioritise plant-based eating wherever the council has influence? This action plan could also link to solutions suggested by other residents this evening. We would welcome a meeting with the Portfolio Holder for Climate Response, Environment and Energy to discuss how these solutions could be implemented.

**Response from Leader of the Council on behalf of the Portfolio Holder for Climate Response, Environment and Energy**

Thank you to the eight members of the public who took the time to send in questions concerning plant-based diets. This issue was raised previously at Council on 12 September 2023 and I will revisit some of the points made on that occasion by my colleague Cllr Hadley. As before, we agree that changing to a meat and dairy free diet is an important component in reducing our carbon footprint. However, we do feel we should promote and encourage rather than mandating plant-based options.

As an administration, we welcome the challenge and will look into the implications of prioritising climate friendly advertising on assets we own and utilising our council's communication channels to promote the benefits of a low meat and dairy/plant-based diet to residents in its climate-related messaging.

We will need to explore the current methods of carbon labelling and its effectiveness before considering promoting to schools or using in our own catering and food menus.

On serving 100% plant-based food at all internal meetings and events, any councillor in this chamber is welcome to bring a motion and I would welcome further debate with colleagues on this matter if there is an, forgive me, an appetite to do so.

The Council is not able to endorse the Plant-Based Treaty or production of a stand-alone strategy, however we do endorse encouragement towards a low meat and dairy/meat free diet. We prefer to work with the community whilst not attempting to impose veganism, and promotion of a low meat and dairy/plant-based diet will form part of our Climate strategy going forward

The Council does ask for a variety of food options when tendering large events and sustainably forms part of the quality assessment for all our tenders

It is up to members of the Dorset Pension Fund to explore divesting from factory farming and supporting plant-based projects and soft energy solutions – but as a council, we can't demand this action.

The Council is not able to endorse production of a stand-alone action plan, but will aim to lead by example in promoting and prioritising plant-based eating where it has influence and community support to do so.

The Council believes the steps we have outlined today will help to normalise plant-based foods and encourage the community to eat them.

**Public Question from Julie Dinmore (read by Yvonne Orchard)**

Whilst understanding that the premises closing is possibly outdated and run down.

Why has NO ALTERNATIVE PREMISES been offered to vulnerable families before closure.

Absorbing into the community (going back to Abuser) on council waiting lists is Totally Unsatisfactory and offers NO SUPPORT that these women and children need.

I should like to know why these families have been abandoned, contrary to UK law which plainly states it is the Councils role to accommodate such families

**Response from the Portfolio Holder for Housing and Regulatory Services**

Thank you for your question Julie and thank you Yvonne for reading it out and for giving me the chance to address this really important issue.

I want to be clear that no families accommodated at the Bournemouth refuge have been abandoned. There is in fact no one on the waiting list waiting to be accommodated safely after fleeing domestic abuse. We have a statutory duty and we place the safety of anyone fleeing domestic abuse as the highest of priorities. Anyone approaching BCP council will receive the assistance and support they need in order to be safe for those affected by the closure of the refuge. Both BCH a commission partner and the council have provided dedicated staff who have worked tirelessly to support them and move on all households and they have all moved on to their new accommodation.

Half have moved into independent accommodation whilst others who are assessed as still requiring a supported environment moved into alternative supported services and will continue to be supported to move on when they are ready. Every household that has moved into independent accommodation will continue to receive support to settle into their new homes for as long as they need. The decision to close Bournemouth refuge was not taken lightly and whilst the timing was not in line with our original recommissioning plan the decision moves us forward into a model of provision which is informed by an independent assessment and the lived experience of domestic abuse survivors.

The decision was taken in the knowledge that we have sufficient provision to continue to meet the needs of families in the BCP area until our recommissioning work starts later this year. As somebody who is passionate about the issue and has volunteered in domestic abuse services previously I wouldn't support the decision if I didn't have those

reassurances. We still have a refuge which provides self-contained accommodation with communal areas for group work and support. We have specialist safe accommodation for individuals with high needs and risks. We have a range of temporary accommodation for family hostels and self-contained dispersed properties. Families and individuals receive support through our in house teams and our commissioned outreach service whilst in temporary accommodation.

The outreach service also delivers support to victims in their own homes and we provide a community scheme which installs additional security measures for people to provide reassurance and keep them safe. I want to be very clear that every person who is experiencing domestic abuse has options and the council and its partners are on hand to provide support and safe accommodation.

Our safe accommodation strategy is due to be published early next year and sets out our council's ongoing commitment to people experiencing domestic abuse. Our commissioning plan sets out the type and amount of provision we will be procuring to meet the needs identified in our independent needs assessment. The plan is due to be submitted for cabinet approval later this year and will reflect the most up to date needs data for the area.

The aim is to ensure we have a range of good quality accommodation and support with a number of delivery options to meet the varying needs of our customers. This will include refuge provision, self-contained accommodation in the community with support, community outreach and specialist support for children.

I want to thank you again for submitting the question and for the clear passion you have on an issue that everyone should take seriously.

Finally, I would like to mention that if anyone listening to this meeting is experiencing domestic abuse, we have a 24-7 helpline which you can contact on 01202 710 777. An email inbox for abuse support at [bcha.org.uk](mailto:bcha.org.uk) as well as drop ins for women on Tuesdays 10am till 12pm at West Hill Family Hub and for men on Fridays 10am to 12pm at the Joy Cafe in Bosco. Any more general information can be found at [womensaid.org.uk](http://womensaid.org.uk).

**Public Statement from Philip Gatrell (read by Chief Executive)**

Regarding the continuum of scrutiny and accountability concerns reflected in my question to Council's 23rd April 2024 meeting, the Leader's response:

- Does not dissent from the Constitution's pending addition of the Monitoring Officer's duty under "1989 Act" Sections 5 and 5A to report actual contraventions of law to each Member. Thus conforming with Janie Berry's practice regarding Birmingham Council's Constitution.
- References an "Assurance Review Framework" which fails to address directly the maladministration and service failure complaints not reported internally to all Members following Ombudsman case

decisions under the “1974 Act”. The 130 fully investigated cases from 1 April 2019 to 5th July 2024 include 92 upheld complaints.

- May mistake the Ombudsman’s 1974 Act “report” trigger for the 1989 Act which obligates Monitoring Officer reporting to Members “as soon as practicable”.
- Incongruously conveys Monitoring Officer reporting to Members has not been practicable since Council’s inauguration.

BBC’s 3rd May 2024 article concerning Ombudsman case 23004502 underscores these failings.

**Public Statement from Gillian Parke (read by Chief Executive)**

I am writing to submit a concern re the closure of the women’s refuge and the lack of commissioning a replacement service in its place. As a DV survivor who was moved to Bournemouth 30 years ago by the police under a false name, I’m all too aware of the necessity of refuge place, which I really wish had been available to me at the time.

My concern is the potential of completely retraumatising these women by placing them in B&B accommodation or hostels where men are living. And for women, especially with children, the refuge offers support and friendship to develop confidence and self-respect, so what is planned to put in its place? The lack of support still causes me an ongoing depressive illness which I still have to deal with from time to time now.

**Public Statement from Elizabeth Glass (read by Chief Executive)**

UK100 – Were we asked if we wished to achieve net zero harder and faster than required by the government?

Were we asked whether we would be happy to forego such things as pothole repairs, and lose amenities such as Kings Park Nursery, paddling pools and car park closures to pay for it?

A ‘Which’ survey for 2024 ranked Bournemouth 79th and Poole 88th out of 126 seaside towns – down from last year.

Instead of following the globalist agenda, the council should use its resources to restore the conurbation back to a prime tourist destination. This would provide far greater benefits for the people and businesses in the area.

I urge the new leader to withdraw BCP from the UK100.

**Public Statement from John Sprackling (read by Chief Executive)**

The Council is developing a business case for improving the remainder of the Beach Road car park, after the sale of a substantial portion for development. I believe that this is unlikely to stack up financially due to the costs incurred on the improvements relative to the Northern part of the site and any road parking income.

The Council should appraise options by assessing the future of the entire site as one project so that the proceeds from the sale can, in part, be earmarked to assist with the costs of improvement of the remainder. In this way, there is likely to be a better outcome for taxpayers.

**Public Statement from Phillip Stanley Watts**

If you look back at our history, this area has always been at the forefront of international links from welcoming refugees (especially when our relatives have perished in camps) and also the first to welcome language students into our homes. As children we were taught to respect different cultures.

This helped at the time of the Olympics welcoming so many Olympic teams and their ambassadors into the Mayor's Parlour because their training bases were in this area. International friendship links take many forms whether cultural sporting links, economic and climate animal conservation links with tree planting in Romania. In a time when international friendship is sadly lacking there should be more twinning links not less.

**Public Statement from Yvonne Orchard**

Ms Orchard chose to withdraw her statement but requested that the Portfolio Holder for Housing & Regulatory Services correspond with her by email.

14. Cabinet 17 July 2024 - Minute No. 25 - Arndale House and 1-17 Kingland Road Poole (AKA Kingland House)

Councillor David Brown, the Portfolio Holder for Health and Wellbeing presented the report on behalf of the Portfolio Holder for Finance and outlined the recommendations as set out on the agenda.

Councillor Andy Martin seconded the motion.

**RESOLVED: that Council:-**

- a) **grant approval for the surrender of the existing head lease and regrant of a long new lease to facilitate the head lessee's proposed development in accordance with the Heads of Terms set out in the exempt report attached at appendix 1; and**
- b) **delegate authority to the Director of Finance in his capacity as Corporate Property Officer, the Director of Law and Governance and the Portfolio Holder for Finance to finalise the detailed terms of the Agreement for surrender and new lease.**

Voting: Nem.con

15. Cabinet 17 July 2024 - Minute no. 26 - South Part of Beach Road Car Park

Councillor David Brown, the Portfolio Holder for Health and Wellbeing presented the report on behalf of the Portfolio Holder for Finance and outlined the recommendations as set out on the agenda.

Councillor Milie Earl seconded the motion.

**RESOLVED:** that having considered the responses received from the public notices, Council: -

- a) approve a resolution to appropriate for planning purposes, the south part of Beach Road Car Park (the site) shown outlined red in appendix 1, once it is formally closed and reaffirm the approval (given, in principle, on 27 February 2024) to proceed with disposal of the site pursuant to section 233 of the Town and Country Planning Act 1990;
- b) delegate authority to the Corporate Property Officer, to record by way of memorandum the appropriation at the required time, which can be placed within the deeds for future reference;
- c) reaffirm approval to delegate authority to the Corporate Property Officer, in consultation with the Director of Finance, the Director of Law and Governance and the Portfolio Holder for Dynamic Places, to select the preferred offer and finalise the detailed terms of the disposal; and
- d) note that, subject to Cabinet approval of its forthcoming business case, it is the council's intention to make improvements to the retained rear public car parking area, including consideration of the scope to increase current capacity, provide more compliant spaces and improve accessibility and wayfinding, as well as consideration of a local traffic management scheme. The council and its consultant are now engaged in this process.

Voting: F:56, A:13, (Abstentions: 0)

Councillor F Rice left the meeting at 8.32pm.

16. Cabinet 17 July 2024 - Minute no. 30 - Adult Social Care Transformation Business Case

Councillor David Brown, the Portfolio Holder for Health and Wellbeing presented the report and outlined the recommendations as set out on the agenda.

Councillor Jeff Hanna seconded the motion.

**RESOLVED: That Council:-**

- (a) Approves in principle the business case for a new adult social care transformation delivery model to improve outcomes for residents and to achieve financial efficiencies and savings enabled by investment of up to 2.9M;
- (b) Agrees to the establishment of a formal transformation programme; 'Fulfilled Lives';
- (c) Agrees to an initial 12-month investment of 1.79M, with an interim report to Cabinet on progress of the design phase in January 2025 and a full report by July 2025, with recommendations for further investment; and

- (d) Invites the Health and Adult Social Care Overview and Scrutiny Committee to provide regular scrutiny of progress towards benefits and sustainable change. In particular the Committee be invited to review the progress against the four priority areas of the Fulfilled Lives programme and the risks and opportunities of data with ASC transformation.**

Voting: Nem.con

17. Cabinet 17 July 2024 - Minute 33 - Youth Justice Plan 2024/25

Councillor Richard Burton, the Portfolio Holder for Children, Young People, Education and Skills presented the report and outlined the recommendations as set out on the agenda.

Councillor Kieron Wilson seconded the motion.

**RESOLVED:- that Council approve the Youth Justice Plan 2024/25.**

Voting: Nem.con

Councillor J Hanna left the meeting at 8.44pm.

18. Members' Allowances Scheme 2024-2025

The Leader of the Council, Councillor Millie Earl, presented the report and outlined the recommendations as set out on the agenda.

The recommendation was seconded by Councillor Richard Burton.

**RESOLVED that:-**

- (a) Council considers the attached report at Appendix 1 and its recommendations and adopts the proposed Scheme of Members Allowances for BCP Council as set out in Appendix 2, subject to any amendments Council may wish to agree; and**
- (b) A full review of the Members Allowances Scheme be completed during the 2024/5 municipal year commencing in Autumn 2024.**

Voting: F:50, A:11 (5 abstentions)

Councillors J Butt, A Filer, D Flagg, B Hitchcock, R Maidment, P Miles, B Nanovo, K Rampton, J Richardson, V Ricketts and L Williams left the meeting at 9.14pm

The meeting was adjourned at 9.16pm and resumed at 9.33pm

19. Sandbanks Peninsula Neighbourhood Plan

The Leader of the Council, Councillor Millie Earl, presented the report and outlined the recommendations as set out on the agenda.

The recommendation was seconded by Councillor Andy Martin.

Following debate, it was:

**RESOLVED: That Council:-**

- a) **Note the results of the Sandbanks Peninsula Neighbourhood Plan referendum held on 18 July 2024 (Declaration of Result of Poll - Appendix 1 and Ballot Box Verification Record – Appendix 2);**
- b) **Subject to a positive referendum result, agree to make the Sandbanks Peninsula Neighbourhood Plan (Appendix 3) and Appendices (Appendix 4), that was subject to referendum on 18 July 2024, part of BCP Council’s statutory development plan so that it can be used alongside the Local Plan to determine planning applications in the Sandbanks Peninsula neighbourhood area; and**
- c) **Approve the Local Planning Authority’s Decision Statement (Appendix 5) and delegate publication and circulation of the Decision Statement and Neighbourhood Plan to the Director of Planning and Transport in consultation with the Portfolio Holder for Dynamic Places.**

Voting: Nem.con.

Councillor J Clements declared an interest, recused herself and left the room for the duration of the item, returning at 9.47pm.

20. Notices of Motions in accordance with Procedure Rule 10

The following motion was submitted in accordance with Procedure Rule 9 of the Meeting Procedure Rules and was moved by Councillor P Cooper and seconded by Councillor P Canavan:

This Council acknowledges that there is a housing crisis across the country, including within BCP. There are a variety of factors that have led to this, however, as a Local Authority, we could begin to tackle this by agreeing to use the forthcoming review of the Housing Strategy to explore:

- a) Enhancing the ‘Housing First’ approach to tackling homelessness at BCP Council so that no-one has to sleep rough and that the standard of available accommodation is assessed and maintained.
- b) The existing arrangements in order to make empty properties become available more quickly.
- c) Lobby central government for a new definition of affordable housing that accurately reflects people’s ability to pay, with some discretion to allow for local pay and housing costs.

- d) Reviewing, in consultation other appropriate bodies, the viability assessment methodology used for housing developers and ways in which existing rules can be applied or amended to increase the number of affordable homes.
- e) The possibility of using Dorset Pension Fund and investors in developing an inward investment strategy to support Local Authority-built homes in the BCP area.
- f) Co-produce a Tenants' Charter with local residents to influence housing and tenancy standards across BCP.
- g) The licensing of all private sector rented housing and adding its voice to local and national calls for a ban on 'no fault' (Section 21) evictions.
- h) The existing mandatory licensing of HMOs and if additional measures are required to ensure consistent standards are applied and whether existing enforcement measures are adequate.
- i) What measures are required to regulate Airbnbs and holiday lets in BCP.
- j) Whether, given the announcements by the new Government, the house building targets in the Local Plan need reviewing.

Councillor D Brown moved an amendment. The amendment was seconded by Councillor M Earl and amended point € of the motion to read:

(e) the possibility of supporting Local Authority built homes in the BCP area by developing an inward investment strategy to seek investment from external investors such as Dorset Pension Fund.

Council agreed the amendment.

Voting: Nem.con

Council then debated the substantive motion as amended, and it was:

**RESOLVED: That:-**

**This Council acknowledges that there is a housing crisis across the country, including within BCP. There are a variety of factors that have led to this, however, as a Local Authority, we could begin to tackle this by agreeing to use the forthcoming review of the Housing Strategy to explore:**

- a) **Enhancing the 'Housing First' approach to tackling homelessness at BCP Council so that no-one has to sleep rough and that the standard of available accommodation is assessed and maintained.**

- b) The existing arrangements in order to make empty properties become available more quickly.**
- c) Lobby central government for a new definition of affordable housing that accurately reflects people's ability to pay, with some discretion to allow for local pay and housing costs.**
- d) Reviewing, in consultation other appropriate bodies, the viability assessment methodology used for housing developers and ways in which existing rules can be applied or amended to increase the number of affordable homes.**
- e) the possibility of supporting Local Authority built homes in the BCP area by developing an inward investment strategy to seek investment from external investors such as Dorset Pension Fund.**
- f) Co-produce a Tenants' Charter with local residents to influence housing and tenancy standards across BCP.**
- g) The licensing of all private sector rented housing and adding its voice to local and national calls for a ban on 'no fault' (Section 21) evictions.**
- h) The existing mandatory licensing of HMOs and if additional measures are required to ensure consistent standards are applied and whether existing enforcement measures are adequate.**
- i) What measures are required to regulate Airbnbs and holiday lets in BCP.**
- j) Whether, given the announcements by the new Government, the house building targets in the Local Plan need reviewing.**

Voting: F:43 A:3 (5 abstentions)

The following motion was submitted in accordance with Procedure Rule 9 of the Meeting Procedure Rules and was moved by Councillor O Walters and seconded by Councillor V Slade:

BCP council notes that:

- (i) While adult hospices receive on average one-third of their income from Government, for children's hospices it is on average one-fifth (source: Hospice UK), and for Julia's House it is just 8%.
- (ii) The national body for children's palliative care, Together for Short Lives, submitted Freedom of Information requests to all local Health & Social Care boards to ask how much they spent on hospice services per child case in the 2022/23 year. The answers varied UK-wide from £511 per child to £28. In Dorset ICB area it was £99.96.

- (iii) Julia's House only has a small commissioning contract with Dorset ICB and has no contract with BaNES Swindon & Wiltshire (BSW) ICB.
- (iv) There is also huge regional variation in the services available through the NHS: 24/7 end of life care at home is not available through the NHS in Wiltshire and only available in parts of Dorset, despite being required by the NICE Gold Standards Framework.
- (v) Lobby the Dorset Integrated Care Board (ICB) to increase the funding for children's hospice care, and to Julia's House Children's Hospice in particular when funds become available, and to guarantee that the funding includes for the last six weeks palliative care for any child who receives this from Julia's House Children's Hospice.
- (vi) Ask BaNES Swindon & Wiltshire (BSW) ICB to commission Julia's House from 2025 onwards as their residents already rely on these services, which are at risk for lack of funding.
- (vii) Ensure that the Council Leaders of Wiltshire Council, Bath and North East Somerset Council and Swindon Borough Council are aware of the lack of funding for Children's Hospices in the BaNES Swindon & Wiltshire (BSW) ICB area, with particular reference to Julia's House being one of the least state-funded hospices in England.
- (viii) Work with our local parliamentarians to help bring this disparity in funding to the notice of the national government.
- (ix) Write to the Secretary of State for Health to lobby for increased funding for Children's Hospices and recognition of their critical work for life limited children and their families.

Following debate, it was:

**RESOLVED: That:-**

**BCP council notes that:**

- (i) **While adult hospices receive on average one-third of their income from Government, for children's hospices it is on average one-fifth (source: Hospice UK), and for Julia's House it is just 8%.**
- (ii) **The national body for children's palliative care, Together for Short Lives, submitted Freedom of Information requests to all local Health & Social Care boards to ask how much they spent on hospice services per child case in the 2022/23 year. The answers varied UK-wide from £511 per child to £28. In Dorset ICB area it was £99.96.**
- (iii) **Julia's House only has a small commissioning contract with Dorset ICB and has no contract with BaNES Swindon & Wiltshire (BSW) ICB.**
- (iv) **There is also huge regional variation in the services available through the NHS: 24/7 end of life care at home is not available through the NHS in Wiltshire and only available in parts of Dorset, despite being required by the NICE Gold Standards Framework.**
- (v) **Lobby the Dorset Integrated Care Board (ICB) to increase the funding for children's hospice care, and to Julia's House Children's Hospice in particular when funds become available,**

- and to guarantee that the funding includes for the last six weeks palliative care for any child who receives this from Julia's House Children's Hospice.
- (vi) **Ask BaNES Swindon & Wiltshire (BSW) ICB to commission Julia's House from 2025 onwards as their residents already rely on these services, which are at risk for lack of funding.**
  - (vii) **Ensure that the Council Leaders of Wiltshire Council, Bath and North East Somerset Council and Swindon Borough Council are aware of the lack of funding for Children's Hospices in the BaNES Swindon & Wiltshire (BSW) ICB area, with particular reference to Julia's House being one of the least state-funded hospices in England.**
  - (viii) **Work with our local parliamentarians to help bring this disparity in funding to the notice of the national government.**
  - (ix) **Write to the Secretary of State for Health to lobby for increased funding for Children's Hospices and recognition of their critical work for life limited children and their families**

Voting: Nem.Con.

21. Questions from Councillors

**Question from Councillor P Canavan:**

The BCP Access to Food Partnership is currently funded by the National Lottery Community Fund until April 2025. What steps can be taken to ensure that funding is maintained and, if necessary, is it possible to ensure that there is an allocation in the budget to ensure that this important work can continue?

**Reply from the Leader of the Council, Councillor M Earl on behalf of the Portfolio Holder for Finance**

As a member of the Access to Food Partnership since its inception through my work founding the community fridges in my own community, and through my work on its steering group since becoming a Portfolio Holder, I agree that the work of the partnership is incredibly important and have experienced first-hand how it has taken our community food provision coordination and cooperation to award winning heights.

I'm delighted to report that in recognition of the outstanding work of the Partnership, the National lottery have confirmed that they are extending the funding for a further year until March 2026. To ensure that this kind of valuable preventative work continues sustainably beyond that, Cabinet is holding a workshop around a number of projects that sit under the Empowering Communities strand of work in August.

**Question from Councillor E Connolly:**

What is the strategy for developing opportunities for external and internal income generation through progressing tender processes for small businesses such as food and drink vendors in popular sites?

**Reply from the Leader of the Council, Councillor M Earl on behalf of the Portfolio Holder for Finance**

Commercial operations reviews, new opportunities to deliver internally and externally across all of our sites. The approach taken in relation to any offer being internally or externally delivered will vary dependent on several factors as would be identified through an analysis of the opportunity. These would include items such as strategic objective that the opportunity is supporting, if it is a temporary or a longer term offer and the location of the opportunity in relation to logistics arrangements.

As opportunities arise, the relevant processes, including procurement and ensuring the relevant planning permissions were in place would be undertaken. An example would be street food corner in Bournemouth Slower Gardens. Pictures are advertised through a mailing list, social media and on nationwide caterers associations websites and assessed on quality.

Bookings for a maximum of a month are taken to ensure a changing offer. For larger town events, these are done through a more detailed procurement process with quality and pricing assessments. Thank you.

**Supplementary Question from Councillor E Connolly**

So, there are plenty of busy spots across BCP where small pop-ups like coffee vans would be an improvement on existing services, improve the offer for visitors and locals and not be to the detriment of council income. And there are residents in my ward who would be keen to apply for short simple trials of that sort of thing. But from that answer previously, it's not very clear to me what the strategy is for that and how to go about it, how the decisions are made and that process. So perhaps by follow up, could the Portfolio Holder confirm that the Council is actively looking to explore such opportunities for every generation and that there aren't any barriers within the Council that would prevent those being looked at? Thank you.

**Reply from the Leader of the Council, Councillor M Earl on behalf of the Portfolio Holder for Finance**

I will actually feed back to the Portfolio Holder and we'll try and get a bit more of an in-depth answer on that. But from my experience, the commercial operations team are open to suggestions of ways in which people can utilize land, utilize some of our key sites and be able to actually generate an income for the Council through that. So there are no barriers, it's more around who can come to us and deliver. Obviously, when we have a site or a place that comes up, we have to go through the procurement process which is a little bit different. So I'd always recommend that external organisations and businesses come to us in the first instance if they've seen an opportunity. Thank you.

**Question from Councillor E Connolly:**

Where a waste bin is contaminated and is not collected by the refuse team, what is the policy on providing labelling and signage and providing instructions on how to have the refuse removed?

**Reply from the Leader of the Council, Councillor M Earl on behalf of the Portfolio Holder for Climate Response, Environment and Energy**

Our recycling crew check your bin before collecting it and if there's something in there that shouldn't be, it will not be collected and they will leave a tag attached to it. The tag has a list of common items and will help you find out what was in the bin that should not be.

Once you have removed the incorrect items and tag, it can then be placed out for collection on your next recycling collection day. If you cannot remove the items or you have too much waste to fit in your bin, you will need to take it to a recycling centre.

**Supplementary Question from Councillor E Connolly**

In Boscombe, we have lots of flats, HMOs, high turnover of residents and there's repeated instances of people inadvertently contaminating waste or not understanding the rules or passers-by using the bins. For some reason, it seems as though labelling isn't being applied as the policy everywhere. So a lot of people are finding that they don't know what to do with it, they don't know why it's being contaminated. And then it becomes a focal point for fly-tipping and other rubbish. So it's really important that it's labelled and people know the next steps. So, could you do a little bit of investigating into whether there are the gaps and whether that policy is being applied and making sure that the label has always been applied or could be expanded? Thank you.

**Reply from the Leader of the Council, Councillor M Earl on behalf of the Portfolio Holder for Climate Response, Environment and Energy**

I actually had an incident reported to me from a shop over in Southbourne recently, which had someone dump a load of rubbish in a private bin, in a commercially operated bin, from a business. And we kind of went down this route of having to discover, having to find out what to do with it because it didn't feel reasonable to wheel it down to the tip.

The best advice that I got from that and what the resident has now implemented is that actually it's around security. So I would always encourage people to secure their bins, to prevent fly-tipping, to prevent people putting stuff into it. When I worked at Bournemouth Food Bank, we used to have a lock on our bin to stop all sorts of people using it. So I'd really recommend that that as an opportunity. And the other thing, of course, is to keep it fenced off and keep it in a particular area where it's not accessible to passers-by. But I'll take on board your comments and I'll feed them back to the Portfolio Holder for a more thorough response. Thanks.

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

The Chief executive advised Council on the urgent decisions taken since the previous meeting. These included:

- The decision to postpone meetings during the pre-election period, which is why other urgent decisions had to be taken;

- The decision to accept grant funding for the HR Support Pilots project;
- The decision to take forward the recommendations for Council of the Newfield Housing and Acquisition Strategy in order to deliver local homes for local people;
- The decision to agree an overall increase in the capital program for Poole Museum and the grant funding that came behind that;
- The decision under Simpler Waste Recycling Reforms to purchase six food waste collection vehicles and the food waste containers in order to implement that as soon as possible; and
- The decision to enable private funding as part of the Towns Fund Program for the digital connectivity project.

It was confirmed that all decisions had been published to the Council's website.

The meeting ended at 10.47 pm

CHAIRMAN

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**CABINET**



Report subject	<b>Council Budget Monitoring 2024/25 at Quarter One</b>
Meeting date	4 September 2024
Status	Public Report
Executive summary	<p>This report provides the quarter one 2024/25 projected financial outturn information for the general fund and housing revenue account (HRA).</p> <p>The February 2024 approved general fund budget for 2024/25 was balanced on the assumption of £38m in savings, efficiencies, and additional resources.</p> <p>The quarter one budget monitoring position for 2024/25 demonstrates the ongoing financial challenges to this authority from relentless increasing demand and cost pressures. These pressures are not dissimilar to those faced by all upper tier local authorities. The council's robust financial governance and proactive management of its budget is enabling significant mitigation.</p> <p>Services are expected to implement mitigation strategies to address emerging operational pressures identified within the first quarter. This is 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.</p> <p>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. 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. Conversations for an urgent solution continue with the Department for Education (DfE) and the Ministry of Housing, Communities, and Local Government (MHCLG).</p>
Recommendations	<p><b>It is RECOMMENDED that Cabinet:</b></p> <p><b>A. Note the budget monitoring position for quarter one 2024/25.</b></p> <p><b>B. Recommend to Council the revenue budget virement set out in paragraph 5.</b></p>

	<b>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.</b>
Reason for recommendations	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.
Portfolio Holder(s):	Cllr Mike Cox, Finance
Corporate Director	Grahan Farrant, Chief Executive
Report Authors	Adam Richens, Director of Finance and Chief Finance Officer <a href="mailto:adam.richens@bcpcouncil.gov.uk">adam.richens@bcpcouncil.gov.uk</a> Nicola Webb, Assistant Chief Finance Officer <a href="mailto:nicola.webb@bcpcouncil.gov.uk">nicola.webb@bcpcouncil.gov.uk</a> Matthew Filmer, Assistant Chief Finance officer <a href="mailto:matthew.filmer@bcpcouncil.gov.uk">matthew.filmer@bcpcouncil.gov.uk</a>
Wards	Council-wide
Classification	For Decision

## Background

1. In February 2024 Council agreed the 2024/25 annual general fund net revenue budget of £360m, and a capital programme of £148m. The revenue budget included delivery of £38m of itemised service and transformation savings. Budgets were also agreed for the ring-fenced housing revenue account (HRA) and Dedicated School Grant for school funding.
2. All outturn variances for 2023/24 financial year have been rigorously reviewed and 2024/25 service budgets considered for adjustment where these variances were identified as on-going and not already reflected in the base budget of the new year. Most adjustments are within officer delegated limits with those above recommended for approval in this report.
3. A spending control mechanism remains in place across all areas with only essential spending permitted. This will remain in force until there is full confidence that the budget pressures can be managed.

## Revenue Virements 2024/25

4. The following rules associated with revenue virements apply:
  - Virements over £1 million require Council approval.
  - Virements over £500,000 and up to £1 million require Cabinet approval.
  - Corporate Directors can approve virements over £100,000 up to £500,000.
  - Service Directors can approve virements up to £100,000.
5. In accordance with these rules the following permanent virement is recommended for **approval by Council**:

To reduce the adult social care budget by £5.1m and redirect these resources to support the additional costs of children's social care.

This virement is to take account of the adult social care savings identified in quarter four of 2023/24 after the budget had been set for this financial year and recognising pressures emerging in the first quarter of 2024/25 for children's social care.

## Revenue Outturn Projection 2024/25 at Quarter One

6. The council is currently projecting an overspend at outturn of £3.6m.
7. This position is after:
  - a. Releasing £4.3m of the £7.9m contingency to offset savings delayed but expected to be realised in full in the future. The contingency was specifically increased on a one-off basis in 2024/25 to recognise the optimism bias in savings proposals included within the budget as £38m is the highest for any one year since the council was formed in April 2019.
  - b. Reflecting processed budget virements within officer delegations and those recommended to Council in this report.
8. A summary of the year end projection is included in the table below. The table summarises the total variances by directorate and includes the impact of the savings not expected to be delivered by the year end. The detail of savings is considered further in the next section of the report.

**Table 1: Summary projected outturn as at quarter one**

Quarter One Position			Projected Outturn Variances (surplus) / overspend		
Budget Area	Revised Budget £000's	Projected Outturn £000's	Total Variance £000's	Undelivered Savings in variance £000's	Underlying Variances £000's
Wellbeing	125,295	125,188	(107)	2,310	(2,417)
Children	91,029	94,349	3,320	2,194	1,126
Operations	78,387	79,109	721	149	572
- Carparking	(19,457)	(17,357)	2,100	0	2,100
Resources	40,354	41,105	751	109	642
<b>Total Services</b>	<b>315,608</b>	<b>322,394</b>	<b>6,785</b>	<b>4,762</b>	<b>2,023</b>
Central	(315,608)	(318,816)	(3,207)	(4,302)	1,095
<b>Total</b>	<b>0</b>	<b>3,578</b>	<b>3,578</b>	<b>460</b>	<b>3,118</b>

9. In-year service pressures (other than those related to undelivered savings) are emerging particularly in children's social care due to the continued use of agency staff and cost of care packages and within carparking services. As recently reported in detail to the 25 July 2024 Audit & Governance Committee, central budgets have a pressure from lower investment income because of reduced cash balances available for investments and likely further reductions in interest rates during the year.
10. Appendix A1 provides the detail and reasons for projected budget variances in each service area.
11. Appendix A2 provides a summary revenue outturn statement.

### **Savings Monitoring 2024/25**

12. Delivery of budgeted savings of £38m is fundamental to a balanced in-year position and the sustainable MTFP. The table below provides the progress across service reductions, additional resources, and transformation and efficiency programmes with 87% projected at quarter one to be delivered by the year end. Amounts not expected to be delivered are included in the budget variances in Appendix A1.

**Table 2: Summary of progress in savings delivery 2024/25.**

<b>2024/25 Savings by Directorate</b>	<b>Council Approved Savings £000s</b>	<b>Quarter 1 Forecast £000s</b>	<b>Quarter 1 Forecast Shortfall £000's</b>
Wellbeing Directorate	(10,330)	(9,633)	698
Children's Services Directorate	(2,953)	(2,453)	500
Operations Directorate	(10,060)	(10,060)	0
Resources Directorate	(1,085)	(1,012)	73
<b>Total general service based savings</b>	<b>(24,428)</b>	<b>(23,158)</b>	<b>1,270</b>
Wellbeing Directorate	(3,847)	(2,235)	1,612
Children's Services Directorate	(4,162)	(2,467)	1,695
Operations Directorate	(3,829)	(3,680)	149
Resources Directorate	(1,192)	(1,156)	36
Across services	(503)	(503)	0
<b>Total transformation/efficiency savings</b>	<b>(13,533)</b>	<b>(10,041)</b>	<b>3,492</b>
<b>Total service based savings</b>	<b>(37,961)</b>	<b>(33,199)</b>	<b>4,762</b>

13. The delayed voluntary redundancy process at the end of the last financial year has meant some transformation savings across several services cannot be fully realised this year due to staff notice periods but full amounts will be achieved for next year. In some instances, alternative in-year savings have been found through vacancy management or expenditure areas where possible.
14. In Wellbeing the main savings not yet delivered include for demand management, where it is too early in the year to confirm, and from delayed commissioning activity to reduce the cost of services as it has taken longer than expected to recruit staff.
15. In Children's services, there is delay in mobilisation of the new service delivery model and staff restructures due to preparation for the next social care full Ofsted inspection and also due to the delay in agreeing a single pay and grading structure across the council. Other savings not delivered include greater contributions from the NHS towards care costs and the rising costs of care overall.
16. Across Operations and Resources, most savings are considered to be on track with only a small amount of savings unable to be delivered.
17. Appendix A3 provides a schedule of progress for revenue budget savings delivery at quarter one.

### **Reserves Monitoring for 31 March 2025**

18. Table 3 below summarises the projected movement in reserves during the current financial year.

**Table 3: Summary of projected movements in reserves**

	Balance 1 April 2024	Balance 31 March 2025	Movement
	£m	£m	£m
Un-earmarked reserves	26.1	26.1	0
Earmarked reserves*	39.0	35.9	(3.1)
<b>Total reserves</b>	<b>65.1</b>	<b>62.0</b>	<b>(3.1)</b>

These reserves do not include revenue reserves earmarked for capital, school balances or the negative DSG reserve.

19. The above table assumes that the mitigations to address the current £3.6m projected overspend will be successful. This will need to be reviewed as part of future budget monitoring reports.
20. Earmarked reserves are those that have been set aside for specific purposes. The main movements in earmarked reserves include drawing down government grants in line with the latest profile of their application.
21. Appendix B provides a summary of earmarked reserves projected for 31 March 2025.

#### **Dedicated Schools Grant (DSG)**

22. The DSG in 2024/25 totals £363m and is provided to fund early years' providers, schools, a small range of central services and provision for pupils with high needs. High needs funding within this total is £61m.
23. Consistent with many councils nationally, in recent years the DSG funding has not met the growing demand and rising placement costs for pupils with high needs. The high needs funding gap for 2024/25 was budgeted at £28m. This is net of a funding transfer of £1.3m from schools as agreed by the Department for Education in late February 2024.
24. The accumulated deficit reflecting the 2024/25 funding shortfall was projected to increase from £63.5m at 1 April 2024 to £91.5m by March 2025.
25. At the end of quarter one an anticipated in-year overspend of £15.9m on top of the budgeted funding gap of £28m (total high needs funding gap of £43.9m) is projected with an accumulated deficit at March 2025 of £107.4m.

**Table 4: Summary position for dedicated school's grant**

Dedicated Schools Grant	£m
<b>Accumulated deficit 1 April 2024</b>	<b>63.5</b>
Budgeted high needs funding shortfall 2024/25 (as per DSG management plan used as part of the Safety Valve conversation)	28.0
High needs overspend 2024/25 (growth in EHCPs and costs).	15.9
<b>Projected accumulated deficit 31 March 2025</b>	<b>107.4</b>

26. There remains a large number of assumptions in the projection this early in the financial year with data quality in the service still needing to improve. However, the number of education, health, and care plans (EHCPs) and average placement costs are both increasing ahead of growth allowed for in the DSG deficit management plan and budget for 2024/25. The impact of the special education needs improvement strategy and plan is yet to change the trajectory of demand or reduce the average cost of provision with the £107m forecast in line with BCP and government DBV consultant forecasts from 2022.
27. The 15-year DSG deficit management plan developed for the DfE Safety Valve conversations on which the budget for 2024/25 had been set, included a forecast 30 new plans per month once the backlog was cleared from the start of the new financial year, but there has been a higher number of new applications, currently forecasting 70 new plans a month.
28. System improvements have been made, with the assessment backlog reduced and existing plans updated as necessary and with panel decisions focused to avoid costly tribunals and appeals. The assessment rate from requests is now in line with the national average and appropriate banding and use of specialist placements has been reviewed, while collaborating with parents to gain confidence in mainstream provision.
29. The new government is being urged to find a solution to the national DSG deficits as a priority and conversations are on-going with representatives of the DfE and MHCLG in seeking an immediate solution to the drain on the council's cash flow and cash balances in funding the DSG shortfall. A solution to the cashflow issue must be in place by February 2025 to enable the council to set a balanced budget for 2025/26. A longer-term solution must be in place before the statutory override (which keeps the accumulated DSG deficit out of the General Fund) falls away on 1 April 2026.
30. The council's DSG deficit management plan is in the process of being updated to reflect the most recent position.
31. A recommendation of this report requests the Corporate Director for Children's Services provides the 2 October 2024 Cabinet with a report setting out the range of mitigating actions being both taken and considered to address the current forecast £15.9m overspend. This report will consider all possibilities including
- The extent of use of Alternative Provision.

- A review of the health elements of packages and the extent to which these costs should be recovered from the National Health Services.
  - The viability of spending £2.8m on the budgeted Inclusion Fund when school exclusions remain high.
  - Officer representation on the High-Cost placements board external to Children's Services.
  - A freeze on any discretionary expenditure within the forecast which is not purely related to placements or statutory functions.
  - Consideration from schools to support this deficit.
32. The October report should also provide details of the impact of the current position and the proposed mitigations on the DSG Deficit management plan.

### **Capital Programme**

33. System changes in accounting for capital projects is in progress with corporate monitoring reports in development. Progress has been delayed due to staff shortages and overall monitoring of the capital programme will be reported for quarter two. In the meantime, the capital programme is being monitored with budget holders at individual project level with no significant issues being identified.

### **Housing Revenue Account (HRA)**

34. The HRA is a separate account within the council that ring-fences the income and expenditure associated with the council's housing stock. The HRA does not therefore directly impact on the council's wider general fund budget.
35. The 2024/25 HRA budget was approved by Council in February 2024. It budgeted for total income of £55.6m for the year and a net surplus of £5.9m.
36. A £0.2m favourable income variance from rents is projected due to lower levels of rental voids and right-to-buy sales than expected. Other favourable variances are from supervision and management expenditure due to an unused contingency of £0.3m, and from interest earned of £0.45m with rate movements ahead of budget with borrowing costs fixed.
37. The forecast depreciation charge of £14.8m is £2.4m adverse to budget. This is due to harmonisation between the Bournemouth and Poole neighbourhoods implemented at the end of last year. As a non-cash charge credited each year to the major repairs reserve to provide funding for the HRA's planned maintenance capital programme it has no overall impact on the financial position of the HRA.
38. The net impact of the above variances is that the £5.9m budgeted surplus is projected to reduce to £4.4m.
39. The HRA February 2024 budget paper set out a capital programme of £44.7m for 2024/25. This includes £25.2m investment in new-build projects delivered as part of the council newbuild housing and acquisitions strategy (CNHAS) and £16.2m in planned maintenance. Expenditure for the year is forecast at £40.9m due to slippage on new build schemes and purchase of existing properties with planned maintenance expenditure currently on track.

40. Appendix C provides a summary of HRA budget monitoring for both the revenue and capital account at quarter one.

### **Scenarios**

41. The projected outturn is prepared based on estimates and assumptions, with the mostly likely outcome included in budget monitoring reports.

### **Summary of financial implications**

42. This is a financial report with budget implications a key feature of the above paragraphs.
43. The growing DSG deficit is a significant risk to the financial position of the council with the accumulated DSG deficit forecast to be greater than the total of the council's earmarked and unearmarked reserves at 31 March 2025. The forecast that the in-year funding gap is continuing to grow will inevitably bring forward the date when the council exhausts its cashflow position which is currently providing the resources to cover the excess High Needs budget related expenditure.

### **Summary of legal implications**

44. The recommendations in this report are to comply with the council's financial regulations with attention drawn to significant budget variances as part of good financial planning to ensure the council remains financially viable over the current year and into the future.

### **Summary of human resources implications**

45. There are no direct human resources implications from the recommendations in this report.

### **Summary of sustainability impact**

46. There are no direct sustainability impacts from the recommendations in this report.

### **Summary of public health implications**

47. The council is seeking to maintain appropriate services for the vulnerable as well as improve the sustainability of services important for the wellbeing of all residents.

### **Summary of equality implications**

48. Budget holders are managing their budgets with due regard to equalities issues.

### **Summary of risk assessment**

49. The projected outturn is prepared based on estimates and assumptions, including that mitigation plans for current general fund budget pressures will be successful. Budget monitoring corporately will continue to be reported quarterly to manage these variances and other significant issues emerging throughout the year.
50. The most significant risk to the council's financial sustainability continues to be the current level and growth of the accumulated deficit for the DSG. The annual funding gap will continue to grow unless current trends can be reversed and there

are no signs that current activity underway is being successful. Central government will need to take action to address the national problem but in the meantime the council needs take steps to minimise the financial problem as far as possible.

### **Background papers**

51. The link to the budget papers at February Council for 2024/25 is below:

[Welcome to BCP Council | BCP \(ced.local\)](#) items 76 (HRA) and 77 (General fund)

### **Appendices**

Appendix A A1 Revenue Projected Budget Variances by Service Area 2024/25

A2 Revenue Outturn Summary 2024/25

A3 Revenue Savings Monitoring 2024/25

Appendix B Earmarked Reserves Projection for 31 March 2025

Appendix C HRA Projected Outturn 2024/25

## Appendix A1: Projected Revenue Budget Variances by Service Area 2024/25

- The projected outturn for each directorate is shown in the tables and narrative below. The revenue virements recommended in this report to redirect budgets from adults to children's services has been reflected in the information.

### Wellbeing – broadly balanced position

- The Wellbeing directorate includes adult social care, public health services, commissioning teams for adults and corporate procurement, plus housing and community services. The adult social care budget is recommended to be reduced to reflect the additional savings identified in the final quarter of the previous year as reported in the 2023/24 outturn report. After this reduction, a balanced budget position is projected for 2024/25.

Service	Working budget £000's	Projected Outturn £000's	Q1 Variance £000's
<b>Adult Social Care Services</b>			
Care packages – all ages and needs	174,119	174,204	85
Employees	25,491	25,401	(90)
Client Contributions	(31,672)	(31,666)	6
Health Funding: CHC/JF/Sec117/BCF	(24,428)	(24,428)	0
Income from NHS (Section 256)	(2,000)	(2,261)	(261)
Other Funding: grants, other authorities, Health.	(18,058)	(18,060)	(2)
Other services: training, running costs, etc.	432	426	(6)
<b>Total Adult Social Care Services</b>	<b>123,884</b>	<b>123,616</b>	<b>(268)</b>
<b>Commissioning and Procurement</b>			
ASC: Care and contracts (including Tricuro)	30,646	30,764	118
ASC: Employees	2,604	2,584	(20)
ASC: Client contributions	(1,717)	(1,758)	(41)
ASC: Health Funding: CHC/JF/Sec117/BCF	(9,103)	(9,103)	0
ASC: Income from NHS (Section 256)	(20)	(357)	(337)
ASC: Grants and other income	(32,017)	(32,075)	(58)
ASC: Other services/voluntary sector/ projects, etc.	457	805	348
Corporate Procurement	1,256	1,203	(53)
<b>Total Commissioning and Procurement</b>	<b>(7,894)</b>	<b>(7,937)</b>	<b>(43)</b>
<b>Housing</b>			
Housing Options and Partnerships	6,777	6,777	0
Neighbourhood Services	(2,250)	(2,250)	0
Risk and Improvement	361	361	0
<b>Housing Total</b>	<b>4,888</b>	<b>4,888</b>	<b>0</b>
<b>Communities</b>			
Community Engagement	878	878	0
Strategic Community Safety	465	465	0
Regulatory Services	2,090	2,149	59
Safer Communities	964	964	0
Service Management	185	185	0
<b>Communities Total</b>	<b>4,582</b>	<b>4,641</b>	<b>59</b>
<b>Housing &amp; Communities Total</b>	<b>9,470</b>	<b>9,529</b>	<b>59</b>
<b>Public Health (fully funded by government grant)</b>	<b>(165)</b>	<b>(20)</b>	<b>145</b>
<b>Wellbeing Total</b>	<b>125,295</b>	<b>125,188</b>	<b>(107)</b>

### **Adult Social Care**

3. The adult social care services directorate is projected to be £0.27m underspent at the end of the first quarter of the financial year. The cost of packages of care is projected to be broadly on budget. The projection includes estimates for activity yet to take place, including for people with learning disabilities, mental health or autism as they prepare for adulthood as well as some allowance for winter pressures for older people. The projection also includes delivery of programmed savings from care home commissioning arrangements with fee negotiations ongoing with providers above framework levels or published rates.
4. The £0.01m overspend for care packages shown in the table above is due to complex cases discharged from hospital but expected to be funded from Health with this reflected in the additional Sec 256 funding projection of £0.26m.
5. Employees costs also show a potential saving of £0.09m due to recruitment difficulties, however the position may change during the year depending on success in filling vacancies.

### **Commissioning and Procurement**

6. The commissioning and procurement directorate main expenditure variance of £0.35m is largely due to additional activity using Health funding, with the corresponding income variance also shown.
7. There are also small savings anticipated from employee vacancies, with recruitment underway.
8. The contract with Tricuro, the council's wholly owned trading company, has not yet been finalised with the projected outturn assuming this will be agreed within budget.

### **Public Health**

9. The pressure of £0.15m is due to undelivered budget savings, representing 19% of the ambitious £0.7m target for 2024/25. Work continues to identify areas which could be prioritised for saving within the conditions of the public health grant. The overspend is being managed within the Wellbeing directorate overall.

### **Housing & Communities**

10. Housing options are making progress in reducing the numbers placed in B&B accommodation and properties are being purchased under the housing acquisition programme to avoid use where possible. Realisation of savings is slow due to more extensive works being required to bring the properties to a lettable standard than anticipated with longer void periods and higher borrowing repayments as a result. However, using some of the properties has avoided the rise in B&B costs we would have seen otherwise and anticipate the borrowing repayments remaining within budget.
11. The in-year homelessness prevention grant (HPG) will be fully spent and there will be a requirement to continue to draw down on the £1.8m HPG reserve balance over the next two years until the benefit of the acquisition programme begins to be fully realised.
12. Neighbourhood services include income from photovoltaic panels and garages. There is a lag in receiving revenue with predictions more difficult at quarter one but, based on income historic trends, this is expected to be on budget. There is significant maintenance due on a number of garages this year and there is a risk this could exceed the annual budget for this expenditure. An assessment is required to understand the full impact and financial implications.
13. Risk and improvement consist of the business support elements of housing services and is anticipated to be fully committed at year end.

14. The majority of spend within community engagement and strategic community safety is funded from external grants or partnerships with other authorities. All the grant funding is currently committed to be spent in year. Options are being considered for community grants with the expectation to fully commit and this formed part of a Cabinet workshop that took place in August to consider the council's approach to empowering communities. Salaries within these areas are forecast on budget based on current staffing levels.
15. Regulatory services are facing challenges this year due to delayed savings from the establishment restructure that occurred towards the end of last year due to contractual notice periods for staff with £0.1m not being realised until 2025/26. It is expected £0.05m will be mitigated in year through expenditure control.
16. There will be challenges within the safer communities budgets due to ongoing judicial reviews, although some costs may be able to be recovered. The budget includes reduced income from licensing to reflect recent trends with no variances currently expected.

### **Children's Services – overspend £3.3m (3.6%)**

17. After the redirection of budget from adult social care, the 2024/25 projected outturn position is presented in the table below with a projected overspend of £3.3m, largely due to rising costs for children in care, continued use of agency staff and budgeted savings not being delivered in full.

<b>Service</b>	<b>Working budget £000's</b>	<b>Projected Outturn £000's</b>	<b>Q1 Variance £000's</b>
Management & Commissioning	4,574	3,242	(1,332)
Grant Income	(8,506)	(8,506)	0
Safeguarding & Early Help	15,865	18,809	2,944
Corporate Parenting & Permanence	54,360	55,478	1,118
Quality and Governance	4,322	4,611	289
Education & Skills	18,262	18,563	302
Partnerships	2,152	2,152	0
<b>Children's General Fund Total</b>	<b>91,029</b>	<b>94,349</b>	<b>3,320</b>

18. Children's management & commissioning incorporates various budgets including that for service agency costs overall. This is held centrally as the agency use within individual service units fluctuates based on demand and vacant positions. The forecast variance offsets the staffing overspends shown in all other directorates as described below.
19. The annual budget savings for the service as a whole have also been set against management & commissioning. Where savings have been achieved and are showing as an underspend in specific cost centres under other services, these are offset in this service line.
20. There is an expectation that not all savings will be delivered in-year due to their ambitious nature, the corporate resources required for delivery and the forthcoming full Ofsted inspection taking priority. The shortfall assumed in the outturn is £2.2m.
21. Safeguarding & early help front door teams maintain a consistent ratio of 55% permanent staff to 45% agency workers. This composition leads to substantial agency costs, contributing to a significant budget variance of £2.9m. Attracting and keeping permanent social workers for these teams is a constant challenge, making reliance on agency staff essential.
22. Staffing costs for corporate parenting & permanence, particularly within the teams for children in care, are currently dealing with high agency costs. The responsible director has a clear brief to lower these costs at pace, and the financial forecast includes an assumed plan aimed at decreasing both the number of agency staff and the associated costs.

23. The main pressure within this service area is the cost of care. Whilst the numbers of children in care have remained static, the change in placement type and complexity has further increased the cost. The children's commissioning team is in the process of preparing detailed analysis to further understand this change in trend. A thorough review of all end dates is being led by commissioning colleagues to make sure the forecast is as accurate as possible. The reliance on data is fundamental to the accuracy of the year end position and may move placement costs in a more favourable direction if the number of children in care do not increase during the year.
24. The financial pressure within quality & governance is due to the need to increase the number of independent reviewing officers (IRO) which is due solely to caseloads that exceed the statutory limit an IRO can hold. This situation was unforeseen since there was an expectation that the numbers of children in care would decrease to levels anticipated by the original staffing establishment.
25. The cost pressure in the education & skills service relates to school transport costs, approximately £0.2m over budget.

#### **Operations – overspend £2.8m (4.8%)**

26. The budget position is a projected overspend of £2.8 with the largest component being higher costs incurred in generating carparking revenues.

<b>Service</b>	<b>Working budget £000's</b>	<b>Projected Outturn £000's</b>	<b>Q1 Variance £000's</b>
<b>Commercial Operations</b>			
Flood and Coastal Erosion	956	956	0
Leisure and Events	568	725	157
Parking Services	(19,457)	(17,357)	2,100
Seafront	(5,922)	(5,658)	264
<b>Commercial Operations Total</b>	<b>(23,855)</b>	<b>(21,334)</b>	<b>2,521</b>
<b>Environment</b>			
Service Management	675	712	37
Neighbourhood Services & Grounds	16,068	15,917	(151)
Passenger Transport	165	(58)	(222)
Bereavement & Coroner	583	451	(132)
Waste	15,841	15,841	0
Greenspace	537	537	0
Transport & Operating Centres	5,954	5,954	0
<b>Environment Total</b>	<b>39,823</b>	<b>39,355</b>	<b>(468)</b>
<b>Planning &amp; Transport</b>			
Planning Management	487	391	(97)
Planning Operations	147	691	544
Strategic Planning	750	654	(96)
Transport Policy / Sustainable Travel	11,524	11,427	(97)
<b>Planning &amp; Transport Total</b>	<b>12,909</b>	<b>13,163</b>	<b>254</b>
<b>Infrastructure</b>			
Service Director / utility saving	(1,635)	(1,635)	0
<b>Infrastructure Total</b>	<b>(1,635)</b>	<b>(1,635)</b>	<b>0</b>
<b>Investment and Development</b>			
Housing Delivery	254	254	0
Regeneration Delivery	734	734	0
Smart Places	(89)	(101)	(12)
<b>Investment and Development Total</b>	<b>899</b>	<b>887</b>	<b>(12)</b>

Service	Working budget £000's	Projected Outturn £000's	Q1 Variance £000's
<b>Operations Strategy Total</b>	<b>1,582</b>	<b>1,611</b>	<b>29</b>
<b>Customer &amp; Property</b>			
Business Support	6,640	6,640	0
Culture	1,376	1,376	0
Customer Services	2,737	2,737	0
Libraries	5,589	5,736	147
Bournemouth Library PFI contract	1,559	1,559	0
Engineering	5,121	5,121	0
Facilities Management	7,595	7,945	350
Property Maintenance	(1,304)	(1,304)	0
Telecare	(103)	(103)	0
<b>Customer &amp; Property Total</b>	<b>29,209</b>	<b>29,706</b>	<b>497</b>
<b>Operations Services</b>	<b>58,931</b>	<b>61,751</b>	<b>2,821</b>

### Commercial Operations

27. Parking services income has remained buoyant in quarter one due to an increase of 11.6% in average spend per vend, despite a 9% drop in number of vends compared with last year. Future trading conditions and customer behaviour will play a significant factor in determining the final year end position. Inherent expenditure pressures including £1.5m cost of collection charges and £0.1m for staff labour market supplements are contributing to the reported overspend.
28. Seafront services have experienced a drop in visitor number and spend per head during quarter one. Coupled with increased costs this has created an in-year pressure which the service is seeking to mitigate.
29. Leisure and events are reporting a £0.1m pressure due to challenges in delivering the longer term savings.
30. Flood and coastal erosion risk management (FCERM) services is reporting a balanced position and partnership working with East Devon Council is anticipated to deliver savings in future years.

### Environment

31. Neighbourhood services and grounds maintenance £0.15m savings has been achieved by holding vacancies and a strict spend freeze in line with the Council's requirements. Although savings are forecast for this year there is a risk that by halting spend, particularly on repairs and maintenance, this will cause more expense in future years.
32. A £0.2m saving is expected within passenger transport due to the underspend within the driver salaries budget whilst a full review of adults community services takes place. It is attributed to vacancies being held along with some spend freeze underspends.
33. A £0.1m saving has been forecast within coroners and mortuary and whilst there is currently no service lead, the estimates have been based on the previous year performance and with no High Court inquests known currently.

### Planning and Transport

34. There is an overall pressure within planning, resulting mainly from the use of agency to fill the vacancies within the planning department. There are mitigation plans in place to reduce these agency costs but until full recruitment can be achieved these pressures will continue.

## Infrastructure

35. Restructuring of budgets in quarter four last year ready for 2024/25 service delivery has distributed the services previously included within infrastructure across other service directorates. Remaining within infrastructure is the service director costs for the part year until his retirement and the budget for electricity which has not yet been allocated across the relevant services.

## Investment and Development

36. The new service director is collaborating with the service teams and accountants to gain a clearer picture of the budgetary position. Given that a substantial share of expenses is allocated to capital, there are currently no anticipated budget issues, and this position will be closely monitored.

## Operations Strategy

37. Small pressure due to delayed voluntary redundancies with costs being incurred while staff work their notice period.

## Customer, Arts, & Property

38. Libraries have reviewed branch opening hours and the implementation of a revised staffing structure will now commence from August 2024. This delay in the new staffing structure has led to an in year pressure of £0.1m
39. In facilities management historically, there has been a trend of exceeding the budget allocated for corporate repairs and maintenance, a pattern expected to continue despite limiting expenditures to urgent works. This shortfall could further impact funding for public conveniences.

## Resources – overspend £0.8m (2.1%)

40. Executive and Resources provide professional support services to the council and undertake tax collection and housing benefits administration.

Service	Working budget £000's	Projected Outturn £000's	Q1 Variance £000's
Executive	733	733	0
Law and Governance	4,588	5,154	566
Marketing, Comms and Policy	2,208	2,341	133
People and Culture	2,524	2,591	67
- <i>Workforce Development – Adults &amp; Children*</i>	981	1,021	40
Finance	15,983	15,983	0
IT and Programmes	13,336	13,282	(55)
<b>Executive &amp; Resources Total</b>	<b>40,354</b>	<b>41,105</b>	<b>751</b>

*\*Workforce Development has transferred to People & Culture from Adults & Children's*

41. Executive has experienced some turnover this year, but the small saving generated will be consumed by the vacancy factor and associated recruitment costs.
42. Recruitment challenges continue in law and governance. Vacancies are difficult to fill by those suitably qualified with locums being used, causing a £0.6m pressure. The service is working to make permanent appointments where possible, but it is likely this issue will continue for the foreseeable future.
43. Marketing, communications & policy are facing income challenges this year with £0.1m of credit notes issued relating to invoices raised and accounted for in late March 2024. Options are being considered in mitigation.
44. People and culture will be undertaking a restructure this year in line with their new operating model and additional budget has been provided from that released from other

services. It is anticipated this will be within budget. The £0.07m budgeted apprenticeship saving (by converting 15 entry-level posts across services to apprenticeships posts upon vacancy) will not be delivered with just one post converted so far this year with alternative savings not considered possible.

45. IT and programming small underspend due to minor staff restructuring and some vacancies unfilled for longer than usual.

### Corporate Budgets

46. The table below provides a summary of the variances:

Service	Working budget £000's	Projected Outturn £000's	Q1 Variance £000's
Pay related costs	8,002	8,002	0
Contingency	7,860	3,558	(4,302)
Interest Payable	4,607	4,607	0
Investment Income	(1,855)	(360)	1,495
Pay & grading project	1,329	1,329	0
Debt Repayment - MRP & VRP	5,955	5,955	0
Transformation	3,813	3,813	0
Housing Benefits	(1,623)	(1,623)	0
Contribution from HRA	(1,717)	(1,717)	0
Investment Properties	(5,034)	(5,034)	0
Dividend Income	(227)	(227)	0
Levies	652	652	0
Apprentice Levy	782	782	0
Parishes / Town Precept / Chartered Trustee	1,384	1,384	0
Earmarked Reserves & One-off Business Rates surplus use	14,417	14,417	0
Pension Backfunding	3,561	3,561	0
Admin Charged to Grant Income	(1,043)	(1,043)	0
Release of historic income suspense	0	(400)	(400)
One off Corporate Items	2,323	2,323	0
<b>Corporate Items</b>	<b>43,186</b>	<b>39,979</b>	<b>(3,207)</b>
<b>Funding</b>			
Council Tax Income	(258,620)	(258,620)	0
Parishes / Town Precept / Chartered Trustee	(1,384)	(1,384)	0
New Homes Bonus	(55)	(55)	0
Revenue Support Grant	(4,198)	(4,198)	0
NNDR Net Income	(38,922)	(38,922)	0
NNDR 31 Grants	(26,562)	(26,562)	0
Service Grant	(383)	(383)	0
Estimated Deficit Collection Fund - NNDR	(25,671)	(25,671)	0
Estimated Surplus Collection Fund - CTAX	(3,000)	(3,000)	0
<b>Corporate Total</b>	<b>(315,609)</b>	<b>(318,816)</b>	<b>(3,207)</b>

47. An amount of £4.3m has been released from the contingency to cover savings not expected to be delivered during the year but expected to be delivered in full in future to address the optimum bias in budgeted savings for the year.
48. The current investment income forecast is a deficit of £1.495m due to lower than forecasted cash balances available for investments and likely further reduction in interest

rates during 2024/25. Cash balances have reduced as expenditure on the council's capital program and increasing deficit on the dedicated school grant continue without any increased long-term borrowing.

49. One off release of £0.4m from historic income suspense. This is income that has been received by the council but due to poor referencing by those making the payments and amounts could not be allocated to any income codes. After 3 years the policy is to write off these balances to central income. Should the item be resolved at a later date, the correct service account will be credited.



## Appendix A2 - General Fund Summary

Directorate	Revenue	Working Budget £'000	Forecast £'000	Variance £'000
Wellbeing	Expenditure Total	299,364	300,082	718
	Income Total	(174,069)	(174,845)	(776)
<b>Wellbeing Total</b>		<b>125,295</b>	<b>125,188</b>	<b>(107)</b>
Children's Services	Expenditure Total	116,868	120,808	3,940
	Income Total	(25,839)	(26,459)	(620)
<b>Children's Services Total</b>		<b>91,029</b>	<b>94,349</b>	<b>3,320</b>
Operations	Expenditure Total	173,105	176,635	3,530
	Income Total	(114,175)	(114,885)	(710)
<b>Operations Total</b>		<b>58,930</b>	<b>61,751</b>	<b>2,821</b>
Resources	Expenditure Total	48,737	49,152	415
	Income Total	(9,117)	(8,780)	337
<b>Resources Total</b>		<b>39,621</b>	<b>40,372</b>	<b>751</b>
Executive	Expenditure Total	916	916	0
	Income Total	(183)	(183)	0
<b>Executive Total</b>		<b>733</b>	<b>733</b>	<b>0</b>
<b>Total Net Cost of Service</b>		<b>315,608</b>	<b>322,393</b>	<b>6,785</b>
<b>Corporate Items</b>				
Pay award 2024/25		8,002	8,002	0
Budget Contingency		7,860	3,558	(4,302)
Treasury management interest income		(1,855)	(360)	1,495
Pay & grading project		1,329	1,329	0
Prudential Borrowing		5,955	5,955	0
Unallocated income from prior years		0	(400)	(400)
Investment Properties		(5,301)	(5,301)	0
Council Tax Income		(258,620)	(258,620)	0
Other Corporate Items		(72,979)	(72,979)	0
<b>Net Position</b>		<b>0</b>	<b>3,578</b>	<b>3,578</b>

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**BCP Council - Approved Savings for 2024/25 - Monitoring Schedule**

Ref:	Directorate	Category of the Proposal	Description of the Proposal	2024/25 RAG Rated	2024/25 Rebased Savings £000s	2024/25 Forecast Actual Savings £000	Forecast Annualised Saving £000s	Assurance Statement (Required for all Amber RAG Rated Items where the variance been the budgeted saving and the forecast saving in 2024/25 is over 500k) as well as the Reds and the White Items
ASCS14	Adult Social Care	Service Efficiency	One off use of third party resources from previous years	Green	(2,000)	(2,000)	n/a	N/A
ASCS15	Adult Social Care	Service Efficiency	Demographic Savings - Long Term Conditions	Green	(1,125)	(700)	(1,125)	Committed to achieving the full saving (1,125), however difficult to confirm as early in the year hence the reduced forecast amount. Aiming to achieve the full savings through demand management.
ASCS1	Adult Social Care	Fees and Charges	Additional income - client contributions and deferred payments	Green	(2,213)	(2,213)	(2,213)	N/A
ASCS16	Adult Social Care	Fees and Charges	NHS Inflationary increase for contribution to Sec117 after care costs	Green	(523)	(523)	(523)	N/A
ASCS2	Adult Social Care	Service Efficiency	Extra Care Housing	Green	(250)	(250)	(250)	N/A
ASCS3	Adult Social Care	Service Efficiency	Review of care arrangements for people with Learning Disabilities and Mental health	Green	(407)	(407)	(407)	N/A
ASCS4	Adult Social Care	Service Efficiency	Enhance support to Self Funders to make decisions about their care	Blue	(225)	(225)	(225)	N/A
ASCS5	Adult Social Care	Service Efficiency	Non Regulated Support	Green	(200)	(200)	(200)	N/A
ASCS17	Adult Social Care	Service Efficiency	Use of Disabled Facilities Grant (one-off)	Blue	(100)	(100)	n/a	N/A
<b>Saving Total - Adult Social Care Directorate</b>					<b>(7,043)</b>	<b>(6,618)</b>	<b>(4,943)</b>	
C&PS1	Commissioning & Procurement	Service Reduction	Day Service Review	Green	(684)	(684)	(684)	N/A
C&PS7	Commissioning & Procurement	Service Reduction	Day Service Review - Transitional funding provided for 2024/25 to cover 2025/26 impact	Green	(600)	(600)	(600)	N/A
C&PS3	Commissioning & Procurement	Service Efficiency	Reconfiguration of care home placements	Green	(257)	(129)	(257)	Consultation finished and no clear strong feelings about keeping the home open or refurbished, therefore ODR will reflect closure of home by end of September 2024.
<b>Saving Total - Commissioning &amp; Procurement</b>					<b>(1,541)</b>	<b>(1,413)</b>	<b>(1,541)</b>	
PHS1	Public Health	Service Efficiency	Proposed savings - Options 2024/25	Amber	(744)	(600)	(600)	More than 75% of the saving delivered and therefore blue. Remainder of savings have been identified in public health grant, however unable to find further legitimate spend in the budget to receive the grant.
<b>Saving Total - Public Health</b>					<b>(744)</b>	<b>(600)</b>	<b>(600)</b>	
H&CS1	Housing & Communities	Service Efficiency	Backdated recharge of officer time to refugee grant - One off	Blue	(300)	(300)	n/a	N/A
H&CS2	Housing & Communities	Service Reduction	Service reduction Public Protection- reduction to deliver core statutory functions only including CSAS reduction and recharge to grant funding	Blue	(143)	(143)	(143)	N/A
H&CS3	Housing & Communities	Fees and Charges	Increase HRA Recharges for relevant Housing and Communities Officers	Blue	(121)	(121)	(121)	N/A
H&CS4	Housing & Communities	Service Reduction	Reduce non-operational administrative community safety functions to minimum statutory requirements	Blue	(110)	(110)	(110)	N/A
H&CS5	Housing & Communities	Fees and Charges	Base budget reduction due to full cost recovery mandatory HMO licensing model	Blue	(100)	(100)	(100)	N/A
H&CS18	Housing & Communities	Fees and Charges	Increase in Seascape Homes & property rental income as a result of the Local Housing Allowance uplift	Blue	(70)	(70)	(70)	N/A
H&CS7	Housing & Communities	Service Reduction	Kinson Community centre income increase	Blue	(50)	(50)	(50)	N/A
H&CS9	Housing & Communities	Service Reduction	Remove community engagement and retain base budget for community development	Blue	(64)	(64)	(64)	N/A
H&CS11	Housing & Communities	Fees and Charges	Increase fixed penalty notice (FPN) fines for fly tipping	Blue	(30)	(30)	(30)	N/A
H&CS12	Housing & Communities	Fees and Charges	Garages income	Blue	(14)	(14)	(14)	N/A
<b>Saving Total - Operations - Housing &amp; Communities</b>					<b>(1,002)</b>	<b>(1,002)</b>	<b>(702)</b>	
<b>Saving Total - WELLBEING DIRECTORATE</b>					<b>(10,330)</b>	<b>(9,633)</b>	<b>(7,786)</b>	
CSS2	Children's Services	Service Efficiency	Specific project to review all over 18 placements (link with housing)	Amber	(850)	(500)	(850)	Significant pressure on care - some savings are being evidenced and delivered but they are offset by continued growth and demand
CSS4	Children's Services	Service Efficiency	Children's Services Pay Review - October Cabinet 2022	Amber	(539)	(539)	(539)	Still high levels of agency used in front door teams, risk around impact of pay and reward and stability of social workers workforce

Ref:	Directorate	Category of the Proposal	Description of the Proposal	2024/25 RAG Rated	2024/25 Rebased Savings £000s	2024/25 Forecast Actual Savings £000	Forecast Annualised Saving £000s	Assurance Statement (Required for all Amber RAG Rated Items where the variance been the budgeted saving and the forecast saving in 2024/25 is over 500k) as well as the Reds and the White Items
CSS22	Children's Services	Service Efficiency	Application of one-off grant funding	Green	(494)	(494)	n/a	
CSS5	Children's Services	Service Efficiency	Education - Revised Delivery Models	Blue	(396)	(396)	(396)	N/A
CSS7	Children's Services	Service Efficiency	Workforce Development (under QPIG)	Green	(134)	(134)	(134)	N/A
CSS8	Children's Services	Service Efficiency	PPG - use of grant against VS	Blue	(100)	(100)	(100)	N/A
CSS24	Children's Services	Service Efficiency	Reduce level of legal expenditure	Red	(100)	0	0	Given the final spend in 23/24 (and a large cost transferred out of corporate legal into Childrens on 29/04 as part of Closedown which was unsighted all year in the service), this saving will be very difficult to deliver - risk
CSS10	Children's Services	Service Efficiency	Early Years saving	Blue	(57)	(57)	(57)	N/A
CSS11	Children's Services	Service Efficiency	Premises cost for Ted Webster potential repurpose for Special Educational Needs and Disability Service	Blue	(55)	(55)	(55)	Saving based on closure, if there is potential to repurpose site then saving at risk
CSS12	Children's Services	Service Efficiency	FIS Advertising & Marketing	Blue	(54)	(54)	(54)	N/A
CSS13	Children's Services	Service Efficiency	Quality Performance Information & Governance	Amber	(50)	0	(50)	Unsure if DfE Improvement bid will be successful
CSS26	Children's Services	Service Efficiency	Reduce Agency Expenditure	Amber	(50)	(50)	(50)	Still high levels of agency used in front door teams, risk around impact of pay and reward and stability of social workers workforce
CSS14	Children's Services	Service Efficiency	Music Service	Blue	(34)	(34)	(34)	N/A
CSS15	Children's Services	Service Efficiency	Flippers Nursery - Lease liability	Blue	(25)	(25)	(25)	N/A
CSS16	Children's Services	Service Efficiency	Other miscellaneous savings - Education	Blue	(15)	(15)	(15)	N/A
		<b>Saving Total - Children's Service Directorate</b>			<b>(2,953)</b>	<b>(2,453)</b>	<b>(2,359)</b>	
		<b>Saving Total - CHILDREN'S DIRECTORATE</b>			<b>(2,953)</b>	<b>(2,453)</b>	<b>(2,359)</b>	
COS1	Commercial Operations	Fees and Charges	Destination & Culture - Beach hut prices as per December 2022 Cabinet report	Green	(623)	(623)	(623)	N/A
COS2	Commercial Operations	Fees and Charges	Harmonisation of beach huts fees and charges as per December 2022 Cabinet report	Green	(206)	(206)	(206)	N/A
COS3	Commercial Operations	Fees and Charges	Car Park harmonisation (Cabinet decision September 2023)	Green	(400)	(400)	(400)	N/A
COS4	Commercial Operations	Service Reduction	Bournemouth Air Festival. Removal of funding from the base budget of the Council	Blue	(400)	(400)	(400)	N/A
COS5	Commercial Operations	Service Reduction	Events Saving	Green	(330)	(330)	(330)	N/A
COS23	Commercial Operations	Service Reduction	Further events related savings	Green	(50)	(50)	(50)	N/A
COS22	Commercial Operations	Service Reduction	Reduction in seasonal services	Green	(90)	(90)	(90)	N/A
COS7	Commercial Operations	Service Reduction	Close Kings Park Plant Nursery and work with community for alternative community use	Green	(85)	(85)	(85)	N/A
COS8	Commercial Operations	Service Efficiency	Review options for provision of beach furniture	Green	(80)	(80)	(80)	Tender exercise to procure a future operator of this service has proved unsuccessful. Saving to be made from reductions in casual seafront staff. Potential risk that having less staff restricts the ability to take furniture income adding additional budget pressure and also means less front line staff on seafront to support by-law advice/enforcement and emergency response. Additional options to be explored for future delivery.
COS11	Commercial Operations	Service Efficiency	Increase income target seafront	Green	(50)	(50)	(50)	N/A
COS13	Commercial Operations	Service Efficiency	Procure contract for film location income	Green	(35)	(35)	(35)	N/A
COS14	Commercial Operations	Service Efficiency	Close, increase rental income or transfer to community the sports pavilions where they don't generate income and are costing the council	Green	(15)	(15)	(15)	19.04 - work progressing to take forward possible CAT interest in Branksome Rec Pav, Plainfield Farm Pav and Poole Park Pav. If this does not prove successful, decision to be made to close pavilions.17.06 - maintenance budget moving over to facilities management, savings will not be made through CAT transfers due to time to take this forward but are progressing well for future delivery of CAT's for next year. Rate review underway for some leisure sites which could help support this saving, otherwise the saving will be made from within the the Commercial Operations area whilst work continues for CAT process.
COS15	Commercial Operations	Service Reduction	Remove Sports Grants	Green	(15)	(15)	(15)	N/A
COS16	Commercial Operations	Service Reduction	Transfer Hengisbury Head Outdoor Education Centre to the community, make cost neutral or close	Green	(10)	(10)	(10)	N/A
COS17	Commercial Operations	Service Efficiency	New lease 5 Pods Boscombe	Green	(10)	(10)	(10)	PDR being prepared to action disposal of pods on a case by case basis. Seafront/Estates reviewing disposal method for empty pods inc. use of Estate Agents.
COS18	Commercial Operations	Service Reduction	Seek community management of Littledown Leisure Centre Paddling Pool (Outdoors) if not secured close	Green	(7)	(7)	(7)	N/A

Ref:	Directorate	Category of the Proposal	Description of the Proposal	2024/25 RAG Rated	2024/25 Rebased Savings £000s	2024/25 Forecast Actual Savings £000	Forecast Annualised Saving £000s	Assurance Statement (Required for all Amber RAG Rated Items where the variance been the budgeted saving and the forecast saving in 2024/25 is over 500k) as well as the Reds and the White Items
<b>Saving Total - Operations - Commercial Operations</b>					<b>(2,406)</b>	<b>(2,406)</b>	<b>(2,406)</b>	
ES1	Environment	Service Efficiency	Waste Disposal - one-off	Blue	(1,250)	(1,250)	n/a	N/A
ES2	Environment	Service Reduction	Fundamental review of grounds maintenance services.	Blue	(150)	(150)	(150)	Implemented but causing frequent negative press articles including national press and associated activity across social media
ES3	Environment	Service Efficiency	Commercial Waste income	Green	(200)	(200)	(200)	N/A
ES4	Environment	Service Reduction	Restructure of Greenspace and Conservation team	Green	(160)	(160)	(160)	N/A
ES6	Environment	Fees and Charges	Increased charges for non BCP residents access to recycling centres	Amber	(140)	(140)	(140)	At risk due to proposed change to Dorset Council not to do use Hurn Transfer station from Sept 24 placing potential financial risk of £300k to BCP as a result. Discussions ongoing
ES9	Environment	Service Reduction	Harmonise Community Transport provision * see note in column AB	Green	(23)	(23)	(23)	N/A
ES10	Environment	Service Reductions	Seek community management / transfer of paddling pools and if not secured close	Green	(100)	(100)	(100)	2024/25 savings achieved 2025/26 at risk for facilities to close with the exception of Quomps under tenancy at will with CTC with ongoing work to complete community asset transfer. No opportunities currently identified for Redhill which if funding not reinstated will require a closure of the facility. Hamworthy Park using ringfenced funding for 24/25 to operate. Friends of group working to source donations but large ask at £45k per annum so facility remains at risk for 2025
ES15	Environment	Service Reduction	Cease contribution to Dorset Local Nature Partnership	Blue	(10)	(10)	(10)	N/A
<b>Saving Total - Operations - Environment</b>					<b>(2,033)</b>	<b>(2,033)</b>	<b>(783)</b>	
P&DS3	Planning & Destination	Fees and Charges	Increased income generation	Green	(125)	(125)	(125)	Fees are set nationally and planning application submission will depend on a range of factors now outside of service control. As highlighting previously, lots of uncertainties about planning application submissions and therefore unable to make meaningful projections of income, so keep £125K for the moment.
P&DS5	Planning & Destination	Service Efficiency	PPA pre app advice - full cost recovery for our Development Management and other planning efforts with developers.	Green	(50)	(50)	(50)	N/A
P&DS6	Planning & Destination	Fees and Charges	Raising pre-app fee's (£30k from 24/25).	Green	(30)	(30)	(30)	After suspension of pre-application advice service to enable officers to focus on backlog and reduce agency staffing, revised charging schedule has been put in place and service is live. Developers have raised concerns about service fees. We have agreed to see in 3 months what take up has been. Therefore unable to make meaningful projections of income, so keep £30K for the moment.
P&DS7	Planning & Destination	Service Efficiency	Remove SLA minerals and waste with Dorset	Blue	0	0	0	2024-25 savings will not be realised. Whilst service not being provided in 2024-25, invoice was 2023-24 was late being received and will come from 2024-25
<b>Saving Total - Operations - Planning &amp; Destination</b>					<b>(205)</b>	<b>(205)</b>	<b>(205)</b>	
IS1	Infrastructure	Service Reduction	Bus Subsidy: Option 4: Phase out no impact BSIP	Green	(155)	(155)	(155)	N/A
IS2	Infrastructure	Service Reduction	Harmonise street lighting turn off to match Christchurch turn off at midnight (not main roads, key town and district centres). Will initially turn off in Poole	Amber	(68)	(68)	(68)	Streets in Poole residential areas are currently being identified for late night switch off. Once fully defined the level of energy saving can then be confirmed.
IS3	Infrastructure	Service Reduction	Reduce Road Safety Budget	Blue	(70)	(70)	(70)	N/A
IS5	Infrastructure	Service Reduction	Reduce structures maintenance budget (one-off)	Green	(60)	(60)	n/a	N/A
IS7	Infrastructure	Service Efficiency	Replace school crossing patrols with 24/7 pedestrian crossings	Green	(15)	(15)	(15)	N/A
IS9	Infrastructure	Service Efficiency	Increased officer recharge against Transport income related activity	Blue	(20)	(20)	(20)	N/A
IS8	Infrastructure	Service Efficiency	Building Control stop out of hours service	Blue	(15)	(15)	(15)	N/A
IS12	Infrastructure	Service Reduction	Adjustment to the two bridge lifting timetable to reflect marine demand and to make associated cost savings (subject to consultation)	Amber	(41)	(41)	(41)	consultation is being arranged and staffing implications being worked through. As originally outlined it is expected that a part year saving would be made from October onwards. saving to be confirmed.
<b>Saving Total - Operations - Infrastructure</b>					<b>(444)</b>	<b>(444)</b>	<b>(384)</b>	
CA&PS15	Customer, Arts & Property	Service Reduction	Savings from amalgamating services to provide community hubs with transitional funding provided for 2024/25. Permanent savings required for 2025/26 onwards.	Blue	(532)	(532)	(532)	One-off funding covering 2024/25 - ongoing work to established saving for 2025/26
CA&PS2	Customer, Arts & Property	Service Reduction	Operational Savings in Cultural activity	Green	(174)	(174)	(174)	N/A
CA&PS4	Customer, Arts & Property	Fees and Charges	Telecare income generation	Green	(100)	(100)	(100)	N/A
CA&PS5	Customer, Arts & Property	Service Efficiency	Efficiencies to DBS checks and Information Governance	Green	(40)	(40)	(40)	N/A
<b>Saving Total - Operations - Customer, Arts &amp; Property</b>					<b>(846)</b>	<b>(846)</b>	<b>(846)</b>	
OS1	Operations - General	Fees and Charges	Allowance for increased fees and charges in future years	Green	(0)	(0)	(0)	N/A
OS1	Operations - General	Fees and Charges	Allowance for increased fees and charges in future years - Commercial Operations	Green	(1,848)	(1,848)	(1,848)	N/A

Ref:	Directorate	Category of the Proposal	Description of the Proposal	2024/25 RAG Rated	2024/25 Rebased Savings £000s	2024/25 Forecast Actual Savings £000	Forecast Annualised Saving £000s	Assurance Statement (Required for all Amber RAG Rated Items where the variance been the budgeted saving and the forecast saving in 2024/25 is over 500k) as well as the Reds and the White Items
OS1	Operations - General	Fees and Charges	Allowance for increased fees and charges in future years - Infrastructure	Green	(36)	(36)	(36)	N/A
OS1	Operations - General	Fees and Charges	Allowance for increased fees and charges in future years - Customer, Srts and Property	Green	(153)	(153)	(153)	N/A
OS1	Operations - General	Fees and Charges	Allowance for increased fees and charges in future years - Environment	Green	(398)	(398)	(398)	N/A
OS1	Operations - General	Fees and Charges	Allowance for increased fees and charges in future years - Communities	Green	(3)	(3)	(3)	N/A
OS2	Operations - General	Service Efficiency	Operations Directorate to restructure in line with size of services post budget savings decisions	Green	(75)	(75)	(75)	N/A
OS3	Operations - General	Service Efficiency	Finance additional investment in Regeneration differently	Green	(1,351)	(1,351)	(1,351)	N/A
OS4	Operations - General	Service Efficiency	Finance Regeneration Development Commissioning Function differently	Green	(261)	(261)	(261)	N/A
<b>Saving Total - Operations - General</b>					<b>(4,126)</b>	<b>(4,126)</b>	<b>(4,126)</b>	
<b>Saving Total - OPERATIONS DIRECTORATE</b>					<b>(10,060)</b>	<b>(10,060)</b>	<b>(8,750)</b>	
EXS1	Executive	Service Efficiency	Corporate Leadership team	Blue	(100)	(100)	(100)	N/A
EXS2	Executive	Service Efficiency	Additional saving proposals not included in any other specific saving line	Blue	(100)	(100)	(100)	N/A
<b>Saving Total - Executive</b>					<b>(200)</b>	<b>(200)</b>	<b>(200)</b>	
L&GS1	Law & Governance	Service Efficiency	Termination of Schools Admissions Appeals Service to non-maintained schools	Blue	(44)	(44)	(44)	N/A
L&GS2	Law & Governance	Service Efficiency	Reduced payments to other local authorities for local land charge work	Blue	(22)	(22)	(22)	N/A
L&GS3	Law & Governance	Service Efficiency	Apprenticeships in Legal Services	Blue	(17)	(17)	(17)	N/A
L&GS4	Law & Governance	Service Efficiency	Legal literature savings (subject to confirmation of cost of additional bolt-ons)	Amber	(13)	(13)	(13)	To be confirmed via September 24 contract procurement.
L&GS5	Law & Governance	Fees and Charges	Legal Services Review of Fees and Charges	Amber	(12)	(12)	(12)	Review on internal recharges ongoing
L&GS6	Law & Governance	Service Efficiency	Stop paying for solicitors practising certificates	Blue	(9)	(9)	(9)	N/A
L&GS7	Law & Governance	Fees and Charges	Registrars Service Review of Fees and Charges	Blue	(8)	(8)	(8)	N/A
L&GS9	Law & Governance	Fees and Charges	Recharges to Chartered Trustees	Blue	(49)	(49)	(49)	£25k Bournemouth + £24k Poole
<b>Saving Total - Law &amp; Governance</b>					<b>(174)</b>	<b>(174)</b>	<b>(174)</b>	
MC&PS1	Marketing, Comms and Policy	Service Efficiency	Advertising income from on street opportunities with Operations	Green	(100)	(100)	(100)	Work underway to realise this income via contract management/changes
MC&PS2	Marketing, Comms and Policy	Service Efficiency	Refinancing and increasing the projects element of the Climate Change and Ecological Emergency Budget via a £1m Earmarked Reserve	Blue	(280)	(280)	(280)	N/A
MC&PS8	Marketing, Comms and Policy	Service Efficiency	Delete vacant Communications and Policy Team post in proposed structure	Blue	(40)	(40)	(40)	N/A
MC&PS3	Marketing, Comms and Policy	Service Efficiency	Increase advertising income	Green	(5)	(5)	(5)	Income secured pending signing contract
MC&PS4	Marketing, Comms and Policy	Fees and Charges	Review charges to HRA, grants	Blue	(5)	(5)	(5)	N/A
<b>Saving Total - Marketing, Communications and Policy</b>					<b>(430)</b>	<b>(430)</b>	<b>(430)</b>	
P&CS1	People and Culture	Service Efficiency	Apprenticeships	Red	(67)	0	0	
<b>Saving Total - People and Culture</b>					<b>(67)</b>	<b>0</b>	<b>0</b>	
	Finance	Service Reduction	Do not take out marine impact insurance for the two lifting bridge	Blue	(45)	(45)	(45)	N/A
FS1	Finance	Fees and Charges	Estates - rebase easement income in line with levels achieved	Blue	(34)	(34)	(34)	N/A
FS2	Finance	Fees and Charges	Accountancy Recharge to Chartered Trustees	Blue	(1)	(1)	(1)	N/A
<b>Saving Total - Finance</b>					<b>(80)</b>	<b>(80)</b>	<b>(80)</b>	
IT&PS1	IT and Programmes	Service Efficiency	Apprenticeships	Amber	(10)	(10)	(10)	Replacement role to be recruited in next quarter as an apprentice (17/6)
<b>Saving Total - IT and Programmes</b>					<b>(10)</b>	<b>(10)</b>	<b>(10)</b>	

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RS1	Resources - General	Recharges	Recharges to Housing Revenue Account of charges in line with impact of inflation, particularly those associated with the pay award costs. Bournemouth and Poole Neighbourhood Account	Amber	(55)	(55)	(55)	
RS2	Across Authority Savings	Fees and Charges	Increase Staff Car Parking Charges - 1 June 2024	Amber	(50)	(44)	(50)	Delayed by One-Month
RS3	Resources - General	Recharges	Recharges to Dorset Adult Learning	Amber	(11)	(11)	(11)	
RS4	Resources - General	Recharges	Recharges to Bournemouth Companies	Amber	(8)	(8)	(8)	
Saving Total - Resources General					(124)	(118)	(124)	
Saving Total - RESOURCES DIRECTORATE					(1,085)	(1,012)	(1,018)	
Overall Total - Service Based Savings and Efficiencies					(24,428)	(23,158)	(19,913)	

Ref:	Directorate	Category of the Proposal	Description of the Proposal	RAG Rated	2024/25 £000s	2024/25 Forecast Actual Savings £000	Forecast Annualised Saving £000s	Assurance Statement (Required for all Amber RAG Rated Items where the variance been the budgeted saving and the forecast saving in 2024/25 is over 500k) as well as the Reds and the White Items
ASCS6	Adult Social Care	Service Transformation	Reconfiguration of Care Home Beds Purchasing Structure	Amber	(2,000)	(1,000)	(2,000)	Member of staff now recruited to start the negotiations with care homes. Deep dive into plans shortly. Slippage in recruitment means full year savings at risk for this year. Full year savings to be delivered in 2025/26
ASCS7	Adult Social Care	Service Transformation	Investment in care technology	Amber	(322)	(69)	(322)	Agreement to model for delivery through lifeline. Challenges to recruit additional capacity and remodel practice
ASCS8	Adult Social Care	Service Transformation	Additional income - client contributions (budget rebase)	Blue	(300)	(300)	(300)	N/A
ASCS9	Adult Social Care	Service Transformation	Vision & Validation savings linked to business case under preparation	Red	(250)	0	(250)	Dependent on approval for Transformation Business Case and implementation - due to be considered by Cabinet and Council in July 2024
ASCS10	Adult Social Care	Service Transformation	Recoup costs not within Section 22 of the Care Act (rebase)	Amber	(200)	(200)	(200)	Health are reviewing their approach to CHC to reduce their spend in CHC and joint funding as NHS Dorset is an outlier in CHC spend
ASCS11	Adult Social Care	Service Transformation	Catering Services - Transfer to Tricuro (budget rebase)	Blue	(22)	(22)	(22)	N/A
ASCS12	Adult Social Care	Service Transformation	Social Care running costs (budget rebase)	Blue	(20)	(20)	(20)	N/A
ASCS13	Adult Social Care	Service Transformation	No Recourse to Public Funds (budget rebase)	Blue	(20)	(20)	(20)	N/A
Saving Total - Wellbeing - ASC					(3,134)	(1,631)	(3,134)	
C&PS5	Commissioning & Procurement	Service Transformation	Commissioning running costs (rebase)	Blue	(60)	(60)	(60)	N/A
C&PS6	Commissioning & Procurement	Service Transformation	Third Party Spend - Stationery	Blue	(70)	(70)	(70)	N/A
Saving Total - Wellbeing - Commissioning & Procurement					(130)	(130)	(130)	
H&CS14	Housing & Communities	Service Transformation	Public Protection – Reconfiguration of tier 5 and 6 management/senior posts	Blue	(296)	(187)	(296)	Acheived but staff exits from July therefore £187k in 24/25 and balance of £109k in 25/26
H&CS15	Housing & Communities	Service Transformation	Reduction, including reduction in non essential expenditure	Blue	(139)	(139)	(139)	N/A
H&CS16	Housing & Communities	Service Transformation	Community Safety and Engagement - Community grants rebase budget	Blue	(93)	(93)	(93)	N/A
H&CS20	Housing & Communities	Service Efficiency	Reduce budget for Housing Related Support in relation to a small scheme that has moved from supported housing to general needs	Blue	(55)	(55)	(55)	N/A
Saving Total - Wellbeing - Housing & Communities					(583)	(474)	(583)	
CSS17	Children's Services	Service Transformation	Transformation - New delivery models	Amber	(1,455)	(260)	(1,455)	Mobilisation of new service delivery model ongoing (ILAC and Pay Award) - work continues to review new structures, these have not yet been costed, once they have been we will have a better idea of ongoing
CSS23	Children's Services	Service Reduction	Early Help Delivery Model	Green	(1,060)	(1,060)	(1,060)	Contract reduction (YMCA) completed, holding vacancies and input of finalised VR
CSS18	Children's Services	Service Transformation	Transformation - Commissioning	Amber	(994)	(994)	(994)	Significant pressure on care - some savings are being evidenced and delivered but they are offset by continued growth and demand
CSS19	Children's Services	Service Transformation	Transformation - Health leverage health spend	Amber	(500)	0	(500)	
CSS20	Children's Services	Service Transformation	Transformation - Other smaller third party spend efficiencies	Green	(130)	(130)	(130)	N/A
CSS21	Children's Services	Service Transformation	Unused conditions survey budget	Blue	(23)	(23)	(23)	N/A
Saving Total - Children's Services					(4,162)	(2,467)	(4,162)	

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COS9	Commercial Operations	Service Efficiency	Upton Country Park - Move to full cost recovery - Transitional funding provided to cover 2025/26 impact	Green	(171)	(171)	(171)	N/A
COS10	Commercial Operations	Service Efficiency	Highcliffe Castle - Move to full cost recovery over a 4 year period - transitional funding provided to cover 2025/26 impact	Green	(162)	(162)	(162)	N/A
COS6	Commercial Operations	Fees and Charges	Destination and Culture - Leisure Centres	Green	(100)	(100)	(100)	N/A
COS12	Commercial Operations	Service Efficiency	Queens Park Golf course - Full Cost Recovery	Green	(47)	(47)	(47)	19.04 - work is still underway to implement some operational changes within the site to help achieve full cost recovery for this year, once these have progressed we will be able to change this to green. 17.06 staff consultation now commenced to deliver a new structure, also looking at system to deliver pre payments for bookings.
COS21	Commercial Operations	Service Efficiency	Bring car parking staff into operational buildings	Green	(10)	(10)	(10)	19.04 - Work underway between PMO team, housing and Car parking to confirm if its suitable for housing offer and if so to align move of parking team with this. New location for parking team would be civic Centre basement- may be impacted by the Phase 2 works due to take place. the future use of Braidly House and Pahse 2 works could impact the timeline or the staff move but saving will be delivered through the repairs and maintenance budget if team remain in situ. 17.06 work still underway to take forward options to move the team, saving will be made from within the budget.
<b>Saving Total - Operations - Commercial Operations</b>					<b>(490)</b>	<b>(490)</b>	<b>(490)</b>	
ES5	Environment	Service Efficiency	Efficiencies against short term vehicles hire contract spend	Blue	(100)	(100)	(100)	N/A
ES16	Environment	Service Transformation	Reduction in head of service post	Blue	(95)	(95)	(95)	Nicola Webb to confirm with Service Accountant
ES11	Environment	Service Reduction	Efficiencies from move to perennial plants and flowers	Blue	(50)	(50)	(50)	N/A
ES13	Environment	Service Transformation	Amalgamate Environment & Planning Arboricultural Teams	Green	(30)	(30)	(30)	VR completed - Service not yet transferred due to wider staffing shortages and ability to facilitate
ES14	Environment	Service Reduction	Kingfisher barn move to Full Cost Recovery	Green	(14)	(14)	(14)	N/A
<b>Saving Total - Operations Environment</b>					<b>(289)</b>	<b>(289)</b>	<b>(289)</b>	
P&DS1	Planning & Destination	Service Efficiency	Economic Development - Move service to full cost recovery - Transitional funding provided to cover 2025/26 impact	Green	(655)	(655)	(655)	N/A
P&DS2	Planning & Destination	Service Efficiency	Destination Team move to full cost recovery	Blue	(142)	(142)	(142)	N/A
P&DS4	Planning & Destination	Service Efficiency	Smart Places - Move service to full cost recovery - Transitional funding provided to cover 2025/26 impact	Amber	(104)	(104)	(104)	subject to transitional funding being provided, still needs to be identified in budget
<b>Saving Total - Operations Planning &amp; Destination</b>					<b>(901)</b>	<b>(901)</b>	<b>(901)</b>	
IS4	Infrastructure	Service Efficiency	Change all subway lighting to LED	Green	(64)	(64)	(64)	N/A
IS10	Infrastructure	Service Efficiency	Capital investment in alternative to School Crossing Patrols at specific locations	Green	(12)	(12)	(12)	N/A
IS13	Infrastructure	Service Reduction	FCERM - Service Efficiency	Blue	(3)	(3)	(3)	N/A
<b>Saving Total - Operations Infrastructure</b>					<b>(79)</b>	<b>(79)</b>	<b>(79)</b>	
CA&PS16	Customer, Arts & Property	Service Efficiency	Externalisation of Russell Cotes Museum with transitional funding provided for the period to 1 October 2025.	Green	(626)	(626)	(626)	N/A
	Customer, Arts & Property	Service Efficiency	Externalisation of Russell Cotes Museum - Reduction in corporate maintenance funding with transitional funding provided for the period to 1 October 2025	Green	(50)	(50)	(50)	N/A
CA&PS1	Customer, Arts & Property	Service Reduction	Operational Savings in Libraries in 2024/25	Green	(500)	(500)	(500)	N/A
CA&PS10	Customer, Arts & Property	Service Transformation	Business support saving	Green	(250)	(250)	(250)	N/A
CA&PS12	Customer, Arts & Property	Service Transformation	Remove PA functions below Service Directors	Green	(240)	(240)	(240)	N/A
CA&PS13	Customer, Arts & Property	Service Transformation	Customer service saving	Green	(100)	(100)	(100)	N/A
CA&PS11	Customer, Arts & Property	Service Transformation	Business Support saving	Green	(100)	(100)	(100)	N/A
H&CS17	Housing & Communities	Service Transformation	Sales and Marketing saving	Blue	(55)	(55)	(55)	N/A
CA&PS3	Customer, Arts & Property	Service Efficiency	Capitalise Telecare Equipment	Red	(149)	0	0	Not deliverable - alternative to be identified.
<b>Saving Total - Operations Customer, Arts, and Property</b>					<b>(2,070)</b>	<b>(1,921)</b>	<b>(1,921)</b>	
L&GS8	Law & Governance	Service Efficiency	Democratic Services Budget - Rebase in line with 2022/23 Outturn	Blue	(63)	(63)	(63)	N/A

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		<b>Saving Total - Law &amp; Governance</b>			(63)	(63)	(63)	
MC&PS5	Marketing, Comms and Policy	Service Transformation	Consolidating Advertising Opportunities across services	Amber	(80)	(80)	(80)	Work ongoing to audit opportunities, but resource may be better focussed on greater income opportunities in commercial team or on street advertising.
MC&PS6	Marketing, Comms and Policy	Service Transformation	Centralise marketing purchasing 2023/24	Blue	(50)	(50)	(50)	Savings doublecounted by services (budget sits within services) - alternative identified in extra on-street income generated through closer contract management.
MC&PS7	Marketing, Comms and Policy	Service Transformation	Centralise marketing purchasing 2024/25	Amber	(20)	(20)	(20)	Marketing expenditure control agreed at CMB - roll out pending resource and pocess (due Sept 24)
		<b>Saving Total - Operations Marketing, Comms and Policy</b>			(150)	(150)	(150)	
P&CS3	People and Culture	Service Transformation	Payroll System -- Budget rebase	Blue	(49)	(49)	(49)	N/A
P&CS5	People and Culture	Service Transformation	Disclosure & Barring Service - Budget Rebase in line 2022/23 Actuals	Blue	(12)	(12)	(12)	N/A
P&CS6	People and Culture	Service Transformation	Procured framework for future executive recruitment	Blue	(8)	(8)	(8)	N/A
		<b>Saving Total - Resources - People and Culture</b>			(69)	(69)	(69)	
FS3	Finance	Service Transformation	Accountancy - 10% Net Budget Savings - Fast track delivery of Target Operating Model savings via a voluntary redundancy process - Vision & Valid savings	Amber	(175)	(139)	(175)	
FS4	Finance	Service Transformation	Accountancy - replacement of the old Oracle Fusion	Blue	(59)	(59)	(59)	N/A
FS5	Finance	Service Transformation	Accountancy - Cash collection contract (1 supplier instead of 3)	Blue	(60)	(60)	(60)	N/A
FS6	Finance	Service Transformation	Estates - Third Party Spend saving - Accounts valuation	Green	(50)	(50)	(50)	N/A
FS7	Finance	Service Transformation	Health & Safety Team reduced budget to reflect operational efficiencies	Blue	(46)	(46)	(46)	N/A
FS8	Finance	Service Transformation	Audit & Management Assurance - Third Party Spend savings - Rebase budget	Blue	(35)	(35)	(35)	N/A
FS9	Finance	Service Transformation	Service Director Budget Rebase	Blue	(21)	(21)	(21)	N/A
FS10	Finance	Service Transformation	Estates - Rebase recharges in line with levels achieved	Blue	(5)	(5)	(5)	N/A
FS11	Finance	Service Transformation	Revenue and Benefits System - Target Operating Model - Vision and Valid savings	Blue	(44)	(44)	(44)	N/A
		<b>Saving Total - Resources - Finance</b>			(495)	(459)	(495)	
IT&PS2	IT and Programmes	Service Transformation	Contract Management - Vodafone	Blue	(234)	(234)	(234)	N/A
IT&PS3	IT and Programmes	Service Transformation	Microsoft Enterprise Licencing Agreement	Blue	(100)	(100)	(100)	N/A
IT&PS4	IT and Programmes	Service Transformation	Contract Management - Centralise IT contracts and challenge vendors	Amber	(50)	(50)	(50)	Work underway to centralise SSL and webhosting. I expect to make the saving but work to continue to centralise all IT contracts may take until 2025
IT&PS5	IT and Programmes	Service Transformation	Move from PAYG Azure Instances to Reserved Instances	Green	(27)	(27)	(27)	N/A
IT&PS6	IT and Programmes	Service Transformation	Reduce the number of virtual machines supporting Process Automation	Blue	(4)	(4)	(4)	N/A
		<b>Saving Total - Resources - IT and Programmes</b>			(415)	(415)	(415)	
AAS1	Across Authority Savings	Service Efficiency	Across authority savings inline with 2022/23 actuals e.g. Subscriptions, Staff mileage and volunteer expenses		0	0	0	N/A
	Wellbeing	Service Efficiency	Across authority savings inline with 2022/23 actuals e.g. Subscriptions, Staff mileage and volunteer expenses	Blue	(70)	(70)	(70)	N/A
	Childrens	Service Efficiency	Across authority savings inline with 2022/23 actuals e.g. Subscriptions, Staff mileage and volunteer expenses	Blue	(158)	(158)	(158)	N/A
	Operations	Service Efficiency	Across authority savings inline with 2022/23 actuals e.g. Subscriptions, Staff mileage and volunteer expenses	Blue	(196)	(196)	(196)	N/A
	Resources	Service Efficiency	Across authority savings inline with 2022/23 actuals e.g. Subscriptions, Staff mileage and volunteer expenses	Blue	(79)	(79)	(79)	N/A
	Executive	Service Efficiency	Across authority savings inline with 2022/23 actuals e.g. Subscriptions, Staff mileage and volunteer expenses	Blue	(1)	(1)	(1)	N/A
		<b>Saving Total - Resources - IT and Programmes</b>			(503)	(503)	(503)	
	<b>Overall Total - Service Based Savings and Efficiencies</b>				(13,533)	(10,041)	(13,384)	

Ref:	Directorate	Category of the Proposal	Description of the Proposal	2024/25 RAG Rated	2024/25 Rebased Savings £000s	2024/25 Forecast Actual Savings £000	Forecast Annualised Saving £000s	Assurance Statement (Required for all Amber RAG Rated Items where the variance been the budgeted saving and the forecast saving in 2024/25 is over 500k) as well as the Reds and the White Items
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<b>Overall Total - Service Based Savings and Efficiencies</b>					<b>(37,961)</b>	<b>(33,199)</b>	<b>(33,297)</b>	
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	<b>One-Off Items not generating annualised savings</b>
(2,000)	ASCS14 One off use of third party resources from previous years
(100)	ASCS17 One-off use of Disabled Facilities Grant
(300)	H&CS1 One-off Backdated recharge of officer time to reugee grant
(494)	Children's Svs - One-off grant funding
(1,250)	Waste Disposal - one-off
(60)	One off reduction in structures maintenance budget
<b>(37,501)</b>	<b>Annualised total as adjusted for one-off items</b>
<b>(460)</b>	<b>Annualised Shortfall</b>

### Appendix B - Earmarked Reserves for 31 March 2025

Detail	31/03/24 Actual Balances	Estimated movement	31/03/25 Estimated Balances
	£000's		£000's
One off Business Rates Resources being applied to MTFP	0	(4,472)	(4,472)
Transition and Transformation Reserves	(2,202)	0	(2,202)
Insurance Reserve	(5,115)	0	(5,115)
Held in Partnership for External Organisations	(3,110)	423	(2,687)
Required by Statute or Legislation	(763)	0	(763)
Planning Related	(628)	222	(406)
Government Grants	(16,061)	9,585	(6,475)
Maintenance	(1,547)	197	(1,350)
ICT Development & Improvement	(2,880)	(491)	(3,371)
Corporate Priorities & Improvements	(6,675)	(2,351)	(9,026)
<b>Total Earmarked Reserve Balance</b>	<b>(38,980)</b>	<b>3,113</b>	<b>(35,867)</b>

**One off Business Rates Resources being applied to MTFP Reserve**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Designed to provide the Council with the ability to manage any emerging issues. Includes reserves to enable the management of the MTFP.			
Balance to reserves for future MTFP	0	(4,472)	(4,472)
<b>One off Business Rates Resources being applied to MTFP Reserve</b>	<b>0</b>	<b>(4,472)</b>	<b>(4,472)</b>

**Transition and Transformation Reserves**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Resources set aside to support the one-off change costs of associated with creating the new council and meeting the Councils costs associated with the transformation program			
BCP Programme Resources Pay & Reward Strategy	(185)	0	(185)
Redundancy - Non Transformation Funded	(2,017)	0	(2,017)
<b>Transition and Transformation Reserves</b>	<b>(2,202)</b>	<b>0</b>	<b>(2,202)</b>

**Insurance Reserve**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Reserve to enable the annual fluctuations in the amounts of excesses payable to be funded without creating an in-year pressures on the services. Subject to ongoing review by an independent third party.			
<b>Insurance Reserve</b>	<b>(5,115)</b>	<b>0</b>	<b>(5,115)</b>

**Held in Partnership for External Organisations**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Amounts held in trust on behalf of partners or external third party organisations.			
Dorset Adult Learning Service	(678)	0	(678)
Dorset Adult Learning Service (Specific Bequeath)	(99)	0	(99)
ICS Emotional Wellbeing and Mental Health	(78)	85	7
Flippers Nursery	(140)	0	(140)
Adult Safeguarding Board	(208)	67	(141)
Dorset Combined Youth Offending Service Partnership	(508)	0	(508)
Music and Arts Education Partnership	(544)	0	(544)
Youth Programme	(112)	0	(112)
- Russell Cotes revenue grant (New)	(399)	0	(399)
UP2U	(74)	40	(34)
Domestic Homicide Reviews	(10)	10	0
Better Care Fund	(261)	221	(40)
<b>Held in Partnership for External Organisations</b>	<b>(3,110)</b>	<b>423</b>	<b>(2,687)</b>

**Required by Statute or Legislation**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Amounts which the council is required to hold as a reserve in line with current accounting practice or legislative requirements.			
Building Regulation Account	(69)	0	(69)
Bournemouth Library Private Finance Initiative (PFI)	(761)	0	(761)
Carbon Trust	67	0	67
<b>Required by Statute or Legislation</b>	<b>(763)</b>	<b>0</b>	<b>(763)</b>

**Planning Related**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Reserves designed to support planning processes and associated planning activity where expenditure is not incurred on an even annual basis.			
Local Development Plan Reserve	(222)	222	0
Other Planning Related Reserves	(406)	0	(406)
<b>Planning Related</b>	<b>(628)</b>	<b>222</b>	<b>(406)</b>

**Government Grants**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Amounts which the council is required to hold as a reserve in line with specific grant conditions.			
Government Grants	(15,887)	9,444	(6,442)
COVID 19 Government Grants	(233)	141	(92)
<b>Total Unspent Grants</b>	<b>(16,120)</b>	<b>9,585</b>	<b>(6,534)</b>

**Maintenance**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Reserves and sinking funds designed to support maintenance investments in specific services or assets.			
Corporate Maintenance Fund	(1,169)	216	(953)
Other Maintenance Related Reserves	(378)	(19)	(397)
<b>Maintenance</b>	<b>(1,547)</b>	<b>197</b>	<b>(1,350)</b>

**ICT Development & Improvement**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Resources set aside to meet various ICT improvement projects			
<b>ICT Development &amp; Improvement</b>	<b>(2,880)</b>	<b>(491)</b>	<b>(3,371)</b>

**Corporate Priorities & Improvements**

	31/03/23 Actual £000's	Actual Movement £000's	31/03/24 Actual £000's
<b>Purpose:</b> Amounts set aside to deliver various priorities, some of which will be of a historical nature inherited from the predecessor authorities.			
Other Service Priority reserves	(4,636)	(3,539)	(8,175)
Local Elections Reserve	(199)	(170)	(369)
Revenue & Benefits Reserve	(1,401)	920	(481)
Covid recovery resources	(438)	438	0
<b>Corporate Priorities &amp; Improvements</b>	<b>(6,675)</b>	<b>(2,351)</b>	<b>(9,026)</b>

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## Quarter One 2024-25 HRA Forecast

1. The Housing Revenue Account (HRA) is a separate account within the council that ring-fences the income and expenditure associated with the council's housing stock. The HRA does not therefore directly impact on the council's wider general fund budget. Within the HRA the Council manages 9,590 tenanted properties.
2. The 2024-25 HRA budget was approved by Council in February 2024. It budgeted for total income of £55.6 million for the year and a net surplus of £5.9 million.

### Revenue account monitoring at quarter one

	2024-25 Budget £000	Full year forecast £000	Variance £000
<b>Income</b>			
Dwelling rents	(52,201)	(52,407)	(206)
Non-dwelling rents	(236)	(236)	0
Charges for services and facilities	(2,708)	(2,700)	8
Contributions to expenditure	(491)	(500)	(9)
<b>Total income</b>	<b>(55,636)</b>	<b>(55,843)</b>	<b>(207)</b>
<b>Expenditure</b>			
Repairs and Maintenance	13,511	13,573	62
Supervision and Management	17,029	16,689	(340)
Rent, rates, taxes and other charges	668	654	(14)
Bad or doubtful debts	400	400	0
<b>Total expenditure</b>	<b>31,608</b>	<b>31,316</b>	<b>(292)</b>
<b>Net operating (surplus) / deficit</b>	<b>(24,028)</b>	<b>(24,527)</b>	<b>(499)</b>
<b>Capital charges</b>			
Debt management costs	201	201	0
Depreciation	12,410	14,800	2,390
Net interest payable	5,560	5,110	(450)
<b>Total capital charges</b>	<b>18,171</b>	<b>20,111</b>	<b>1,940</b>
<b>Net (surplus) / deficit</b>	<b>(5,857)</b>	<b>(4,416)</b>	<b>1,441</b>
<b>Appropriations</b>			
Transfer to HRA reserve	5,857	4,416	(1,441)
<b>Total appropriations</b>	<b>5,857</b>	<b>4,416</b>	<b>(1,441)</b>

### Commentary on variances

3. Dwelling rents: Total forecast rental income of £52.46m is £0.2m favourable to budget. The favourable forecast is due to lower levels of rental voids and right-to-buy sales than expected.
4. Other income: The forecast outturn for all other lines of income is broadly in line with budget.
5. Repairs & Maintenance: The forecast full-year outturn is broadly in line with budget. On the 1 August response repairs in the Poole neighbourhood were brought in-house, consistent with the existing arrangements for Bournemouth neighbourhood. Also, a new contractor was appointed to undertake repairs of void properties, replacing the separate contracts that were in place in each neighbourhood. It is currently too early to identify any financial impact these changes may have on the outturn.

6. Supervision and Management: Forecast costs are £0.3m lower than budget. This is due to the expectation that some of the contingency budget will not need to be utilised, partly offset by higher than budgeted software licence fees for the Civica Cx housing management system.
7. Depreciation: The forecast depreciation charge of £14.8m is £2.4m adverse to budget. This is due to the change to the methodology used to calculate the Poole neighbourhood depreciation charge to make it consistent with the methodology used by Bournemouth neighbourhood that took effect at the end of last year. The depreciation charge is a non-cash charge which is recycled each year through the Major Repairs Reserve to provide funding for the HRA's planned maintenance capital programme. As such, variations to the charge have no impact on the overall financial position of the HRA.
8. Net interest payable: The £0.5m favourable forecast is due to higher interest earned on cash balances due to higher than budgeted interest rates. Interest paid on borrowings is unaffected as all borrowing is at fixed rates.
9. Net surplus: The favourable forecast variances for rental income and supervision & management costs result in a forecast net operating surplus of £24.5m that is £0.5m favourable to budget. The impact of the higher depreciation charge results in a final net surplus of £4.4m that is £1.4m adverse to budget.

### Capital programme

10. The HRA February budget paper set out a capital programme of £44.7m for 2024/25. This includes £25.2m investment in new-build projects delivered as part of the council newbuild housing & acquisitions strategy (CNHAS) and £16.2m in planned maintenance.

	Budget £000	Full year forecast £000	Variance £000
New-build projects	25,163	24,135	(1,028)
Other major projects (Admiral, Sterte cladding)	300	242	(58)
Purchase of existing houses	3,000	280	(2,720)
Planned maintenance	16,219	16,219	0
<b>Total capital expenditure</b>	<b>44,682</b>	<b>40,876</b>	<b>(3,806)</b>

11. New-build projects: Currently forecasting a spend of £24.1m compared with a budget of £25.2m. This includes forecast expenditure in 2024/25 of £18.9m on the following three projects:

Project	Forecast spend £000	Units
Hillbourne School - phase 1	13,874	110
Craven Court	2,470	24
Templeman House	2,509	27

12. Projects completed during quarter one were Cabbage Patch car park (11 units), Bingham Road (6 units) and Summers Avenue (2 units).
13. Purchase of existing houses: The forecast spend for the year relates to the buy-back of leasehold flats at Trinidad Village (one property acquired, one further acquisition forecast to take place). Whilst the HRA receives right-of-first-refusal to repurchase ex-

local authority properties, current high borrowing costs mean that repurchases are not financially viable at present.

14. Planned maintenance programme: This covers capital maintenance such as kitchen and bathroom replacements. The current forecast is that the budget will be fully utilised during 2024/25.

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**CABINET**



Report subject	<b>Poole Civic Centre</b>
Meeting date	2 October 2024
Status	Public Report
Executive summary	<p>This report presents a proposal to dispose of Poole Civic Centre. Local taxpayers have covered over £2.5m in operating costs for this asset since April 2019. A value which is increasing by circa £19,000 per month. If sold the expectation is that the private sector would bring forward a housing and hotel development proposal in line with the BCP Local Plan categorisation for the site. The Grade II listing of the main building and the local listing of the annexe building would protect characteristics of the buildings.</p> <p>The proposal to disposal of Poole Civic Centre was considered by the cross-party strategic asset disposal working group on the 20 September 2024. The draft minutes of this meeting are presented as a confidential appendix to this report (Appendix C). The approved recommendation of the working group was as follows.</p> <ul style="list-style-type: none"> <li>a) <i>If Cabinet is so minded to dispose of the site, that it does so by way of an open process, marketing the site on the open market for a 2-3 month period of time;</i></li> <li>b) <i>Cabinet is provided with a detailed report of bids received to support them in their decision making which includes social, environmental and financial benefits."</i></li> </ul>
Recommendations	<p><b>It is RECOMMENDED that Cabinet recommend that Council:</b></p> <ul style="list-style-type: none"> <li><b>a) note the confidential draft minutes and the recommendations of the Cross-Party Asset Disposal Working Group meeting held on the 20 September 2024.</b></li> <li><b>b) Approve the disposal of the former civic centre in Poole on such terms to be approved by the Chief Financial Officer, also acting in his capacity as Corporate Property Officer, in consultation with the Portfolio Holder for Finance.</b></li> </ul>
Reason for recommendations	To obtain approval for the disposal of the former civic centre in Poole.

Portfolio Holder(s):	Cllr. Mike Cox, Portfolio Holder for Finance
Corporate Director	Adam Richens, Director of Finance
Report Authors	Adam Richens, Director of Finance <a href="mailto:adam.richens@bcpcouncil.gov.uk">adam.richens@bcpcouncil.gov.uk</a> Miles Phillips, Head of Estates <a href="mailto:miles.phillips@bcpcouncil.gov.uk">miles.phillips@bcpcouncil.gov.uk</a> Rebecca Bray, Senior Strategic Estates Manager <a href="mailto:rebecca.bray@bcpcouncil.gov.uk">rebecca.bray@bcpcouncil.gov.uk</a>
Wards	Parkstone
Classification	For Recommendation

## Background

1. Poole Civic Centre was the former head office location for Poole Council, prior to the 2019 Local Government Reorganisation (LGR) which created BCP Council. Following LGR the site was declared surplus with the consolidation and relocation of staff to the Bournemouth Civic Centre and subsequently now stands vacant.
2. Further to the approval of the BCP FuturePlaces Ltd business plan in June 2022 they brought forward an Outline Business Case for the Poole Civic Centre site to Cabinet in March 2023. This report recommended that Council commit to the development of a Full Business Case at an estimated cost of £1.061m. It also asked Council to agree that the needs of the Poole Charter Trustees will be accommodated within the redeveloped Poole Civic Centre and that a location for the Coroner's Service will be progressed by the council's Transformation Programme, Assets and Accommodation workstream.
3. The Outline Business Case was based on delivery of a hotel and residential development with the council taking the development and investment risk associated with a £46m boutique hotel with part of the funding coming from the sale of residual land for residential development once the master plan had been completed.
4. Comprehensive discussion took place at Council who made the following resolution.
  - a) not to move the project to Full Business Case stage and not to commit costs estimated at £1.061m at that time. Instead to pause this project for further consideration of the Outline Business Case for the former Poole Civic Centre site as set out in Appendix A to that report and further consideration of the potential costs and benefits of the options contained therein, by the next administration of this Council following the forthcoming May 2023 elections.
  - b) agrees that a permanent home for Poole Charter Trustees will be accommodated within the Poole Civic Centre building, utilising established historic Mayoral rooms within the redeveloped Poole Civic Centre; and

- c) that a location for the Coroner's Service will be progressed by the Council's Transformation Programme – Assets and Accommodation Workstream.
5. Following the May 2023 local elections the decision was taken via “The future of BCP FuturePlaces Ltd, investment and development” report to Cabinet in September 2023 to close BCP FuturePlaces Ltd. The report also set out that following a review of the Future Places projects, the Estates Team should progress the sale of the Poole Civic Centre site and therefore the report sought to obtain council approval to disposal of the former civic offices in Poole.
  6. Following a robust discussion Cabinet did not support the recommendation regarding Poole Civic Centre and instead supported the recommendation from the Corporate and Community Overview and Scrutiny Committee to defer the decision with a report being brought back in 2024. This deferral would enable all councillors to fully understand the options for the Poole Civic Centre particularly around leasehold and freehold option and to address issues associated around that part of the building referred to as “the vertical slice” which was the element previously earmarked for the Charter Trustees.
  7. Details of the site are set out in confidential **Appendix A**. The Civic Centre was built in the 1930s and extended in the 1980s. Accommodation is over three storeys, and the building was Grade II listed in 2019. The Civic Centre Annexe dates from the 1960s and is locally listed. The BCP Local Plan categorises of the site is for a housing and hotel development.

#### **Principles developed by the Cross-Party Strategic Asset Disposal Working Group**

8. Through a series of meetings across March, April, and June 2023 the cross-party strategic asset disposal working group developed a series of principles to be applied to determine future asset disposals. These principles, which were subsequently endorsed by Cabinet on the 26 July 2023, can be set out as follows.

**Principle 1:** We will ensure sufficient assets disposals are secured to enable the councils Transformation Programme costs to be fully funded by the Flexible Use of Capital Receipts. This will require disposal of assets where completion can be guaranteed by the 31 March of the relevant financial year and to the required amount.

**Principle 2:** Pursuant with s123 of the Local Government Act 1972, we will ensure Best Value is achieved in respect of any asset disposal by ensuring the value achieves the red book valuation as a minimum. We will also consider the use of overage clauses, where appropriate, to benefit from any future uplift in value.

**Principle 3:** We will constantly challenge ourselves as to the basis for holding any asset to ensure our portfolio is managed in an efficient and effective way. Holding costs and ability to reduce carbon footprint will be salient factors.

**Principle 4:** We will look to dispose of surplus, under-used, vacant land & buildings unless there is a strong strategic rationale for holding them for example - support future service delivery, regeneration, housing, or place making.

**Principle 5:** Provided consistent with other principles, we will support the acquisition of assets by community organisations and other public sector bodies such as Town and Parish Councils.

**Principle 6:** Estates Team capacity will be focused on the delivery of the required asset disposals.

9. The Council has spent £2.5m in operating costs associated with Poole Civic Centre since April 2019. This amount is set out in detail figure 1 below and means that approximately £19,000 is currently being spent per month in holding costs associated with civic centre.

<b>Year</b>	<b>£</b>
2019/20	690,364
2020/21	629,007
2021/22	647,251
2022/23	346,075
2023/24	222,091
<b>Total</b>	<b>2,534,788</b>

10. The application of these principles, particularly principle 4, means the council should now be looking to dispose of the former civic centre in Poole. This is also supported by the councils Asset Management Strategy which emphasises that the council should constantly challenge itself as to the basis for holding any asset to ensure its portfolio is managed in an efficient and effective way. It should reflect on the cost to the public purse of holding assets and should dispose of surplus, under-used, vacant land, and buildings.

#### **Conditions associated with any disposal.**

11. In considering the disposal of this asset there are several factors which need to be resolved including: -

- **Long leasehold or freehold.**

To maximise interest in the sale and to maximise the capital receipt the advice would be a freehold sale. This would transfer the entirety of the site to the buyer.

As an alternative the freehold sale could be made conditional based on matters such as planning permission.

It is also possible in a freehold sale to agree for a share of any increase in value of the land generated by the development through an overage agreement.

The alternative would be a sale by way of grant of a development lease that would enable the council to retain an element of control through the need for the lessee to obtain advance approval of planning applications and the ability to restrict the proposed use. It will also ensure that the site is developed out by the purchaser.

A freehold sale would generate more interest from developers/investors than a leasehold sale. A leasehold sale impacts on the marketability of the property for several reasons such as the lease terms, length, restrictions and requirements for freeholder consent, whereas a freehold sale gives the purchaser total control. Stronger demand leads to a higher level of competitive bidding and improved bid levels.

***Recommended option would be a freehold disposal with an overage agreement.***

- **Whole site or subdivided into small plots.**

The site can be sold as a whole, or sub divided into plots e.g. the Civic Centre Annexe could be sold separate to the remainder of the site. The car park(s) could be retained as income generating assets.

***This will be considered as part of the soft market testing and valuation to ensure overall maximum benefit to the council.***

- **Sold as seen or sold subject to planning conditions.**

Sold as seen is the quickest route to the delivery of a capital receipt and the quickest route to avoiding ongoing holding costs and ownership risks. A sale subject to planning is likely to generate a higher receipt value but the risk of the planning process sits with the council. Our experience with some long-standing sales, such as the Southbourne Crossroad's site indicates the complexities of a sale subject to planning.

This route would also delay the capital receipt as, unless and until an acceptable planning permission is obtained, the buyer does not pay the balance of the purchase price.

***Recommended option sold as seen.***

12. The due diligence associated with the valuation process will determine the detail of the overage clauses relating to future developments on the site to be included in the sales contract.

#### **Assets and Accommodation workstream update – Coroners Service**

13. As part of the original plans for establishing a single civic administrative headquarters for BCP Council in the former Bournemouth Town Hall, it was acknowledged that it would be preferable to resolve long standing concerns over the use of the building by the coroner's service. The service is jointly provided by Dorset Council and BCP Council, with BCP Council hosting the service and providing its accommodation. The costs of operating the service are divided between Dorset Council and BCP Council in accordance with a population-based formula.
14. The use of BCP Civic Centre for accommodating the Coroner's service has presented several challenges, principally related to providing appropriately sized courts and ancillary rooms for larger inquests. In addition, existing accommodation in the west wing of BCP Civic Centre creates tensions between the formal and sombre nature of inquest proceedings taking place alongside other commercial uses of the building e.g., wedding ceremonies. These very different purposes would ideally be provided for in separate locations.
15. Initially, in 2021 it was planned to relocate the Coroner's service to a retained slice of the Poole Civic Centre, to be jointly occupied with the Poole Charter Trustees, making use of the civic spaces previously used for council civic use. The March 2023 report highlighted that neither the BCP Civic Centre nor the BCP Civic Centre Annexe, which had been used as a temporary home for larger jury inquests, was considered ideal. Therefore, the report highlighted it would be necessary to consider an alternative plan for accommodating the Coroner's service in the future whether that was retaining the service in the BCP Civic campus or at a location elsewhere. Via the March 2023 report Council requested the Transformation programme, as part of its Assets and Accommodation Workstream to find an appropriate solution.

16. As a result of the Council recommendation the focus has moved to opportunities that may exist to accommodate the coroners service within the council's wider estate, and consideration is currently being given to a vacant retail unit at Parkway House in Bournemouth Town Centre. This would provide the coroner's service with an independent and accessible new home, fit for purpose for the future of the service. The costs of delivering this option are currently being considered. If it is not possible to progress this option, it is anticipated that alternative options will need to be identified including retaining the coroner service within the BCP Civic Centre with appropriate modifications to accommodation as appropriate.

### **Poole Charter Trustees**

17. Before considering progressing with this report engagement has taken place with Poole Charter Trustees to determine if there were any acceptable alternatives to using the vertical slice of Poole Civic Centre. This is on the basis the asset would be more attractive to potential purchasers without the inclusion of terms and conditions around the use of this space.
18. Via conversations with the Poole Charter Trustees Civic Working Group (PCTCWG) a tour was arranged for Poole Charter Trustees in July 2024 to consider the feasibility of using either the Guildhall which is in BCP Council ownership or the Old Boat House on Poole Quay which is privately owned. At a meeting of the PCPCWG on the 13 August the charter trustees expressed a preference for the use of the Guildhall and based on assurance around the use of this location agreed that the recommendation of this report to sell Poole Civic Centre should proceed through the Democratic process.
19. It should be highlighted that the use of the Guildhall by Poole Charter report will have a knock-on impact on the buildings use by the Registrars service, but these will be addressed using alternative locations such as Poole Library and greater harmonisation of the service across the BCP area.
20. The work on the Guildhall to ensure it is fit for purpose to use as a base of the Poole Charter Trustees will be funded from the capital receipt generated from selling Poole Civic Centre.

### **Options Appraisal**

21. Cabinet on the 8 March 2023, and Council on 21 March 2023, considered an Outline Business Case (OBC) from BCP FuturePlaces Ltd. The recommended option within the OBC was to convert the Civic Building into a boutique hotel and produce a reference masterplan for the remaining site area to be disposed for residential development. The masterplan would identify how the sites may be separated for independent disposal.
22. The recommended delivery option was to build out the hotel, working with a procured operating partner. Planning consent for residential development for the remainder of the site would be obtained and then sold to the developer market. This option needed funding of about £46m funded using Public Works Loan Board borrowing, provide a capital receipt of £18,964,628 and incur a net cost to the Council's revenue account of £21,304 relating to the servicing of borrowing during the construction phase of the hotel and prior to its sale. Council agreed to pay £250k for the work undertaken to produce the OBC but decided to defer the decision to move to the project to Full Business Case stage which was forecast to cost £1.061m.

23. Previously the outline business case work considered the following options.
- (a) Do nothing (Option 1)
  - (b) Do the minimum (Option 2) - retain the car park fronting Commercial Road, possibly for the hotel, and the multi storey car park for future development of the remainder of the site
  - (c) Do something (Option 3) – convert Civic Centre to Coroners Court with remainder as flats.
  - (d) Do something Option (4) Convert Civic Centre to hotel.
  - (e) Do Something (Option 4a) convert Civic Centre to hotel, with remaining campus sites packaged and disposed prior to planning consent.
  - (f) Do Something (Option 4b) convert Civic Centre to hotel, remainder of campus reference master planned development (subject to a masterplan/design code and development brief).
  - (g) Do Something (Option 5) market the whole site for sale.
  - (h) Do Something (Option 6) market the hotel site for sale to an operator, parcel the remaining land into smaller plots for sale.
  - (i) Do Something (Option 7) – convert Civic Centre building to residential.
24. The BCP FuturePlaces Ltd Outline Business Case was also considered by the Place Overview and Scrutiny Committee on the 2 February 2023.

#### **Summary of financial implications**

25. The current estimated value is included in confidential Appendix A. This value will be subject to an independent RICS Red Book valuation to determine an updated Market Value for the purposes of disposal. The Council will also look to offset any costs associated with the disposal from this capital receipt.

#### **Summary of legal implications**

26. The Council is empowered to sell land that it holds, and it may do so in any manner that it wishes. This is however subject to the proviso that the Secretary of State's consent is needed to any disposal which is considered not to be best value or is to be at an undervalue.
27. The council may therefore choose to sell the property freehold (unconditionally or subject to conditions) or may offer to grant a long leasehold (of sufficient duration to enable development).
28. The offer for sale of a leasehold interest or a freehold conditional on the grant of planning permission may enable greater control over the development if, for example, mechanisms are included to ensure approval of planning applications prior to submission to the council as Local Planning Authority.
29. The offer of a sale of a leasehold interest will place obligations on the purchaser to undertake the development of the site.
30. However, it should be noted that the terms on which the land/interest in the land is offered for sale will affect the valuation of the land (which will be undertaken in accordance with the RICS Red Book.)

31. Further it should be noted that steps will need to be taken to prepare the legal title for disposal. For example, it will be necessary to close the two surface car parks prior to the disposal of the land. The timings of such actions will depend on the interest which is being disposed of at the time.
32. CBRE have been appointed to act to dispose of this asset. They will deal with all expressions of interest received, negotiating heads of terms prior to acceptance of the offer. It is not possible to estimate a timescale for the marketing stage as it depends on the level of interest in the site.
33. It is only once an offer is accepted that instructions are issued for the lawyers to negotiate the formal contract & transfer. During this period the purchaser will also undertake searches and raise queries on the property which must be responded to.
34. The legal work can take at least 12 weeks from acceptance of an offer to reach contractual completion. Depending on the actions that the prospective purchaser needs to take, this timescale could be even longer and in many instances is not open to influence by the seller.
35. For these reasons it should be noted that it is not guaranteed that the capital receipt will be achieved in the 2024/2025 financial year.

#### **Summary of human resources implications**

36. There are no direct human resources implications of this decision.

#### **Summary of sustainability impact**

37. The Asset Management Plan recognises the estate should be sustainable and carbon neutral and will play a key role in the council achieving these targets. Disposal of surplus assets will reduce the council's carbon emissions.

#### **Summary of public health implications**

38. There are no direct public health implications associated with this decision.

#### **Summary of equality implications**

39. On the basis that a decision to close Poole Civic Offices and consolidate the staff into the Bournemouth site has already been made then this decision will not have any direct equality implications.

#### **Summary of risk assessment**

40. The key risk associated with the recommendation of this report is that prevailing economic conditions dampen demand for such sites and a disposal is not achieved.
41. The site itself has several specific risks, as set out in the BCP FuturePlaces Ltd outline business case. These include planning – change of use, conversion of listed building; title restrictions restricting the use of the site; tree retention; the cost of securing the fabric of the listed building - a building condition survey will be commissioned as part of the disposal process to inform costs.

#### **Background papers**

42. Council 21 March 2023  
BCP FuturePlaces Ltd – Outline Business Cases for Poole Civic Centre Buildings

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?CId=284&Mid=5033&Ver=4>

## **Appendices**

Appendix A **Confidential Appendix** – Poole Civic Centre Asset Details

Appendix B Site Plan

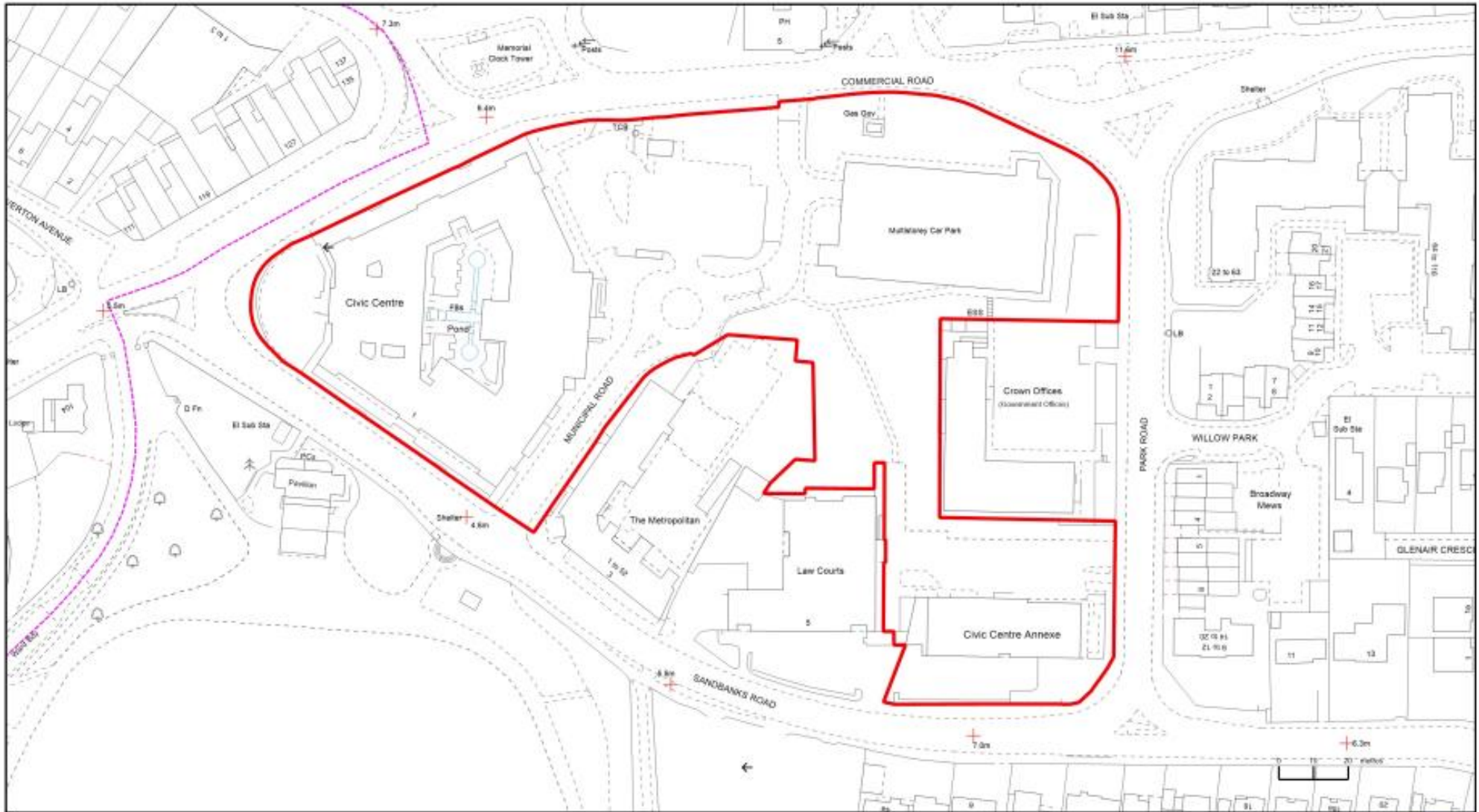
Appendix C **Confidential** Appendix – Draft minutes Cross Party Strategic Asset Disposal Working Group held on the 20 September 2024

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

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Plan - Poole Civic Centre Campus



Scale: 1:1500 @ A4  
Date: 04 February 2021  
Creator: Property and Estates

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OS 100000019829 BCP Council



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
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**CABINET**



Report subject	<b>Community Governance Review of BCP Council area</b>
Meeting date	2 October 2024
Status	Public Report
Executive summary	<p>A community governance review examines the governance arrangements of unparished areas and existing parishes within the area defined for review seeking to ensure that the arrangements are reflective of the identities and interests of the community in that area. This report proposes that in this case the area under review should include the whole of the BCP Council area.</p> <p>In undertaking the Review, BCP Council will comply with the requirements of Part 4 of the Local Government and Public Involvement in Health Act 2007 and other relevant legislation, and have regard to Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010.</p>
Recommendations	<p><b>It is RECOMMENDED to Council that:</b></p> <ul style="list-style-type: none"> <li><b>(a) a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007;</b></li> <li><b>(b) the timetable and Terms of Reference for the Review, as set out at Appendix 1 to this report, be approved;</b></li> <li><b>(c) the Director of Law and Governance and Head of Democratic Services be authorised to take all necessary steps in relation to the Review;</b></li> <li><b>(d) a Working Group be appointed to consider the Review and make recommendations to the Council comprising a total of 10 councillors, with a composition as set out in paragraph 18 to this report.</b></li> </ul>
Reason for recommendations	To comply with the requirements of the Local Government and Public Involvement in Health Act 2007 to formally commence a community governance review.

Portfolio Holder(s):	Councillor Millie Earl (Leader of the Council)
Corporate Director	Graham Farrant (Chief Executive)
Report Authors	Richard Jones (Head of Democratic Services Officer)
Wards	Council-wide
Classification	For Recommendation

## Background

1. There are currently 5 parishes within Bournemouth, Christchurch and Poole, all of which have a parish council. In addition, two Charter Trustees exist for Bournemouth and Poole.
2. The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal district councils<sup>1</sup> to carry out community governance reviews and put in place or make changes to local community governance arrangements. Good practice suggests that principal councils should undertake periodic reviews of the parish arrangements every 10 to 15 years.
3. Informal enquiries have been made from individuals and groups in a number of localities, indicating a desire to register a statutory petition to commence a Community Governance Review if a full review is not undertaken. The receipt of a formal petition places an obligation on the council to undertake a review for that area.
4. Although a review was undertaken in Christchurch in 2017/18 ahead of local government reorganisation, a full review of the parish boundaries in Bournemouth and Poole, and the consequential changes to electoral arrangements, is long overdue. A full community governance review at this time also offers an opportunity to review all arrangements unconstrained by legacy areas, and to put in place strong, clearly defined boundaries, tied to firm ground features, and potentially remove any parish boundary anomalies that may exist.
5. The review will also allow for the arrangements in Poole and Bournemouth and the Charter Trustees to be reviewed. The Charter Trustees were established in 2019 to secure the continuation of the civic and ceremonial traditions of the Mayoralty.

## What is a Community Governance Review?

6. A Community Governance Review is a legal process whereby the Council will consult with those residing in the area, and other interested parties, on the most suitable ways of representing the people in the area identified in the review. This means making sure that those living in the area, and other interested groups, have a say in how their local communities are represented.

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<sup>1</sup> The Bournemouth, Dorset and Poole (Structural Changes) Order 2018 established Bournemouth, Christchurch and Poole Council as a district council

7. Section 93 of the 2007 Act allows principal councils to decide how to undertake a review, provided that it complies with certain duties in that Act including details set out relating to consultation, the need to ensure any proposals reflect the identities and interests of the community in that area and is effective and convenient. The Council has to publish its recommendations but the manner in which the Council consults with its residents is not prescribed.
8. A Review can consider one or more of the following options:
  - creating, merging, altering or abolishing parishes;
  - the naming of parishes, the style of new parishes and the creation local councils;
  - the electoral arrangements for parishes (for instance, the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding);
  - grouping parishes under a common parish council or de-grouping parishes (if they exist);
  - other types of local arrangements, including parish meetings.

### **The Review Procedure**

9. The former Department of Communities and Local Government and the Electoral Commission has produced guidance on community governance reviews. The Guidance states that over time, 'communities may expand with new housing developments' and that 'this can often lead to existing parish boundaries being anomalous'.
10. The Guidance also includes the recommendation that the principal council should consider the benefits of a review of the whole of the area and not in piecemeal fashion. Reviews must be completed within a year, starting with the Council publishing its Terms of Reference for the review. A draft Terms of Reference and an outline timescale for the Review is set out in Appendix 1.
11. The Council must as part of the review consult with local people and take into account any representations made in connection with the review. The review must ensure that the proposed community governance reflects the interests and identities of the community. It must also make certain that the arrangements are effective and convenient for the electors of that community.
12. There are active residents and community groups in most, if not all, parts of the district and it is clearly important that the review should also take these into account, especially if specific proposals are put forward by local people during the consultation stages of the review.
13. The Review may consider the creation, abolition, merging or altering of existing parish councils and any subsequent electoral arrangements. New parishes may be created as a result of the geography of an area, the make-up of the local community, or sense of identity. The Review should only consider the creation of new parishes in response to a specific proposal submitted during Stage 1 (initial submissions) of the Review. All parishes must fall within the existing district boundary.
14. Parishes may also wish to consider the alternative options with regard to parish naming. The 2007 Act allows for parish councils to become Town, Community, Neighbourhood or Village councils. A change to the parish name will impact on the title given to the councillors of that parish (i.e., parish councillor could change to village councillor).

15. Each parish council must have a minimum of 5 parish councillors but there is no maximum. Consideration may be given to reducing the number of parish councillors where any long standing vacancies remain unfilled.
16. Warding for larger parish and town councils may be considered for the practicalities and convenience of voting. The benefits of warding larger parishes include reduced costs for any by-elections, ballot papers of a more reasonable size which again will reduce costs but more importantly ease of voting for the elector. When warding parishes, careful consideration must be given to the allocation of councillors for each parish ward to guarantee good representation to all parishioners.
17. Once approved by the Council, the terms of reference for the review must be published. If any modifications are subsequently made to the terms of reference, these must also be published.
18. It is proposed to establish a politically balanced Task and Finish Group comprising 10 members to consider the Review and make recommendations to the Council. Based on 10 members, the composition of the Group would be 4 Liberal Democrats, 2 Conservatives, 1 Labour, 1 Christchurch Independent, 1 Green and 1 Poole People.

### **Implementation of Review Outcome**

19. To implement the outcome of the Review, the Council will be required to draw up a series Re-organisation Orders with accompanying maps, and widely publish these changes.
20. The Orders will include implementation dates, electoral arrangements as well as the potential transfer of assets. Depending upon the complexity of the proposals, this may have a resource implication for services, including but not exclusively legal, estates, HR, electoral services and GIS.
21. In addition, the establishment of new parishes will impact upon other services across the council, including finance, council tax, planning, highways, electoral services, and the monitoring officer responsibilities.

### **Timetable**

22. The timetable in Appendix 1 is on the basis that the review commences in October 2024.

### **Resource Implications**

23. A Community Governance Review is difficult to predict in terms of required manpower resource. There are clear decision points and controllable activities within the timetable (such as preparatory work, drafting consultation documents and writing reports). However, the nature and volume of the initial submissions (Stage One) could have a significant impact on the resource demand of the later stages. For example, if large scale boundary changes are recommended with households changing from one parish area to another, each household may require targeted consultation.
24. Experience from previous reviews undertaken by the former councils and other authorities supports the unpredictable demand on resources, with time allocation varying dramatically from 6 support weeks for small reviews, through to the employment of full-time equivalents and consultants.

25. It is anticipated that the review for the whole of the area will require additional resources to be drawn from democratic services, legal, communications, consultation and engagement and potential targeted engagement, including printing and postage.
26. The staged process for the review means that there will be peaks and troughs in work demand, making the engagement of temporary staff impracticable. There are clear advantages, in terms of maintaining continuity, consistency in processes and reduced management overheads, to having a fixed team undertaking and overseeing the whole review process.
27. It is proposed that the Head of Democratic Services will oversee the review and ensure that all tasks are completed as necessary. Additional resources will be drawn on, as necessary to ensure that the project runs to schedule. The project sponsor will be the Director of Law and Governance and Monitoring Officer.

### **Funding**

28. An analysis of the anticipated demands on services has been undertaken and allowing for unknown items via a contingency provision, it would be prudent to allocate £100,000 to fund stages one to four as set out in the terms of reference and timetable (Appendix 1) of the review process. This funding will be met by the Transformation Investment Programme.
29. A separate application and funding strategy for additional resources will need to be established to meet the post review stages of this project. At this stage it would be unreliable to estimate this value as it is very much dependent on the outcome of the first four stages.

### **Options Appraisal**

30. Undertaking a Community Governance Review is not mandatory but good practice recommends a periodic review is undertaken every 10 to 15 years. The Council therefore has a number of options.

#### **Do Nothing**

31. The Council could decide not to commence a full Community Governance Review at this time, however, it is anticipated that a number of localities will pursue the submission of a statutory petition which will require the Council to commence a review. The same process is required but this could result in multiple reviews being undertaken at staggered stages which would be extremely complex.

#### **Limit the Review to only Bournemouth and Poole**

32. Although, there is some merit in limiting the review area, this would remove the ability of the existing councils and residents of the existing parishes in the Christchurch area from suggesting changes. The review in 2017/18 was constrained by the boundaries at that time and there may be beneficial electoral arrangement changes.

#### **Full Area Review**

33. A full review of the whole of the BCP Council area allows for all interested parties to make proposals for change and is considered the most inclusive option. There is no requirement to make any changes to existing areas that are parished but this option would not exclude suggestions being submitted for consideration.

### **Summary of financial implications**

34. As stated in the report, it is difficult to predict the resource implications of a Community Governance Review, however, the assumptions made in this report have been informed following discussions with relevant services and drawing upon previous experiences. There is a risk that the allocated resource may be insufficient but this will be closely monitored and highlighted where necessary.

### **Summary of legal implications**

35. The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local community governance arrangements. The Community Governance Review will be undertaken in accordance with this Act and published guidance.

### **Summary of human resources implications**

36. There are no direct human resource implications arising from this report, however, the review may include the transfer of assets and services to new or existing parish and town councils. Depending upon the scale of any such changes, these may require the transfer of BCP Council staff under the TUPE regulations. These will be considered at the latter stages of the review.

### **Summary of sustainability impact**

37. There are no direct sustainability impacts arising from this report.

### **Summary of public health implications**

38. There are no public health implications arising from this report.

### **Summary of equality implications**

39. The Community Governance Review will be undertaken in compliance with guidance relating to equality duties. Any consultation and engagement will include appropriate accessible channels.

### **Summary of risk assessment**

40. As stated in the report, it is difficult to predict the resource implications of a Community Governance Review. There is a risk that existing resources will be insufficient to deliver the review. The sum of £100,000 has been allocated as a contingency.

### **Background papers**

Published works

### **Appendices**

Appendix 1 – Community Governance Review Terms of Reference and Timetable

## **BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**

### **Review of Community Governance Arrangements within the Bournemouth, Christchurch and Poole area**

#### **Terms of Reference**

##### **Introduction**

Bournemouth, Christchurch and Poole Council is conducting a Community Governance Review of the whole of the Bournemouth, Christchurch and Poole Local Authority area in accordance with Part 4 Chapter 3 of the Local Government and Public Involvement in Health Act 2007. The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State. This guidance was considered when drawing up the Terms of Reference (TOR).

##### **What is a Community Governance Review?**

A Community Governance Review offers the opportunity to put in place strong, clearly defined boundaries, tied to firm ground features and to remove any anomalous parish boundaries. It can take place for the whole or part of the District to consider one or more of the following:-

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of new parishes;
- The electoral arrangements for parishes (the ordinary year of election; council size, the number of councillors to be elected to the council, and parish warding); and
- Grouping parishes under a common parish council or de-grouping parishes.

The Council is required to ensure that community governance within the area under review will be reflective of the identities and interests of the community in that area; and is effective and convenient.

In doing so the community governance review is required to take into account:-

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

The aim of the review is to consider and bring about improved community engagement, better local democracy and efficient, more effective and convenient delivery of local services and ensure electors across the whole District will be treated equitably and fairly.

##### **Why undertake this Community Governance Review**

This review is taking place partly in response to informal calls for a review of parish arrangements across the Bournemouth, Christchurch and Poole area and partly as it is overdue. Government guidance advises that a review should be undertaken every 10–15 years and there has been no full review of majority of the area within this period.

The Council believes that parish councils could play an important role in terms of community empowerment at the local level and wants to ensure that parish governance within the District is robust, representative and enabled to meet new challenges. Furthermore, it wants to ensure that there is clarity and transparency to

the areas that parish councils represent and that the electoral arrangements of parishes – the warding arrangements and the allocations of councillors – are appropriate, equitable and readily understood by their electorate.

### **Areas to be reviewed**

The Community Governance Review includes the whole of Bournemouth, Christchurch and Poole Council area.

### **Who will undertake the Review?**

Bournemouth, Christchurch and Poole Council is responsible for conducting the review. The Council has established a task and finish group which will be responsible for making both draft and final recommendations during the process. In coming to its recommendation in the Review, the Council will need to take account of the views of local people. A full consultation process will form part of the Review to ensure that the views of local people are captured.

The Council will publicise the review by displaying a notice at the Civic Offices, placing articles on the Council's website, via social media channels and other appropriate routes. The Council will also write to all existing parish and town councils, the Dorset Association of Town and Parish Councils, Councillors, the MPs, and neighbouring councils.

The Council will be required to approve the final recommendations prior to the Community Governance Order being made.

### **Timetable for the review**

A timetable for the review is attached herewith. The programme and timeline may be adjusted after representations have been received by local people and interested bodies in response to the initial public consultation. This will allow the Council a degree of flexibility in the interests of ensuring that it manages the review process efficiently. Any adjustments to the programme and timetable will be approved by the Council and published on its website.

### **Electorate forecasts for the District**

The Review will be conducted using electoral data taken from the September 2024 electoral register.

When the Council comes to consider the electoral arrangements of the parishes in its area, it is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts. Electorate forecasts will be prepared by the Council using extant planning permissions and the Local Plan to project the five-year electorate forecast.

These forecasts will be made available to all interested parties as early as possible in the review process in accordance with the government's guidance so that they are available to all who may wish to make representations.

### **Representations**

Bournemouth, Christchurch and Poole Council welcomes representations from any person or body who may wish to comment or make proposals on any aspect of the matters under review. Representations should be submitted via the Council's website at [www.bcpccouncil.gov.uk/CGR](http://www.bcpccouncil.gov.uk/CGR), by email to [cgr@bcpccouncil.gov.uk](mailto:cgr@bcpccouncil.gov.uk) or in writing addressed to: Head of Democratic Services (CGR), Civic Centre, Bourne Avenue, Bournemouth BH2 6DY.

All initial representations must be made by 19 January 2025.

The Council will consult with the local government electors for the area under review and any other person or body who appears to have an interest in the Review and take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007.

All representations received will be published, as will the reasons for accepting or rejecting any such representations. In accordance with the Act, representations received in connection with the Review will be taken into account, and steps will be taken to notify consultees of the outcome of the Review.

**How will the results be disseminated?**

The Council will publish full details on the Council's website; press releases will be issued at key points and key documents will be on deposit at the civic offices.

This Review is deemed to have commenced on the date of this Notice

Dated XX October 2024

## BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL

### Community Governance Review 2024/25

#### Programme and Timetable

Stage	Date/Timeline	Timescale	Outline of Activity
Commencement	Council 15/10/2024		Approval of Terms of Reference and timetable
	16/10/2024		Publication of Notice and Terms of Reference and Stakeholder Notification of commencement of the review.
Preliminary Stage	21/10/2024 to 15/11/2024	4 weeks	Offer of local briefings and meetings with stakeholders
Stage One – Invite initial submissions	25/11/2024 to 19/01/2025	8 weeks	Initial submissions invited Consultation/Representations. Consultation with stakeholders
Stage Two – Consider submissions	20/01/2025 to 21/02/2025  Cabinet * 05/03/2025  Council 25/03/2025	5 weeks	Consideration of submissions received – draft recommendations prepared  * consider volume and whether special Cabinet is required prior to Council (25/03/2025)
Stage Three – Publish Draft Recommendations	31/03/2025 to 22/06/2025	12 weeks	Publish draft recommendations for further consultation.
Stage Four – Final Recommendations	23/06/2025 to 29/08/2025  Cabinet 01/10/2025  Council 14/10/2025	10 weeks	Consideration of further submissions received and prepare final recommendations  Final recommendations published – concluding review  Cabinet required to consider recommendations  Council resolves to make a Reorganisation Order
Implementation	01/05/2026 (Elections)		Effective date of any changes to parish/town boundaries and electoral arrangements

**CABINET**



Report subject	<b>Council Owned Companies Shareholder Governance Review</b>
Meeting date	2 October 2024
Status	Public
Executive summary	<p>This report sets out the action taken following the reports to Audit &amp; Governance Committee on 11 January 2024, and to Cabinet on 10 January 2024, advising on the lessons learnt from a governance perspective following the closure of the Council's Urban Regeneration Company – BCP Future Places. These reports recommended changes designed to provide a clearer understanding of the respective roles, decision-making arrangements and improved accountability for council owned companies.</p> <p>In response to the recommendations from both Audit &amp; Governance Committee and Cabinet this report now sets out the detailed governance framework proposed by BCP Council via the establishment of the Shareholder Advisory Board and the Shareholder Operations Board together with supporting Guidance for Councillors and Officers appointed to Outside Bodies.</p> <p>A further report providing an update following a review of the existing Council owned companies on their effectiveness will be presented to a future meeting of Cabinet.</p> <p>It is also noted that in line with the governance framework initially approved by Audit &amp; Governance Committee and Cabinet in January 2024, BCP Councillors currently appointed to council owned companies will be removed and replaced with Officer appointments. Further details about these arrangements will be detailed in a further report to Cabinet.</p>
Recommendations	<p><b>It is RECOMMENDED that Cabinet:</b></p> <p><b>Notes the establishment of the Shareholder Advisory Board and the Shareholder Operations Board.</b></p> <p><b>Cabinet RECOMMENDS that Council:</b></p> <ul style="list-style-type: none"> <li><b>(a) Approve the Shareholder Advisory Board and Shareholder Operations Board Governance Framework for inclusion in the Council's Constitution;</b></li> <li><b>(b) Approve the Guidance to Councillors and Officers</b></li> </ul>

	<p><b>Appointed to Outside Bodies for inclusion in the Council’s Constitution; and</b></p> <p><b>(c) Delegate authority to the Monitoring Officer to take all steps necessary to ensure the Council’s Constitution remains up to date in respect of these documents</b></p>
Reason for recommendations	To ensure that all Council owned companies operate within effective and transparent governance.
Portfolio Holder(s):	Councillor M Earl, Leader of the Council and Portfolio Holder Councillor J Hanna, Cabinet Member for Transformation, Resources and Governance
Corporate Director	Graham Farrant, Chief Executive
Report Authors	Janie Berry, Director of Law & Governance and Monitoring Officer
Wards	Council-wide
Classification	For Information and recommendation

## Background

1. This report builds upon the best practice guidance and high-level framework shared with the Audit & Governance Committee and Cabinet respectively in January 2024. These aforementioned reports made provision for the establishment of a Shareholder Advisory Board and a Shareholder Operations Board which together will deliver a robust governance framework for the Council’s management of its companies. To support this, governance frameworks have been drafted for inclusion in the Constitution.

## Establishment of the Shareholder Advisory Board and the Shareholder Operations Board

2. A Shareholder Advisory Board has been established with the following remit:
  - To formulate policy direction for Council companies prior to formal consideration and adoption by Cabinet;
  - To consider proposals from the Shareholder Operations Board for council company creation, liquidation, disposal and acquisition, appointment of directors, annual business plan, governance and financing; and
  - To receive and consider reports on company performance
3. The Shareholder Advisory Board will not have day to day operational control over any of the companies of which the Council is a shareholder.

It is proposed that the core membership of the Shareholder Advisory Board will be:

- Leader of the Council – Portfolio Lead (Chair of the Board)
  - Cabinet Member for Finance
  - Cabinet Member for Transformation, Resources & Governance
  - Chief Executive
  - Chief Operations Officer
  - Director of Finance or Deputy
  - Director of Law and Governance or Deputy
  - Corporate Director of Wellbeing
  - Corporate Director of Children's Services
4. Other Portfolio Holders, Officers and Portfolio Leads may be invited to attend specifically for items that fall within their remit, present reports, or otherwise support the meeting as required.
  5. A Shareholder Operations Board has been established to report to the Shareholder Advisory Board. This is an Officer Board which will have the responsibility of
    - Supporting the Shareholder Advisory Board;
    - to oversee the implementation of decisions by Cabinet concerning council companies;
    - to oversee commissioning of work from council companies
    - to oversee the due diligence upon and validation of the business plan received from council companies prior to presentation to the Shareholder Advisory Board
    - to oversee funding arrangements for council companies
    - to oversee the performance of council companies and ensure they meet the council's objectives and priorities
  6. The membership of the Shareholder Operations Board is proposed to be:
    - Chief Executive (Shareholder representative)
    - Chief Operations Officer
    - Director of Finance or Deputy
    - Director of Law and Governance or Deputy
    - Corporate Director of Wellbeing
    - Corporate Director of Children's Services
  7. To support the work of the Shareholder Advisory Board and the Shareholder Operations Board, supporting governance documents have been prepared with the intention that these are included within the Council's Constitution and thereafter remain under review by the Monitoring Officer.
  8. The Shareholder Advisory Board and Shareholder Operations Board Governance Framework [see Appendix 1] has been prepared to add substantial detail to the

high-level framework approved in January 2024. This document sets out the roles and responsibilities for the respective Boards, the functions of the Council as a shareholder as set out in the Companies Act 2006 for TECKAL and Non TECKAL companies and provides clarity of the role of the Link Officers who have the day to day engagement with council owned companies and how they are effective on holding those companies to account to meet the council's objectives and priorities.

9. Alongside this Governance Framework, Guidance has also been produced from an ethical governance perspective to provide support to both Councillors and Officers who are appointed to Outside Bodies. The aim of this document is to provide assistance in respect of potential conflict of interest issues, legal responsibilities and liabilities, insurance and indemnity and clarity as to the role of a Director once appointed. The Guidance also offers assistance in respect of appointments to trusts and charities and other bodies. This Guidance appears at Appendix 2 of this report.
10. It is also accepted that all Officers appointed as directors to council owned companies will also require training in respect of their roles and responsibilities so as to ensure they do not fall foul of the Companies Act 2006, implied and or express duties of confidentiality, good faith or fiduciary duties as may arise.

### **Review of BCP Council owned companies**

11. Alongside the development of the governance framework, a review of the existing council owned companies is being undertaken to ensure they are still fit for purpose and continue to meet the best interest of the council. It had been hoped to provide the detailed review of council owned companies in this report in line with the recommendation by Cabinet in January 2024. However this has not proved possible and details of the review will be detailed in a future report to Cabinet alongside the review of those appointed as Directors to council owned companies as detailed below.
12. The Council has the following companies:
  - BCP FuturePlaces Limited -this is in the process of being closed down with Companies House
  - Aspire Adoption Limited – this is in the process of being closed down with Companies House
  - Bournemouth Development Company LLP (a 50:50 partnership between BCP Council and Community Solutions for Regeneration (Bournemouth) Limited – a subsidiary of Muse Places Ltd, a Morgan Sindall Group company)
  - Bournemouth Building & Maintenance Limited
  - Seascope Group Limited (including its subsidiaries Seascope South Limited and Seascope Homes and Property Limited)
  - Tricuro Ltd and Tricuro Support Limited

### **Appointment of Directors to Council owned companies**

13. The framework approved by Audit & Governance Committee and Cabinet in January 2024, advised that BCP Councillors would no longer be appointed to the Boards of council owned companies. There are a number of Councillors currently appointed to the Boards of council owned companies and the adoption of this revised governance framework will result in those Councillor appointments being terminated and replaced with suitably skilled officers nominated by the Chief Executive. In order to

replace the BCP Councillors with Officers, the Articles of Association for each company will need to be reviewed and therefore it is proposed that an update on these appointments will be provided in a future report to Cabinet.

14. The current appointments are as follows:

Seascope Group Limited Company No: 08743462	Cllr D'Orton Gibson Cllr Earl Cllr V Slade
Seascope South Limited Company No:09364688	Cllr Sidaway Cllr K Wilson
Seascope Homes and Property Limited Company No:10030233	Cllr Northover Cllr K Wilson
Bournemouth Building and Maintenance Limited Company No: 08737094	Cllr McCormack Cllr K Wilson
Tricuro Limited and Tricuro Support Limited	Cllr Bartlett Cllr D Brown Cllr Canavan Cllr Cox Cllr J Salmon
Bournemouth Development Company LLP (a 50:50 partnership between BCP Council and Community Solutions for Regeneration (Bournemouth) Limited – a subsidiary of Muse Places Ltd, a Morgan Sindall Group company)	Cllr D'Orton Gibson Cllr Howell

### Options Appraisal

15. An options appraisal is not applicable for this report, as it recommends the Council continue to follow best practice guidance.

### Summary of financial implications

16. Adopting effective and transparent governance structures and processes for Council-owned companies will ensure that risk management is sufficiently robust, that companies remain strategically aligned to Council priorities, focus is aimed at delivering real benefits whilst providing value for money, and annual business plans are subject to rigorous consideration prior to approval, with projects supported by robust, comprehensive, and credible business cases.

### **Summary of legal implications**

17. An effective and transparent governance process for Council-owned companies will ensure appropriate Council oversight, audit, risk management, scrutiny and decision-making arrangements are in place.
18. The Council must provide specific training to officers who are to be appointed as company directors to ensure they are equipped with the necessary skills and knowledge to undertake their roles and comply with the duties of the Companies Act 2006.
19. Shareholder activity is a reserved function for the Cabinet however Council's approval is sought to amend the constitution as detailed within the body of the report.

### **Summary of human resources implications**

20. The Council will provide specific training to officers who are to be appointed as Company Directors to ensure they are equipped with the necessary skills and knowledge.

### **Summary of sustainability impact**

21. There are no direct sustainability impact implications arising from this report.

### **Summary of public health implications**

22. There are no direct public health implications arising from this report.

### **Summary of equality implications**

23. There are no direct equality implications arising from this report.

### **Summary of risk assessment**

24. Failure to have appropriate and effective governance for Council owned companies which ensures accountable and transparent processes are in place puts the Council at risk of challenge.

### **Background papers**

Agenda, Report and Minutes - Audit & Governance Committee – 11 January 2024

Agenda, Report and Minutes – Cabinet 10 January 2024

Council Constitution

### **Appendices**

Appendix 1 – Shareholder Advisory Board and Shareholder Operations Board Governance Framework

Appendix 2 – Guidance to Councillors and Officers Appointed to Outside Bodies



# **BCP Council Constitution**

## **Shareholder Advisory Board and the Shareholder Operations Board Governance Framework**

September 2024

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# Purpose

1.1 The Shareholder Advisory Board has been established specifically to discharge the shareholder functions of the Council, in relation to those companies of which the Council is a shareholder.

The Shareholder Operations Board has been established to provide strategic management of the Council companies and will advise and make recommendations to the Shareholder Advisory Board.

The SAB and SOB have been established to advise on the activities of all Council companies as defined in section 1.5 below.

1.2 The shareholder in this context is always the Chief Executive of BCP Council or BCP Council, not the members of the Shareholder Advisory Board themselves, or any Directors appointed to represent the Council on the boards of these companies.

1.3 The Shareholder Advisory Board does not have day-to-day operational control over any of the companies of which the Council is a shareholder. It is the responsibility of the Shareholder Advisory Board to:

- formulate policy direction for Council companies prior to formal consideration and adoption by Cabinet, including
- to consider proposals from the Shareholder Operations Board for the creation, liquidation, disposal and acquisition, appointment of directors, annual business plan, governance and financing; of any Council company noting that some of these functions may require Cabinet approval and
- to receive and consider reports on company performance.

The Shareholder Operations Board has the following responsibilities:

- To support the Shareholder Advisory Board;
- To oversee the implementation of decision by Cabinet concerning Council Companies;
- To oversee the commissioning of work from Council Companies;
- To oversee the due diligence upon and validation of the business plan received from Council companies prior to presentation to the Shareholder Advisory Board;
- To oversee funding arrangements for Council companies;
- To oversee the performance of Council companies.

1.4 All decisions regarding the day-to-day operation of each company are the responsibility of the Board of Directors of each company.

Each Board of Directors will include:

- a) “**Council Directors**” who for the purposes of this document are the non-executive (i.e., non-salaried) directors appointed by the Chief Executive in accordance with the Articles and/or Shareholder Agreement of the Company, to represent the Council on the Board of directors. This category will often (but not always) include the Chair of the Board of directors; and
- b) “**Non-Council Directors**” who for the purposes of this document include the executive (i.e., salaried) directors and the independent non-executive directors appointed by the Board. This category will include the Managing Director of the company.

In addition, the day-to-day liaison with the companies will be between the relevant client service of the Council and the Managing Director of each company.

1.5 There are two classifications of companies, which the Shareholder Advisory Board and the Shareholder Operations Board regularly deals with:

1.5.1 “*Teckal Companies*” – these are companies that meet all of the following three criteria:

- a) There is no direct private capital participation in the company; in other words, either:
  - i. the Council is the sole shareholder in the company; or
  - ii. the shareholders are made up exclusively of public sector bodies, including the Council.
- b) The Council (either acting as the sole shareholder, or together with the other public sector owners) exercises effective control over the company’s affairs; in other words, the same as the relationship between the Council (and the other public sector owners where applicable), and one of their internal directorates.

- c) The company must be inward not outward focussed; in other words, at least 80% of the activity of the company – that is, over 80% of its turnover – must be for the Council, and where applicable its other public sector owners.

1.5.2 “*Non-Teckal Companies*” – these are companies that fall outside the definition of a Teckal Company, as summarised above.

Due to their very nature, Teckal Companies require a much greater deal of oversight from the Shareholder Advisory Board and the Shareholder Operations Board than their NonTeckal counterparts do.

For clarification, BCP Councillors will not be appointed by BCP Council to Boards of Council Companies.

## Meetings of the Shareholder Advisory Board

2.1 The Shareholder Advisory Board and Shareholder Operations Board will hold the following Meetings each year, each for the following purpose:

Purpose of Meeting	Frequency of Meeting	Does this apply to Teckal Companies?	Does this apply to Non-Teckal Companies?

To receive annual reports and annual accounts from companies	Once per year	Yes	Yes
Performance Monitoring (subject to any alternative monitoring requirements set out within any Shareholder Agreement or contracts for goods/services/ works with the company)	Twice per year, as a minimum.	Yes	Yes (once per annum)

2.2 The Shareholders Advisory board will also consider, on a regular basis and at least every two years, the need for the continued operation of the Council company.

Any other Meetings of the Shareholder Advisory Board and the Shareholder Operations Board will be called as and when required to deal with company business.

2.3 Minutes, Notices and Agenda of Shareholder Advisory Board and the Shareholder Operations Board Meetings shall be sent to the respective Board members at least 5 working days prior to the Meeting. Administrative support to be given by the Executive Hub.

## Composition of the Shareholder Advisory Board

3.1 The Shareholder Advisory Board core membership is as follows:

- Leader of the Council (Chair of the Board)
- Cabinet Member for Finance
- Cabinet Member for Transformation, Resources & Governance
- Chief Executive
- Chief Operations Officer

- Director of Finance or Deputy
- Director of Law and Governance or Deputy
- Corporate Director of Wellbeing
- Corporate Director of Children's Services

Other Portfolio Holders, Officers and Portfolio Leads may be invited to attend specifically for items that fall within their remit, present reports, or otherwise support the meeting as required.

### 3.2 Composition of the Shareholder Operations Board

3.2.1 The Shareholder Operations Board is an officer only Board and its core membership is as follows:

- Chief Executive (Shareholder Representative)
- Chief Operations Officer
- Director of Finance or Deputy
- Director of Law and Governance or Deputy
- Corporate Director of Wellbeing
- Corporate Director of Children's Services

In respect of the Shareholder Advisory Board here must be a minimum attendance of at least one Councillor and one Corporate Director at each meeting, there is no provision for substitutes or deputies unless otherwise stated in the membership above.

In respect of the Shareholder Operations Board, there must be a minimum attendance of the Chief Executive or the Chief Operations Officer, plus the Director of Finance or their Deputy and the Director of Law & Governance or their Deputy. The Chief Executive will chair meetings of the Shareholder Operations Board.

Other Officers and Commissioning Teams may be invited to attend specifically for items that fall within their remit, present reports, or otherwise support the meeting as required.

3.3 A number of BCP Council Officers will have the specific responsibility for commissioning, transacting and day to day management of arrangements with the council company. For the purposes of this document these Officers will be referred to as “Link Officers” A Link Officer will be nominated for each company and will undertake the activities set out in Annex 1. The Link Officer in relation to each company will attend meetings of the Shareholder Advisory Board as and when required.

## **BCP Council responsibility as a Shareholder if its Council Companies**

4.1 Subject to any relevant overriding provisions contained in a company's Shareholder Agreement or within a company's Articles of Association, the Shareholder Advisory Board and the Shareholder Operations Board are collectively established to undertake all of the following functions of the Council as a shareholder under the Companies Act 2006 by:

	<b>Function</b>	<b>Teckal Companies</b>	<b>Non-Teckal Companies</b>
a)	acting as the owner or joint owner of the Council's companies;	✓	✓
b)	approving or making amendments to strategic or	✓	

	<b>Function</b>	<b>Teckal Companies</b>	<b>Non-Teckal Companies</b>
	business plans;		
c)	monitoring performance and financial delivery against strategic business plans;	✓	
d)	approving the acquisition of shares in another company;	✓	
e)	approving the establishment of subsidiary companies;	✓	
f)	approving the appointment or dismissal of any company Directors (including the Chair), which requires Shareholder consent under the Articles and/or Shareholder Agreement of the company;	✓	✓  In so far as it requires a resolution of the Council and any other shareholders of the company.

g)	determining and approving all matters relating to terms and conditions of company Directors which require Shareholder consent under the Articles and/or Shareholder Agreement of the company;	✓	✓  In so far as it requires a resolution of the Council and any other shareholders of the company.
h)	determining and approving all matters relating to the entering of any contracts with company Directors, other than as permitted under any service agreement the company may have with the Council;	✓	✓

	<b>Function</b>	<b>Teckal Companies</b>	<b>Non-Teckal Companies</b>
i)	determining and approving all matters relating to the employment of the senior management team of the company which require Shareholder consent under the Articles and/or Shareholder Agreement of the company;	✓	

j)	approving changes to share capital and the admission of additional shareholders;	✓	<p style="text-align: center;">✓</p> <p>In so far as that it relates to:</p> <ul style="list-style-type: none"> <li>• any instruction to the Directors to allot shares;</li> <li>• any increase in the authorised share capital of the company;</li> <li>• any reduction in the authorised share capital of the company;</li> <li>• any sub-division, consolidation, or redenomination shares;</li> <li>• variation of class rights attached to shares;</li> </ul>
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	Function	Teckal Companies	Non-Teckal Companies
			<ul style="list-style-type: none"> <li>• any purchase of shares by the company itself;</li> <li>• any alteration to the company's Articles of association relating to pre-emption rights, or relating to the shares of the company; or</li> <li>• any disapplication of pre-emption rights,</li> </ul> <p>or any other matter that requires a resolution of the Council and any other shareholders of the company by law or otherwise.</p>

k)	approving disposals of assets valued under £500,000;	✓	<p>✓</p> <p>In so far as it relates to a Substantial Property Transaction (as defined in the Companies Act 2006) with one of the Directors (or a connected person of that Director), and therefore requires a resolution of the Council and the other members of the company.</p>
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	Function	Teckal Companies	Non-Teckal Companies
	approving borrowing up to £100,000;	✓	<p>✓</p> <p>In so far as the financial assistance being sought is:</p> <ul style="list-style-type: none"> <li>• by one of the Directors, or</li> <li>• by persons connected with one of the Directors, or</li> <li>• by the company to purchase its own shares,</li> </ul> <p>and therefore requires a resolution of the Council and any other shareholders of the company.</p>
m)	approving and making grants or loans up to £500,000 other than by way of normal trade credit, subject to approval from the Council's Chief Financial Officer in line with the Council's Financial Regulations, and taking appropriate legal advice on any requirements under the UK	✓	<p>✓</p> <p>In so far as the financial assistance being sought is:</p> <p><input type="checkbox"/> by one of the Directors, or</p>

	<b>Function</b>	<b>Teckal Companies</b>	<b>Non-Teckal Companies</b>
	Subsidy Control Regime and necessary grant or loan terms and conditions, and the usual risk assessments;		<ul style="list-style-type: none"> <li>• by persons connected with one of the Directors, or</li> <li>• by the company to purchase its own shares,</li> </ul> <p>and therefore requires a resolution of the Council and any other shareholders of the company.</p>
n)	entering, amending or terminating any agreements which create a potential liability for the company in excess of £250,000 up to £500,000;	✓	

o)	making changes to the nature of the company's business;	✓	<p style="text-align: center;">✓</p> <p>In so far as that it relates to:</p> <ul style="list-style-type: none"> <li>• amendments to the company's Articles of Association or Shareholders Agreement;</li> <li>• re-registering the company from private to public (or vice versa) or limited to unlimited (or vice versa).</li> </ul>
	<b>Function</b>	<b>Teckal Companies</b>	<b>Non-Teckal Companies</b>
p)	approving a decision which could otherwise be taken by a Council Director, but which would, if being taken by the Council, amount to a key decision;	✓	
q)	approving any dividends requiring Council consent;	✓	✓
r)	exercising any powers to issue instructions to company directors;	✓	<p style="text-align: center;">✓</p> <p>In so far as it requires a resolution of the Council and any other shareholders of the company.</p>

s)	exercising decision making over reserved matters set out in a company's Shareholder Agreement;	✓	✓
t)	making recommendations to Executive for any investment in/asset transfers to or lending to companies;	✓	✓
u)	delegating specific functions to Officers of the Council to increase commercial flexibility.	✓	

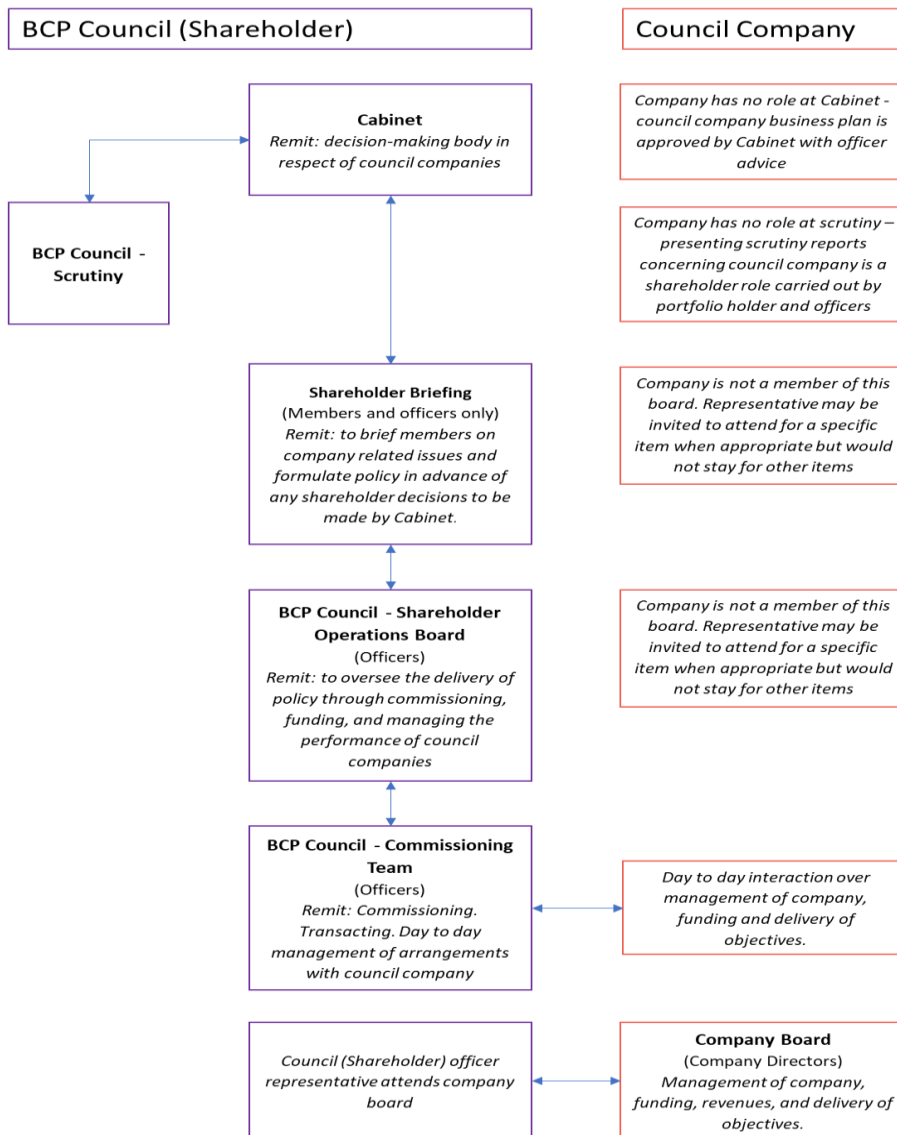
Any advice required by Shareholder Advisory Board and the Shareholder Operations Board in relation to the above and the impact of any provisions within a company's Articles of Association or any existing Shareholder Agreements must be sought from the Council's Legal Services Department.

# Delegated powers

5.1 Collectively the Shareholder Advisory Board and the Shareholder Operations Board have the delegations required to effectively support the Cabinet and Council to make all decisions in respect of Council companies.

The following outlines the Council's Shareholder Governance Arrangements.

## Appendix 1 Shareholder Governance Arrangements



*\*please note that the reference above to “BCP Council – Commissioning Team” has now been replaced with “Link Officers”*

## **ANNEX 1: Link Officers**

1. Each company shall have a nominated BCP Council client officer ('Link Officer') who will engage monthly (or more frequently as required) with that company to ensure that Shareholder Advisory Board and or Shareholder Operations Board is provided with:
  - a) Updates in respect of company performance, market conditions and assurance
  - b) Details of strategic plans, funding and other requirements
  - c) Sufficient information to evaluate any new business proposals
2. The Link Officers will review reports from their nominated company before they are submitted to the Shareholder Advisory Board and Shareholder Operations Board, liaising with finance, legal or other colleagues as necessary maintain joint risk registers as required and ensure the respective Boards are provided with the level of detail and analysis required to fulfil its role.
3. Link Officers are required to:
  - a) Actively communicate and collaborate with the company and BCP Officers as required, including the Chief Executive, Director of Finance and the Director of Law & Governance or their nominated representatives.
  - b) Build and maintain effective and transparent relationships with all parties.
  - c) Actively work to promote and improve good working relationships between the Council and its companies.
  - d) Take appropriate action to avoid conflicts of interest and, where a potential conflict is identified, to assist in managing any such conflict.
  - e) Ensure that the company has the appropriate level of support and challenge, including support to deliver the agreed objectives and priorities for the Council and challenge to minimise or mitigate any risk to the Council. The appropriate balance of challenge and support will depend on the company objectives, the nature of the relationship with the company (i.e. whether wholly or partly owned), performance and risks or opportunities.
  - f) Manage and maintain effective relationships between shareholder representatives and the company.

- g) Appropriately feedback any concerns of the Council to the company and vice versa.
- h) Review board decisions and actions and identify any concerns in relation to directors potentially exceeding the remit of their powers.
- i) Flag any issues and risks as quickly as possible.



# BCP Council Constitution

Guidance to Councillors and Officers Appointed to  
Outside Bodies

September 2024

# Guidance to Councillors and Officers Appointed to Outside Bodies

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# 1 Introduction

1.1 This guidance sets out the main issues which Councillors and Officers should consider when appointed by the Council to serve on outside bodies.

1.2 In the context of this guidance 'outside bodies' include trusts, companies, charities, school governing bodies, industrial and provident societies and community associations. Councillors or Officers may be involved as a director, trustee, governor or member (with or without voting powers).

1.3 Councillors and Officers who are involved in the management of outside bodies have responsibilities to that body that must be acted upon. Their role, responsibilities and potential liabilities will depend upon the legal nature of the organisation and the capacity in which they have been appointed. Failure to act in a proper manner may give rise to personal liability or liability for the Council.

1.4 With the increasing emphasis on partnership working, Councillors, as community leaders, have an important role to fulfil in supporting and advising outside bodies. However, this can give rise to conflicts of interest, particularly where the organisation is seeking or receiving funding from the Council. Councillors and Officers always need to be clear about their roles and be alert to potential conflicts of interest in order to ensure transparency and public confidence in local democracy.

1.5 The purpose of this guidance is to assist Councillors and Officers in the discharge of their responsibilities on outside bodies clearly and effectively. It covers, primarily, the position of Councillors and Officers appointed by the Council to serve on outside bodies, though much of the advice applies equally to Councillors and

Officers who are involved with outside bodies in a private capacity; in these situations, however, the Council's insurances will not apply.

1.6 This guidance is general and Councillors and Officers should contact the Monitoring Officer for further advice if they have any particular issues of concern.

## 2 Issues to consider before appointment

2.1 Before accepting an appointment to an outside body Councillors and Officers should check the following:

- a) The legal status of the organisation, e.g. company, trust, charity, unincorporated association;
- b) The capacity in which the Councillor or Officer is to be appointed, e.g. director, trustee,
- c) Whether the Councillor or Officer will have voting rights or observer status;
- d) The purpose of the organisation and how this relates to the Council's functions and objectives;
- e) The relationship between the Council and the body and the likelihood and extent of any conflicts of interest;
- f) The requirements of the organisation's governing instrument, e.g. constitution; trust deed; memorandum and articles of association, both as a member and generally;
- g) The financial status of the organisation;
- h) governance and decision-making arrangements, including the management of risk;
- i) Any code of conduct for members of the outside body;
- j) Any potential liabilities;
- k) Extent of any insurance cover for members of the outside body, especially the nature of Directors and Officers liability cover for appointment to the board of any company.

2.2 Having checked the above, Councillors and Officers should consider carefully whether they are willing to be appointed to participate formally in the management of the external organisation

e.g. as a director, trustee or voting member, or whether their role as a representative or Officer of the Council may be more effectively discharged as a non-voting member with observer status only. Bearing in mind the potential liabilities that may be incurred through formal involvement in an organisation, Councillors and Officers are generally advised to seek appointment as

members with observer status only, unless there are exceptional reasons for more formal participation.

2.3 Councillors and Officers are encouraged to seek advice from the Monitoring Officer where any of the above issues are unclear.

## 3 Application of the Council's Code of Conduct for Members

3.1 The Council's Code of Conduct for Members at PART 6 of the Constitution and the Council's Code of Conduct for Officers, place specific obligations on Councillors and Officers when acting in that capacity in their dealings with outside organisations. The Code will, in particular, apply where a Councillor or Officer is acting as a representative of the Council on an outside body.

3.2 Apart from the general duty to promote and support high standards of conduct, the following duties of the Code are particularly relevant in this context:

- a) act solely in the public interest and never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate;
- b) Avoid placing yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties;
- c) Make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit;
- d) Declare any private interests, both pecuniary and nonpecuniary, that relate to your public duties and take steps to resolve any conflicts in a way that protects the public interest.
- e) Comply with the statutory requirements on the registration and declaration of interests.

- 3.3 Councillors and Officers who have a direct or indirect disclosable pecuniary interest (Other Registrable Interests and / or Non-Registerable Interest) in any business at a meeting of the Council, e.g. award of a contract, must not participate in any discussion of the matter or, in the case of a Councillor, vote on it, unless a dispensation has been obtained. Failure to comply with these requirements without reasonable excuse may result in prosecution.
- 3.4 Councillors and Officers who serve on more than one body, in particular, need to be mindful of potential conflicts of interest and always act in an open and transparent manner in carrying out their respective roles. For example, where a Councillor is at a council meeting considering an application for a grant or a community asset transfer request from a parish council or other public body of which they are a member, they should declare the existence and nature of their interest. Having done so, they may, generally, take part in the discussion of that item and vote, unless there are particular reasons why this would not be appropriate. It is also advisable as a matter of transparency, to include details of the interest in their register of interests.
- 3.5 The same principle will generally apply where Councillors are appointed to serve as school governors, but it is always necessary to have regard to the nature and extent of any conflict of interest in deciding whether to participate or vote. Where the governing body is considering a matter which is likely to have a material effect on the Councillor or a member of their family, it would be advisable to declare an interest and take no further part in the proceedings.
- 3.6 Councillors and Officers appointed to serve on outside bodies should be mindful of their legal obligations regarding disclosure of confidential information and in case of doubt should seek advice from the Monitoring Officer.

## 4 Predetermination and Bias

4.1 Aside from the Code of Conduct, under common law, Councillors must be careful to avoid any pre-determination or bias in their decision-making. Predetermination occurs where someone has a closed mind so that they are unable to apply their judgement fully and properly to the issue requiring a decision. This can lead to legal challenges and decisions being set aside.

4.2 The Localism Act 2011 clarified the rules on predetermination. It makes it clear that a Councillor is not deemed to have had a closed mind on an issue just because they have indicated what view they have taken or may take before the issue is decided. A Councillor is not, for example, prevented from participating in discussion of an issue, or voting on it, if they have campaigned on the issue or made public statements about their approach to it.

4.3 The general position remains however, that, whatever their views, members must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and must be prepared to change their views if persuaded that they should.

4.4 Councillors need to be aware that decisions may be challenged and set aside on the grounds of bias. Under common law, bias involves some element of partiality or personal interest in the outcome of a case, as a result of a close connection with the parties, or the subject matter of the dispute, or because of a tendency towards a particular shared point of view.

4.5 The relevant test for bias is whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the decision-maker was biased. The risk of a successful challenge on these grounds may be overcome by proper observance of the requirements of the Code of Conduct and particularly the provisions set out above.

## 5 Legal status, capacity, duties and liabilities

5.1 Where a Councillor or Officer is appointed to an external organisation by the council, the Councillor or Officer will be representing the interests of the Council. However, they will also have duties to the organisation. The extent of these duties will depend on the type of organisation and the nature of the position that the Councillor or Officer is appointed to.

5.2 If the Councillor or Officer is serving in a decision-making capacity, or has a position of management or control on the external organisation, they will owe duties to that organisation that are distinct and separate from their duties as Councillor or Officer.

5.3 In contrast, where the Councillor or Officer is appointed to an external organisation as an observer only and is not required to participate in the organisation's management or governance other than to attend and vote at annual or general meetings, it is likely that the Councillor or Officer will, for the most part, be acting as a representative of the Council and would not have the same duties in respect of the governance of the organisation referred to above.

5.4 The specific responsibilities of Councillors and Officers will depend upon the legal status of the outside body and the capacity in which they have been appointed. The position of Councillors and Officers in relation to various types of outside body, is summarised in the appendices to this note as follows:

- Appendix A - Director of Limited Liability Company
- Annex 1 – Summary - Cabinet, Shareholder Advisory Board and Shareholder Operations Board and Companies
- Appendix B - Trustee of Trust or Charitable Trust
- Appendix C - Member of Unincorporated Association
- Appendix D - Member of Steering Group, Joint Committee or Partnership Body

5.5 The key point to note, is that where Councillors or Officers are carrying out their duties as a trustee, director, or management committee member, they

may take account of the wishes of the Council, but their primary duty is to act in the best interests of the organisation to which they have been appointed.

## 6 Liability, Insurance and Indemnity

6.1 Councillors and Officers can incur personal civil and criminal liability from formal participation in outside bodies. However, under section 265 of the Public Health Act 1875 (as applied by Section 39, Local Government (Miscellaneous Provisions) Act 1976), Councillors and Officers enjoy statutory immunity from civil liability where they act within the powers of the authority, in good faith and without negligence.

6.2 This immunity does not apply however, where they act beyond the powers of the council or act in bad faith (i.e. with dishonest or malicious intent) or negligently, and it does not protect them from criminal liability, for example for fraud where they exercise managerial responsibilities.

6.3 BCP Council has a wide insurance provision to protect its assets and liabilities. Within these provisions the Council has extended its cover to protect its elected and co-opted members of outside bodies when carrying out duties in connection with the business of the Council. Those afforded the protection are:

- a) Elected Members of the Council or co-opted members of any Committee or Sub-Committee;
- b) Members of committees, schemes or associations formed to assist in the activities of the Council.

6.4 Further assistance on the issues covered in this guidance may be obtained from the Council's Monitoring Officer.

# Appendix A – Duties and Responsibilities of a Director of Limited Liability Company (both Teckal and Non-Teckal)

## 1 Directors Duties

1.1 Directors owe a number of duties to their company, which are set out in the *Companies Act 2006*. These duties are to:

- a) Act within powers (*section 171*) - see paragraph 2 '*Acting within powers - Consequences of exceeding authority*'.
- b) Promote the success of the company (*section 172*).
- c) Exercise independent judgement (*section 173*) - see paragraph 3 '*Duty to act for the company and risk of local authority becoming a shadow director*'.
- d) Exercise reasonable skill, care and diligence (*section 174*) – see paragraph 4 '*Requirement for appropriate level of skill and expertise*'.
- e) Avoid conflicts of interest (*section 175*) – see paragraph 5 '*Avoid conflicts of interest – Council vs Company*'.
- f) Not accept benefits from third parties (*section 176*).
- g) Declare interest in a proposed transaction or arrangement with the company (*section 177*).

1.2 Councillors and Officers appointed as directors should be aware of these duties, particularly those which could lead to:

- a) A conflict with their role as a Councillor or Officer (for example, the duties to promote the success of the company, to exercise independent judgement, and to avoid conflicts of interest).
- b) Personal liability for the debts of the company.

## 2 Acting within powers - Consequences of exceeding authority

2.1 Directors must ensure that they act within the company's constitution (its memorandum and articles of association) and must only exercise these powers for their proper purpose. If a director acts outside of their powers a company can still be bound by the unlawful actions of their Officers / Directors (unlike statutory corporations, such as local authorities). Third parties acting in good faith can rely on decisions made by directors acting outside their authority, but the company may recover any resulting loss from the director personally.

## 3 Duty to act for the company and risk of local authority becoming a shadow director

3.1 Councillors and Officers appointed to external corporations must ensure that they take decisions in accordance with their personal convictions; **they must not act on behalf of, or in promotion of, the local authority**. As a director, the Councillor or Officer has a statutory duty to promote the success of the company and exercise independent judgement. If the Councillor is unable to do this without compromising their duty to the authority, they should resign their post. However, an Officer's duty to the authority is contractual, and so the authority can waive their contractual obligations if appropriate.

3.2 Furthermore, if the Councillor or Officer is a mere conduit for the local authority's viewpoint, the local authority risks being held to be a shadow director of the company. A shadow director is a person in accordance with whose directions or instructions the directors of a company are accustomed to act.

3.3 If the local authority is found to be a shadow director in an insolvency situation, it could be liable for the debts of the company where it knew, or ought to have concluded, that the company could not avoid insolvency but did not prevent it from continuing to trade (wrongful trading).

## 4 Requirement for appropriate level of skill and expertise

4.1 A director must exercise the care, skill and diligence which would be exercised by a reasonably diligent person with both:

- a) The general knowledge, skill and experience that may reasonably be expected of a person carrying out the functions carried out by the director in relation to the company (the "objective" test).
- b) The general knowledge, skill and experience that the director actually has (the "subjective" test).

4.2 So, at a minimum, a director must display the knowledge, skill and experience set out in the objective test, but where a director has specialist knowledge, they must meet the higher subjective standard. Therefore, a Councillor or Officer should consider, along with the appointing local authority, whether they have the skills necessary to run a company; it is not enough that an individual has the time and enthusiasm. In addition, individuals with specialist skills will be expected to apply those skills to their role as director.

### Liabilities arising from insolvency of company or association

4.3 The need to have the necessary expertise to manage the company's finances is particularly important if the company is struggling financially. A director who does not scrutinise and understand the company's accounts risks incurring personal liability to the company's creditors for wrongful trading under section 214 or Section 246ZB of the Insolvency Act 1986 if they continue to trade when they knew, or ought to have concluded, that there was no reasonable prospect that the company would avoid becoming insolvent.

4.4 It is important to recognise that liability arises whether or not the director understood the company's financial position or intended any harm; if they should have known the company could not avoid insolvency, they were obliged to take every step to minimise its creditors' losses.

## 5 Avoid conflicts of interest – Council vs Company

5.1 A Councillor or Officer appointed as a director to a company will owe specific duties to the company in that capacity under both statute and common law. Councillors and Officers are under a duty to exercise independent judgement when they are making decisions on behalf of the council. However, as a director of an external organisation they will also have a duty to exercise independent judgement and to act in the best interests of the company to which they are appointed.

5.2 This means that if the Councillor or Officer finds themselves in a situation where the interests of the council arise, the Councillor or Officer must disclose that interest. If they simply act or vote in line with the Council's position, the Councillor or Officer would not be acting in the best interests of the company and would be in breach of their duties as a director and could incur personal liability for their actions. Where a potential or actual conflict of interest arises, the Councillor or Officer may have to resign from either the company or the council.

5.3 A summary regarding potential conflicts of interest for Councillors and Officers who are members of the Shareholder Advisory Board and the Shareholder Operations Board is set out in Annex 1 (Summary - Cabinet, Shareholder Advisory Board and Shareholder Operations Board and Companies) to this Protocol.

## 6 Other responsibilities

6.1 Directors must also be aware of how acts and decisions of other individuals may bind the company, for example:

- a) Company directors may have powers delegated to them by the company, but they also have ostensible authority to act on behalf of the company, and their actions will bind that company, so that a third party dealing in good faith with a

company's director may rely on the actions of that director even if they were not actually authorised by the company.

- b) Employers have vicarious liability for the tortious acts of employees carried out in the course of their employment. This can include discrimination against one employee at the hands of another, as well as breaches of health and safety.

# Annex 1: Summary - Cabinet, Shareholder Advisory Board and Shareholder Operations Board and Companies

## 1 General

1.1 The shareholder of a company owned by the Council is always

BCP Council, not the members of the Cabinet or the Shareholder ADVISORY BOARD or the Shareholder Operations Board themselves, or any Council Directors appointed to represent the Council on the boards of these companies.

## 2 Cabinet

### 2.1 Purpose in relation to companies:

2.1.1 The Cabinet will make decisions in relation to a company of which the Council is a Shareholder in accordance with the governance arrangements for the Shareholder Advisory Board and the Shareholder Operations Board..

2.1.2 These are decisions that involve:

- a) changes to company governance e.g. including amending a company's articles of association, or its shareholder agreement;
- b) agreements to any amalgamation, merger, joint venture, profit sharing or similar arrangements; and
- c) approving steps to wind up a company.

## **2.2 Conflicts:**

2.2.1 A member of the Cabinet could also be a director of a company. However, in the context of the Council being a shareholder of various companies and members of the Cabinet also being Directors of various companies there is potential for conflicts to arise. So as to avoid a position of conflict, BCP Councillors will not be appointed as a director of any council company

2.2.2 Councillors who have a direct or indirect disclosable pecuniary interest (Other Registerable Interest and / or Non-Registerable Interest) in any business at a meeting of the Council, e.g. award of a contract, must not participate in any discussion of the matter or vote on it, unless a dispensation has been obtained. Failure to comply with these requirements without reasonable excuse may result in prosecution.

## **3 Shareholder Advisory Board and Shareholder Operations Board**

### **3.1 Purpose:**

3.1.1 The Shareholder Advisory Board and the Shareholder Operations Board has been established by the Cabinet specifically to support the Cabinet in its discharge of the shareholder functions of the Council in relation to those companies of which the Council is a shareholder. The Shareholder Advisory Board does not have day-to-day operational control over any of the companies of which the Council is a shareholder.

### **3.2 Conflicts:**

3.2.1 In law, a shareholder of a company can also be a director of a company – this is often the case in small family-run companies. However, in the context of the Council being a shareholder of various companies and

members of the Shareholder Advisory Board and the Shareholder Operations Board also being Directors of various companies there is potential for conflicts to arise.

3.2.2 Officers and Councillors who have a direct or indirect (Other Registerable Interest and /or Non-Registerable Interest) disclosable pecuniary interest in any business at a meeting of the Council, e.g. award of a contract, must not participate in any discussion of the matter or vote on it, unless a dispensation has been obtained. Failure to comply with these requirements without reasonable excuse may result in prosecution.

## 4 Director

### 4.1 Purpose:

4.1.1 An Officer or Councillor who is appointed as a director of a company will be involved in all decisions regarding the day-to-day operation of that company. Directors owe a number of duties to their company which are set out in the Companies Act 2006:

- h) Act within powers
- i) Promote the success of the company
- j) Exercise independent judgement
- k) Exercise reasonable skill, care and diligence
- l) Avoid conflicts of interest
- m) Not accept benefits from third parties
- n) Declare interest in a proposed transaction or arrangement with the company

### 4.2 Conflicts:

#### 4.2.1 Council decision making

Where a member of Shareholder Advisory Board and or the Shareholder Operations Board and or the

Cabinet is also a director of a company and the Cabinet via recommendation of the Shareholder Advisory Board is being asked to make a decision in relation to that company, e.g. award of a contract, the Councillor and or Officer should declare a direct or indirect disclosable pecuniary interest (Other Registerable Interest and or Non-Registerable Interest) and must not participate in any discussion of the matter or vote on it, unless a dispensation has been obtained. Failure to comply with these requirements without reasonable excuse may result in prosecution. This applies to both Councillors and Officers.

#### 4.2.2 Company decision making

Conversely if the director of a company finds themselves in a situation in relation to the company where the interests of the Council arise, they must disclose that interest. The director of the company has a duty to exercise independent judgement and to act in the best interests of the company to which they are appointed. If they simply act or vote in line with the council's position, they would not be acting in the best interests of the company and would be in breach of their duties as a director and could incur personal liability for their actions.

## 5 Simple checklist

If in doubt, consider the following questions:

1. Are you a member of the Cabinet and or the Shareholder Advisory Board and or the Shareholder Operations Board ?
2. Are you a director of the company in relation to which the Cabinet and or the Shareholder Advisory Board and or Operations Board is being asked to make a decision?

If the answer is 'yes' to both a potential conflict could arise and the member should declare this and not participate in any discussion of the matter or vote on it.

## Appendix B – Duties and Responsibilities of a Trustee of Trust or Charitable Trust

Additional duties and responsibilities placed upon Trustees include making sure that the body acts in accordance with the overriding duty to all beneficiaries of the Trust. Beneficiaries may be people within BCP Council or a specific category of persons for whose benefit the Trust was originally established. The Trustee Act 2000 contains most of the duties upon the Trustees; the Act also includes a statutory duty of care which applies when a Trustee is:

- Exercising a general power of investment or any specific power of investment arising from the Trust;
- Making investments arising in line with the Standard Investment Criteria under Section 4 of the Act or taking independent advice on investments under Section 5;
- Exercising the power to acquire land or deal in land;
- Appointing agents, custodians or nominees or in reviewing their obligations;
- Compounding liabilities under Section 15 of the Trustee Act 1925;
- Insuring Trust property;
- Dealing with reversionary interests, valuations or audits.

The standard of care expected of Trustees is that which is reasonable in the circumstances, taking into account any particular skills or competencies possessed by the individual, e.g. the standard of care will be higher for someone with an accounting qualification in relation to financial matters than someone without such a qualification.

Duties and responsibilities applicable to charities are even more extensive, as charitable Trustees have additional responsibilities under the Charities Acts.

Information on this can be found on the Charity Commission website, or by using the attached link:

<https://www.gov.uk/guidance/charity-commission-guidance>.

In many cases the Charity Commission needs to be consulted before a charity takes action or decides on a particular course of action involving charity property.

## Appendix C – Duties and Responsibilities of a Member of Unincorporated Association

Unincorporated associations and partnerships are not separate legal entities which means that the individuals who are represented on the management committee are personally liable for all acts and omissions of the body. Each of the individuals are jointly and individually liable for what the organisation does. Partnerships and voluntary organisations often have this legal status, however, such associations and partnerships should still have a written constitution setting out the procedural rules which need to be followed and governing how it operates.

An unincorporated association may be charitable and may register as a charity, if this is the case then the duties and responsibilities set out in Appendix B must be considered.

## **Appendix D – Duties and Responsibilities of a Member of Steering Group, Joint Committee or Partnership Body**

The Council may establish joint arrangements with one or more local authorities and/or their Executives to exercise functions, which are not Executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities and a Councillor may be appointed to such a joint committee. A Member of the Executive may not be a Member of any joint committee established to carry out the Council's scrutiny functions.

The Council's Executive may establish joint arrangements with one or more local authorities to exercise functions which are Executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.

The council may delegate non-Executive functions to another local authority, or in certain circumstances, the Executive of another local authority. The decision whether or not to accept such a delegation from another local authority shall be reserved to the meeting of Full Council.

The Access to Information rules in Part 5A of the Local Government Act 1972 will apply to joint committees established under this Appendix.

**CABINET**



Report subject	<b>Hawkwood Road Community Centre – Towns Fund Masterplan</b>
Meeting date	2 October 2024
Status	Public
Executive summary	<p>On April 18, 2024, a resolution to grant full planning permission (subject to the s106/Unilateral undertaking being issued in October) was made for the development of 68 residential flats, a GP surgery and pocket park, and a new pedestrian boulevard activated by 4 retail kiosks and a community Centre, the entirety of which, is called Hawkwood Road and will be delivered in two stages.</p> <p>The new pedestrian boulevard, four kiosks and Community Centre forming part of the site, are the focus of this report.</p> <p>The report is to approve the expenditure of funding for the full build and fit out of the Community Centre. This forms a significant part of the Boscombe Towns Fund masterplan which seeks to regenerate this area of Bournemouth. All projects associated with the are to be delivered by March 2026.</p> <p>Whilst amendments to the masterplan are currently being considered, the Community Centre remains as outlined in the granted planning approval.</p> <p>The creation of the pedestrian boulevard between Christchurch Road and Hawkwood Road will accommodate the four retail kiosks and associated seating. This is made possible by the demolition of the former W H Smith building which was purchased on 24 June 2024.</p> <p>This part of the project is being fully funded by the Boscombe Towns fund Grant.</p>
Recommendations	<p><b>It is RECOMMENDED that Cabinet recommends to Council:</b></p> <ol style="list-style-type: none"> <li><b>1. Council approves the demolition of the former WH Smith building (625 Christchurch Road), the creation of the new pedestrian boulevard and the construction of the new community Centre and associated hard and soft landscaping for a total scheme cost of £4.1m</b></li> <li><b>2. Council approves the financial strategy for the scheme as set out in paragraphs 11 - 22 with specific approval for the use of £4.1m of Towns Fund grant funding to pay for the delivery of the Community Centre.</b></li> <li><b>3. Council approves entering into a Service Level Agreement with the council’s Construction Works Team (CWT), for the building of the community Centre and pedestrian boulevard between Hawkwood Road and Christchurch Road.</b></li> </ol>

	<b>4. Approve the delegation to the Chief Operations Officer, in conjunction with the Director of Finance and the Director of Law &amp; Governance authority, to enter into a contract for the building works, providing all key parameters (including delivery within approved capital budget) are met.</b>
Reason for recommendations	To enable the proposed project to progress with the agreed funding arrangements through to construction and subsequent completion to deliver the wide range of benefits to the council and local communities.

Portfolio Holder(s):	Cllr Kieron Wilson, Portfolio Holder for Housing and Regulatory Services
Corporate Director	Glynn Barton, Chief Operating Officer
Report Authors	Jonathan Thornton, Head of Housing Delivery Remi Oshibanjo, Housing Development Manager Peter Friend, Development Project Manager
Contributor	Irene Ferns, Senior Strategic Estates Manager
Wards	Boscombe West
Classification	For Decision

## **Background**

### **Site background information**

1. This project is a part of the Boscombe Towns Fund Programme and includes MHCLG funding.
2. The BCP Council owned sites consist of two car parks, the main Hawkwood Road car park and a smaller car park behind Costa Coffee, where the community Centre is to be built.
3. Hawkwood Road runs east west between the two car parks. The council also owns 625 Christchurch Road, previously occupied by WH Smith and purchased on 24 June 2024. This building will be demolished and replaced with the new pedestrian boulevard where the kiosks are to be built.
4. Adjacent to the smaller car park are the rear of Christchurch Road retail properties, including Costa Coffee and Sainsburys.
5. A narrow alleyway links the smaller car park with Christchurch Road, the main retail center of Boscombe. This alleyway runs between 625 Christchurch Road and the Costa Coffee building. There is an alternative pedestrian route through an alleyway between 633 and 635 Christchurch Road which links the car park with Christchurch Road.
6. Resolution to grant full planning approval was received on the 18 April 2024, to develop the full site with highly energy efficient homes, a community Centre, doctors' surgery and a new public garden. An area of the main public car park will be retained. The planning approval allows for a phased start.
7. An alternative design for part of the main public car park is being considered due to issues with the commercial element potentially being unviable. The community Centre remains unchanged.
8. Approval is being sought to carry out the demolition of the former W H Smith building, construction of the pedestrian boulevard, community Centre and associated hard and soft landscaping.

### **Proposed scheme**

9. The scheme consists of the demolition of the former W H Smith building to facilitate the construction of the new pedestrian boulevard linking Christchurch Road and Hawkwood Road. A new community Centre will be built on the car park behind Costa Coffee. Demolition and construction works are expected to commence in early 2025. It is anticipated this will take 18-24 months to complete.
10. Plans of the approved scheme are included in Appendix five.

### **Summary of financial implications**

#### **Financial Strategy**

11. Subsidy for the overall scheme (including residential) was previously included in the Towns fund update to Cabinet on 11 January 2023 which included £8.384m of borrowing and £7.125m of Towns fund grant. The grant figure has been increased to £13.311m following the removal of the Royal Arcade project and reallocation of funding agreed by MHCLG.

12. The estimated Total Scheme Cost for the demolition and construction work for this phase is circa £4.1m, with the rest of the subsidy expected to be used for the larger part of the site (residential/pocket park).
13. Appendix One sets out the proposed financial profile of the scheme for the General Fund (GF). The total scheme costs are estimated to be £4.1m profiled over the 20-month period as the construction phase moves ahead.
14. Prudential borrowing for the community centre, demolition and kiosks is not required. The scheme costs will be fully funded by Towns Fund grant. There will not be rental income from the community centre, with the incoming service provider (or operator) funding the maintenance of the building directly. The Council will remain responsible for Landlords major repairs. This is not expected for the first 10-year period of the life of the asset.
15. Table of financial assumptions

Appendix 1 - Financial Summary for	
Hawkwood Road community centre and W H Smith demolition	
Community centre, W H Smith demolition, pedestrian boulevard	
£000s	
<b>Scheme Costs</b>	£ -
Works	3,663
Fees	84
Interest (during Build Phase)	
Other costs (Contingency at 10%)	367
<b>Total Scheme Cost</b>	<b>4,114</b>
<b>Scheme Funding</b>	
Towns Fund Grant	(4,114)
<b>Total Scheme Funding (as Cabinet and Council Approved)</b>	<b>(4,114)</b>
<b>Net Cost shown as Shortfall if +'ve</b>	<b>0</b>

### Prudential Borrowing

16. Prudential Borrowing is not necessary due to the scheme being fully funded by Towns fund grant.

### Taxation and Public Sector Subsidy

17. The construction of a new community Centre is not subject to any VAT exclusion and will therefore be chargeable at the standard rate. Provided the community Centre is leased to a charitable organisation on a peppercorn lease and that the council does not receive any consideration in return, (either in a form of a lease premium, service charges, contributions towards capital works, ongoing repairs etc.) all VAT paid on construction will be fully reclaimable.
18. Further tax advice should be sought if the future use of the property changes, to ensure VAT incurred on the construction of the community Centre does not affect the council's partial exemption status.
19. Stamp Duty Land Tax (SDLT) is not applicable as no land transfer is taking place.
20. Subsidy Control is applicable as State resources are given to the council, in terms of grant from MHCLG.

### Value for Money

21. The financial appraisals set out in Appendices One, Two and Three show that the scheme is viable in the short, medium and long term for the council.
22. At this level, the scheme remains viable in terms of costs as it is being fully funded by Towns Fund grant. A 10% contingency budget has been included in

the financial appraisal.

## Approval Conditions

23. Should the build cost increase, grant funding would need to increase to cover the increased build costs. Should costs reduce, typically the funding will reduce proportionately. In both cases this will affect the larger part of the site Town Fund subsidy levels.

## Consultation

Year	Type of Engagement	Length	Respondents	Associated Workflows
2020	Consultation (Town Investment Plan)	6 weeks	447	Boscombe Masterplan
2020-Ongoing	Stakeholder Engagement	4 years	Towns Fund Partnership. Strategic Towns Fund Board. Masterplan Project Board. Community Centre Project Board. Other subject Project Boards.	
2020-2024	Stakeholder Engagement	2 years	Boscombe Forum. Boscombe and Pokesdown Neighbourhood Plan. Boscombe Village Hall Group. Local Medical Practice NHS Integrated Care Board for Dorset. Boscombe Traders Group and Police Neighborhood Inspector	
2022	Consultation (Phase one- Masterplan)	4 weeks	504	
2023-Ongoing	Briefing	4 times a year	3 Councilors	Strategic Towns Fund Board

24. Consultation with the Boscombe Towns Fund Strategic Board for approval to change the grant funding allocation will run concurrently with the revised planning application. This was considered and agreed at the board meeting on the 22<sup>nd</sup> of August.

## Summary of legal implications

25. Following earlier reports, the land is held for planning purposes and accounted for in the General Fund. There will be no adjustment required, as the area where the community centre is located will stay in the General Fund.
26. The Council will need to comply with all relevant procurement requirements in undertaking the proposals contained within this Report and the Council will seek further procurement and legal advice in procuring the works contract and completing the appropriate documentation for the construction elements.

## Summary of human resources implications

27. The existing Housing Delivery Team will oversee the delivery of this scheme alongside the other new build schemes in the pipeline. Demolition works for the WH Smith building will be procured by the Housing Delivery team.
28. The construction works for the community centre, boulevard and kiosks will be provided by BCP's in-house Construction Works Team, (CWT). Other professional services have also been procured e.g. architects to bring this scheme forward.

## Summary of DIA impact

29. A copy of the Decision Impact Assessment is included in Appendix 4

## Summary of sustainability impact

30. The development will provide an energy efficient community centre to help address the BCP Council declared Climate and Ecological Emergency 2019. The development will contribute to the council's commitment to achieving a net zero carbon emission target.
31. The community centre will be built to high sustainability standards delivered through the excellent fabric first and airtightness approach (designed in this case to accommodate the principles of Passivhaus but not the external accreditation/certification element). This standard offers the benefit of low carbon heating requirements, high levels of energy efficiency and an off-gas heating system.

## Summary of public health implications

32. The development of the community centre and pedestrian boulevard will benefit the local residents and the wider community, giving careful consideration to the wider locality to help create an attractive area which improves the wellbeing of the community.

## Summary of equality implications

33. A copy of the EIA is included in Appendix 6.

## Summary of risk assessment

34. The following key risks have been identified alongside mitigating actions:

Overall Project Risk Rating		
Key Project Risks	Gross Risk Rating	Mitigating Actions
Rising construction costs render the project unaffordable	Low	Good project management will enable the close monitoring of progress and any issues that may arise to be dealt with promptly. The estimated build cost budget, set at circa £3.6m, is an inclusive Design & Build cost procured through BCP's Construction Works Team. A further 10% contingency is included in our financial appraisals.
Overall Project Risk Rating		
Key Project Risks	Gross Risk Rating	Mitigating Actions
Scheme not gaining a satisfactory planning consent	Low	Planning resolution to grant for the proposed scheme was granted at the 18 April 2024 planning committee.
Increased fire risk during construction phase	Low	Design and construction will be closely monitored by the Housing Delivery Team, Employers Agent and the Surveying Team.

35. Property development activity involves inherent risks, but a cautious approach has been adopted here to minimise these risks as much as possible. Financial contingencies have been included and significant consultation has been undertaken to date to help ensure a sustainable scheme.

## **Background papers**

[CNHAS report 2021-2026, September 2021](#)

[CNHAS update paper April 2022](#)

[Towns Fund Update January 2023](#)

## **Appendices**

Appendix One: Financial Summary

Appendix Two: Financial Appraisal Long-term Cash Flow

Appendix Three: Summary of Appraisal Assumptions

Appendix Four: Decision Impact Assessment (DIA)

Appendix Five: Approved plans

Appendix Six: Equality Impact Assessment (EIA)

Appendix Seven: Project Plan

Appendix Eight: Carbon Reduction Report

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## Appendix 1 - Financial Summary for

### Hawkwood Road community centre and W H Smith demolition

Community centre, W H Smith demolition, pedestrian boulevard

#### Scheme Costs

Works

Fees

Interest (during Build Phase)

Other costs (Contingency at 10%)

**Total Scheme Cost**

#### Scheme Funding

Towns Fund Grant

**Total Scheme Funding (as Cabinet and Council Approved)**

**Net Cost shown as Shortfall if +'ve**

**£000s**

£		-
	3,663	
	84	
	367	
	4,114	
	(4,114)	
	(4,114)	
	0	

Appendix 2 - Longterm cashflow for Hawkwood Road community centre and W H Smith demolition

Key Data	Target Cost	Borrowing Term	Loan Interest	Inflation	Annual Borrowing Costs	Annual Operational Costs (Year 1)	Annual Income Requirement	Expected income (Year 1)	Variance
	£	Years	%	%	£	£	£	£	£
PWLB borrowing element	-	50	5.50%	2.00%	-	-	-	-	-

10 year detailed summary	Year -3	Year -2	Year -1	Construction Phase Total	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11-20	Year 21-30	Year 31-40	Year 41-50
Construction Phase cost	0	0	0	0														
Other income (B+B savings)																		
Gross Residential Rent	2%			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service charge					0	0	0	0	0	0	0	0	0	0	0	0	0	0
Void	2% of Gross residential rent			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Gross Rent after allowance for Voids</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
RSL Management	2.0% CPI			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maintenance	2.0% CPI			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Major Repairs	2.0% CPI			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service cost	2.0% CPI			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Annual operational spend</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Net Income before debt repayment				0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Repayment of Borrowing (interest)	0			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Repayment of Borrowing (principal)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
(Surplus) / Deficit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cumulative (Surplus) / Deficit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Asset valuation (inflation method)	1,570,000	1,601,400	1,633,428	1,666,097	1,699,418	1,733,407	1,768,075	1,803,436	1,839,505	1,876,295	2,287,194	2,575,751	2,843,838	3,139,827

Accommodation Schedule**Unit type**

Community centre, demolition of WH Smith, pedestrian boulevard

TOTAL	0
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<b>Service Charges</b>	Nil
<b>Build costs (rate £m2)</b>	£5,019
<b>Contingency</b>	10%
<b>Void and bad debts</b>	0%
<b>Management</b>	N/A
<b>Maintenance</b>	N/A
<b>Major Repairs</b>	N/A
<b>Loan interest rate %</b>	N/A
<b>Loan term and type</b>	N/A

<b>On costs/Fees element</b>	<b>Amount</b>
Planning Application fees	£ 462.00
Valuation Fee	£ 43.00
Architect	£ 3,862.00
Employers Agent & QS	£ 1,179.00
Ecology	£ 138.00
Ground Investigation	£ 248.00
Topographical Survey	£ 30.00
Arboricultural Survey	£ 13.00
CIL and s106 payments	£ 5,000.00
HLS Staff cost (Dev income)	£ 1,000.00
Parking surveys	£ 58.00
UXO report	£ 12.00
Traffic impact assessment	£ 24.00
Visualisation of masterplan	£ 9.00
Building survey, 625 Christchurch Road	£ 2,750.00
Analysis report	£ 15.00
Business support for community centre	£ 1,120.00
Transport info and design costs	£ 123.00
Legals	£ 555.00
Property report	£ 21.00
WH Smith legal costs	£ 45,000.00
Drainage fee	£ 74.00
Flood risk assessment	£ 85.00
Carbon reduction report	£ 62.00
Principle Designer (PreContract)	£ 59.00
Principal Designer (Construction)	£ 123.00
Letting fee	£ 22,000.00
<b>Total</b>	<b>£ 84,065.00</b>


Note: On costs/fees are split by number of units to each financial appraisal

**Proposal Title:** Hawkwood Road Boscombe

## Impact Summary

Climate Change & Energy	Green - Only positive impacts identified	
Communities & Culture	Green - Only positive impacts identified	
Waste & Resource Use	Green - Only positive impacts identified	
Economy	Green - Only positive impacts identified	
Health & Wellbeing	Green - Only positive impacts identified	
Learning & Skills	Green - Only positive impacts identified	
Natural Environment	Green - Only positive impacts identified	
Sustainable Procurement	Green - Only positive impacts identified	
Transport & Accessibility	Green - Only positive impacts identified	

Answers provided indicate that the score for the carbon footprint of the proposal is: **1.5**

Answers provided indicate that the carbon footprint of the proposal is:	<b>Low</b>	
---	------------	---

**Proposal Title:** Hawkwood Road Boscombe

Proposal ID: **626**

Proposal Title: **Hawkwood Road Boscombe**

Type of Proposal: **Project**

Brief description:

**Redevelopment of the Hawkwood Road car park with 68 flats, a doctors surgery, community centre, pocket park and parking.**

Proposer's Name: **Peter Friend**

Proposer's Directorate: **Environment & Community**

Proposer's Service Unit: **Housing**

Estimated cost (£): **Above PCR15 threshold**

If known, the cost amount (£): **£30,000,000 estimate.**

Ward(s) Affected (if applicable):

**Boscombe West**

Sustainable Development Goals (SDGs) supported by the proposal:

**3. Good Health and Well Being    7. Affordable and Clean Energy    11. Sustainable Cities and Communities**

**Proposal Title:** Hawkwood Road Boscombe

## Climate Change & Energy

Is the proposal likely to have any impacts (positive or negative) on addressing the causes and effects of climate change? **Yes**

If the answer was No, then the explanation is below (in this case there are no answers to subsequent questions in this section):

- 1) Has the proposal accounted for the potential impacts of climate change, e.g. flooding, storms or heatwaves? **Yes**
- 2) Does it assist reducing CO2 and other Green House Gas (GHG) emissions? E.g. reduction in energy or transport use, or waste produced. **Yes**
- 3) Will it increase energy efficiency (e.g. increased efficiency standards / better design / improved construction technologies / choice of materials) and/or reduce energy consumption? **Yes**
- 4) Will it increase the amount of energy obtained from renewable and low carbon sources? **Yes**

How was the overall impact of the proposal on its ability to positively address the cause and effects of climate change rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The scheme has been designed to meet Passivhaus design standards and will also make use of solar PV to offset the power usage.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Proposal Title:** Hawkwood Road Boscombe

## Communities & Culture

Is the proposal likely to impact (positively or negatively) on the development of safe, vibrant, inclusive and engaged communities? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it help maintain and expand vibrant voluntary and community organisations?  
**Yes**
- 2) Will it promote a safe community environment? **Yes**
- 3) Will it promote and develop cultural activities? **Yes**

How would the overall impact of the proposal on the development of safe, vibrant, inclusive and engaged communities be rated?

**Green - Only positive impacts identified**



Reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The scheme includes a new community centre, park and doctors surgery. The community centre will be used for various activities for the whole of the Boscombe community, the park will be a safe, open, green space for the community to use. The doctors surgery will provide local medical care facilities for the wider community.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Proposal Title:** Hawkwood Road Boscombe

## Waste & Resource Use

Is the proposal likely to have any impacts (positive or negative) on waste resource use or production and consumption? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it prevent waste or promote the reduction, re-use, recycling or recovery of materials? **Yes**
- 2) Will it use sustainable production methods or reduce the need for resources? **Yes**
- 3) Will it manage the extraction and use of raw materials in ways that minimise depletion and cause no serious environmental damage? **Partially**
- 4) Will it help to reduce the amount of water abstracted and / or used? **Partially**

How would the overall impact of the proposal on the sustainable production and consumption of natural resources be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**Contractors will be encouraged to use sustainable construction methods and to provide evidence of sustainable supply chains. Eg only using timber from sustainable sources.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Proposal Title:** Hawkwood Road Boscombe

## Economy

Is the proposal likely to impact (positively or negatively) on the area's ability to support, maintain and grow a sustainable, diverse and thriving economy? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will the proposal encourage local business creation and / or growth?  
**Yes**
- 2) Will the proposal enable local jobs to be created or retained?  
**Yes**
- 3) Will the proposal promote sustainable business practices?  
**Don't know even though may be relevant**

=How would the overall impact of the proposal on it's potential to support and maintain a sustainable, diverse and thriving economy be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The proposal provides new affordable housing where the residents will be able to walk to the local town centre to support the retail and hospitality businesses. We are also providing four kiosks to be made available for pop up businesses in the new link between the town centre and the new development.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Proposal Title:** Hawkwood Road Boscombe

## Health & Wellbeing

Is the proposal likely to impact (positively or negatively) on the creation of a inclusive and healthy social and physical environmental for all? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will the proposal contribute to improving the health and wellbeing of residents or staff?  
**Yes**
- 2) Will the proposal contribute to reducing inequalities?  
**Yes**
- 3) Will the proposal contribute to a healthier and more sustainable physical environment for residents or staff?  
**Yes**

How would the overall impact of the proposal on the creation of a fair and healthy social and physical environmental for all be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The new homes are designed to meet Passivhaus standards reducing the heating requirements and energy costs. The design allows for a continuous exchange of fresh air into the buildings which creates a healthier environment. The community centre has been designed to meet the same standards. The inclusion of a new park will provide a quiet green space for both new and existing residents to use. The new doctors surgery will provide good a local healthcare facility for theBoscombe residents.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Proposal Title:** Hawkwood Road Boscombe

## Learning & Skills

Is the proposal likely to impact (positively or negatively) on a culture of ongoing engagement and excellence in learning and skills? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it provide and/or improve opportunities for formal learning?  
**Yes**
- 2) Will it provide and/or improve community learning and development?  
**Yes**
- 3) Will it provide and/or improve opportunities for apprenticeships and other skill based learning?  
**Yes**

How would the overall impact of the proposal on the encouragement of learning and skills be rated?

Green - Only positive impacts identified



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The community centre can be used for groups providing educational activities for all ages, both formal and informal. There will be a small pavillion/shed in the new park where practical activities such as cycle repair classes have been proposed. During the construction phase the building contractor will be encouraged to used local trades and to employ apprentices.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Proposal Title:** Hawkwood Road Boscombe

## Natural Environment

Is the proposal likely to impact (positively or negatively) on the protection or enhancement of local biodiversity or the access to and quality of natural environments?

**Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it help protect and improve biodiversity i.e. habitats or species (including designated and non-designated)? **Yes**
- 2) Will it improve access to and connectivity of local green spaces whilst protecting and enhancing them? **Yes**
- 3) Will it help protect and enhance the landscape quality and character?  
**Yes**
- 4) Will it help to protect and enhance the quality of the area's air, water and land?  
**Yes**

How would the overall impact of your proposal on the protection and enhancement of natural environments be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**This is a development of an existing tarmac area car park. There will be minimal tree loss as most trees around the perimeter are being retained. The development includes the creation of a new park which will include grassed areas, shrubs and trees. We will be including measures to increase the BNG as much as possible and have engaged a firm of consultants, WSP, to advise us of the necessary measures we need to take. The hardstanding area is going to be reduced from its current level by the creating of the new park and the other green planted areas around the development. Surface water runoff will be managed by soakaways and together with the planted areas and park, this should reduce the overall runoff compared to the site's current use.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Proposal Title:** Hawkwood Road Boscombe

## Sustainable Procurement

Does your proposal involve the procurement of goods, services or works? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

Has or is it intended that the Strategic Procurement team be consulted?

**Yes – already underway**

If the Strategic Procurement team was not consulted, then the explanation for this is:

- 1) Do the Government Buying Standards (GBS) apply to goods and/or services that are planned to be bought?  
**Don't know even though may be relevant**
- 2) Has sustainable resource use (e.g. energy & water consumption, waste streams, minerals use) been considered for whole life-cycle of the product/service/work?  
**Yes**
- 3) Has the issue of carbon reduction (e.g. energy sources, transport issues) and adaptation (e.g. resilience against extreme weather events) been considered in the supply chain?  
**Yes**
- 4) Is the product/service fairly traded i.e. ensures good working conditions, social benefits e.g. Fairtrade or similar standards?  
**Yes**
- 5) Has the lotting strategy been optimised to improve prospects for local suppliers and SMEs?  
**Don't know even though may be relevant**
- 6) If aspects of the requirement are unsustainable then is continued improvement factored into your contract with KPIs, and will this be monitored?  
**Don't know even though may be relevant**

How is the overall impact of your proposal on procurement which supports sustainable resource use, environmental protection and progressive labour standards been rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**The winning contractor will be encouraged to procure services and materials from sustainable sources. All waste materials will be separated and disposal records will**



**Proposal Title:** Hawkwood Road Boscombe

**be ket. Water and power usage will be monitored by the building contractor during the construction phase. use of local suppliers will be encouraged where practical.**

Details of proposed mitigation/remedial action and monitoring (inc. timescales, responsible officers, related business plans etc):

**Proposal Title:** Hawkwood Road Boscombe

## Transport & Accessibility

Is the proposal likely to have any impacts (positive or negative) on the provision of sustainable, accessible, affordable and safe transport services - improving links to jobs, schools, health and other services? **Yes**

If the answer was No, then the explanation is below (there are no answers to subsequent questions in this section):

- 1) Will it support and encourage the provision of sustainable and accessible modes of transport (including walking, cycling, bus, trains and low emission vehicles)?  
**Yes**
- 2) Will it reduce the distances needed to travel to access work, leisure and other services? **Partially**
- 3) Will it encourage affordable and safe transport options?  
**Yes**

How would the overall impact of your proposal on the provision of sustainable, accessible, affordable and safe transport services be rated?

**Green - Only positive impacts identified**



The reasoning for the answer (details of impacts including evidence and knowledge gaps):

**As part of this development there will be a new pedestrian link to the town center. There is a large amount of cycle storage included in the proposals and parking spaces are at a minimum in line with the BCP parking standards SPD. Bus stops along Hawkwood Road are being retained and the intention is to include car club parking spaces in the retained area of car parking. This development will also benefit from the wider towns fund sustainable transport infrastructure improvements in and around Boscombe.**

Details of proposed mitigation and monitoring (inc. timescales, responsible officers, related business plans etc):



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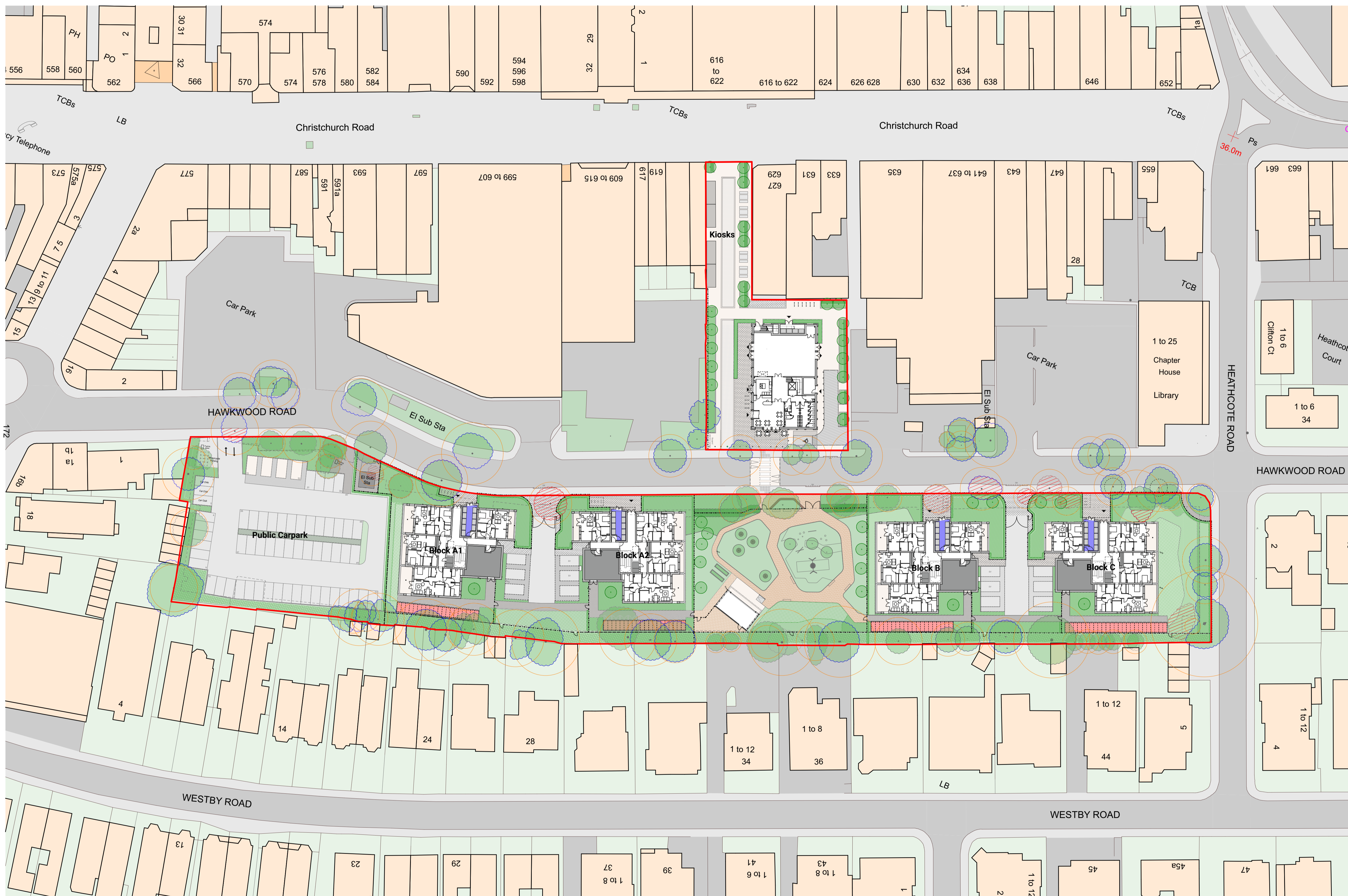
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Notes

KEY

- Bin Storage
- Bike Storage
- Plant Space
- Cat B Tree
- Cat C Tree
- New Tree
- Tree to be removed
- Root Protection Area
- Primary Access
- 2m Canopy Offset



G	16/07/2024	General Amendments	OL/PB
F	05/07/2024	Block A1/A2 Implementation	OL/PB
E	10/04/2024	Amended Bike Storages and pathway adjacent to Block A. Additional community centre bike rack	OL/PB

Rev	Date	Description	DB/CB
0			



project  
 Boscombe Phase 1  
 Hawkwood Road  
 Boscombe  
 BH1 4AS

status  
 Planning  
 drawing title  
 Proposed Site Plan

drawn	checked	date	scale
RE	PB	07 2024	1:500

Drawing Code						
Project	Originator	Vol	Lev	Type	Role	Number
P1101 - SNUG - XX - 00 - DR - A - 1555 - G						

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 Totton, Southampton,  
 Hampshire SO40 9DR

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Notes

- 1 Bed Apartment
- 2 Bed Apartment
- 3 Bed Apartment
- Circulation
- Public Realm
- Community Center Hall
- Doctors Surgery
- Admin Space
- Toilets
- Bin/Bike Storage
- Balcony
- Plant
- Green Space
- Cat B Tree
- Cat C Tree
- New Tree
- Tree to be removed
- Root Protection Area
- Footpath Extended to allow 2m Width
- Active Frontage
- Primary Access

B	10/04/2024	Additional community centre bike rack	DL/PB
A	19/02/2024	Amended Planning Application	
I	21/09/2023		

Rev	Date	Description	DB/CB



project  
 Boscombe Phase 1  
 Hawkwood Road  
 Boscombe  
 BH1 4AS

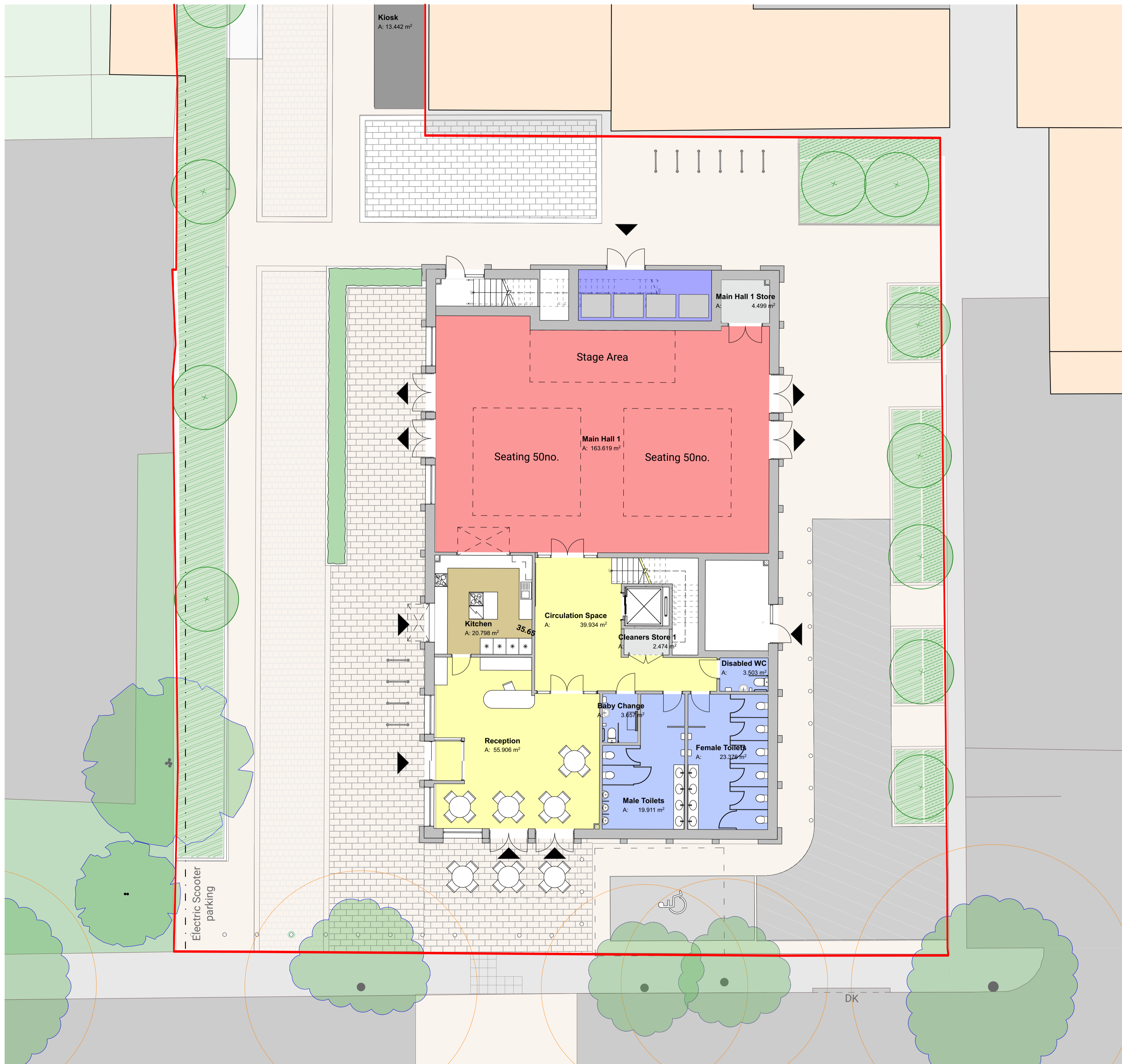
status  
 Planning

drawing title  
 Community Centre Ground Floor Plan

drawn	checked	date	scale
RE	RV	04 2024	1:100

Drawing Code						
Project	Originator	Vol	Lev	Type	Role	Number
P1101	SNUG	XX	00	DR	A	1660 - B

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01 Community Centre  
 Ground Floor Plan  
 Scale 1:100



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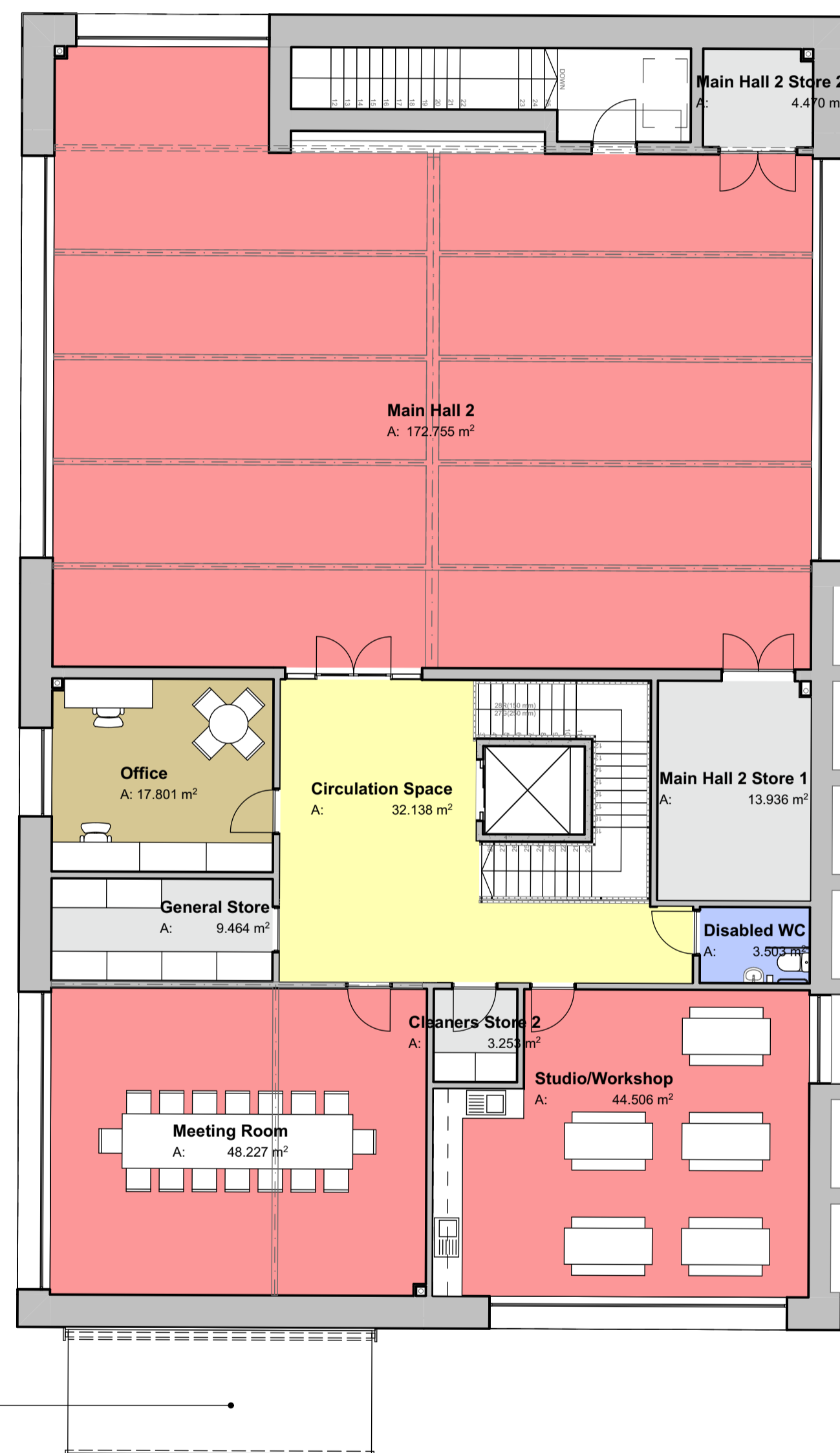
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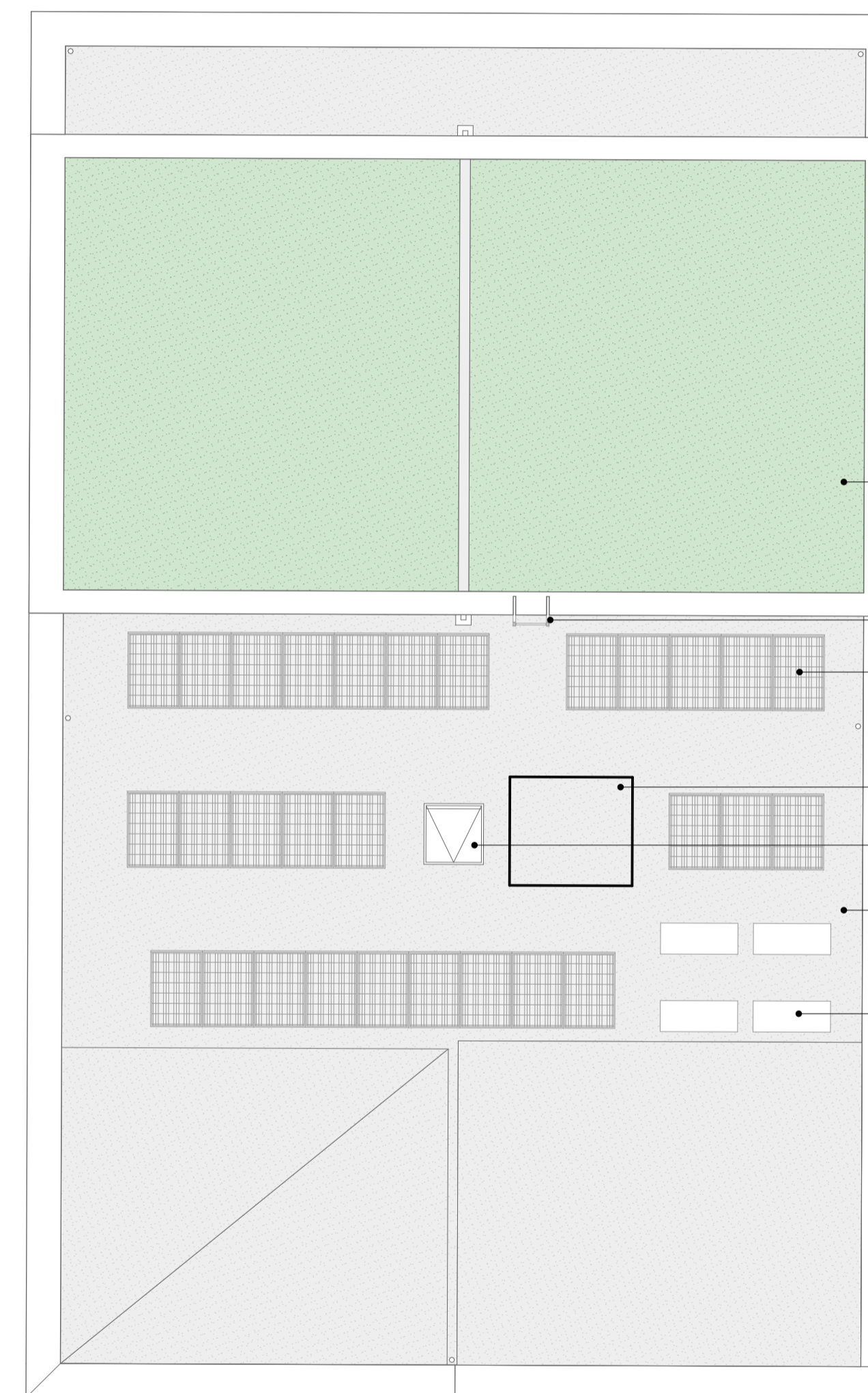
Notes

174



Retractable Awning

01 **Community Centre First Floor Plan**  
Scale 1:100



Acoustic separation from apartment to the north achieved by continuous barrier created by hall wall and parapet

Sedum Roof

Access ladder

Solar Panels

Lift Shaft

Roof Light

Single Ply Roof

4no. ASHPs located on flat roof

A	19/02/2024	Amended Planning Application
I	21/09/2023	

Rev	Date	Description	DB/CB
0 2 4 6 8 10m			

project  
Boscombe Phase 1  
Hawkwood Road  
Boscombe  
BH1 4AS

status  
Planning

drawing title  
Community Centre First Floor & Roof Plan

drawn	checked	date	scale
MF	RV	02 2024	1:100

Drawing Code

Project	Originator	Vol	Lev	Type	Role	Number	Rev
P1101 - SNUG - XX - 01 - DR - A - 1661 - A							

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02 **Community Centre Roof Plan**  
Scale 1:100

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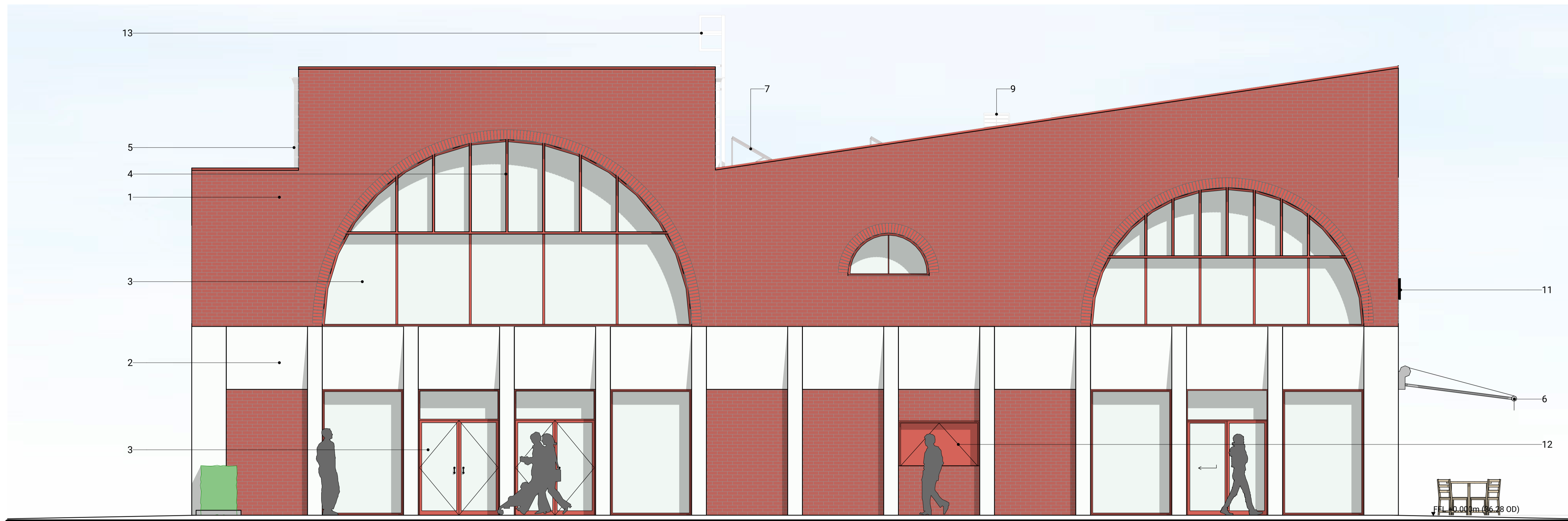
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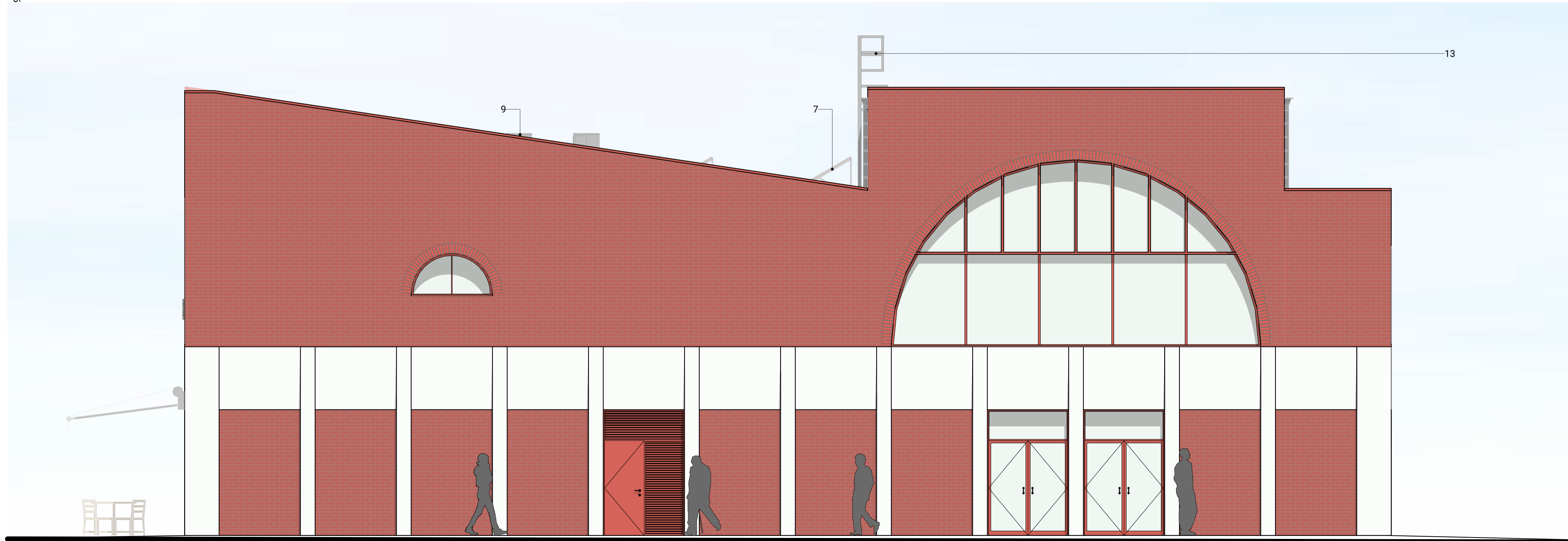
Key:

- 1. Red Brick
- 2. Pre-cast Stone/Concrete Panels
- 3. RAL 3013 PPC Aluminium Faced uPVC doors/windows
- 4. RAL 3013 PPC Aluminium Louvres
- 5. Downpipes
- 6. Retractable Awning
- 7. Solar Panels
- 8. Lift Shaft
- 9. ASHPs
- 10. Obscure Glazing
- 11. Signage
- 12. Service Hatch
- 13. Access Ladder



1 West Elevation  
Scale 1:50

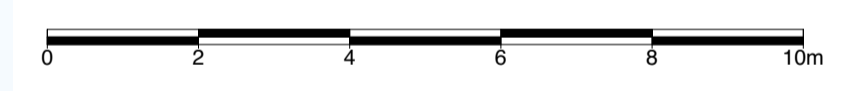
175



2 East Elevation  
Scale 1:50

A	19/02/2024	Amended Planning Application
I	21/09/2023	

Rev	Date	Description	DB/CB



project  
Boscombe Phase 1  
Hawkwood Road  
Boscombe  
BH1 4AS

status  
Planning

drawing title  
Community - East & West Elevations

drawn	checked	date	scale
RE	RV	02 2024	1:50

Drawing Code						
Project	Originator	Vol	Lev	Type	Role	Number / Rev
P1101	SNUG	XX	XX	DR	A	2160 - A

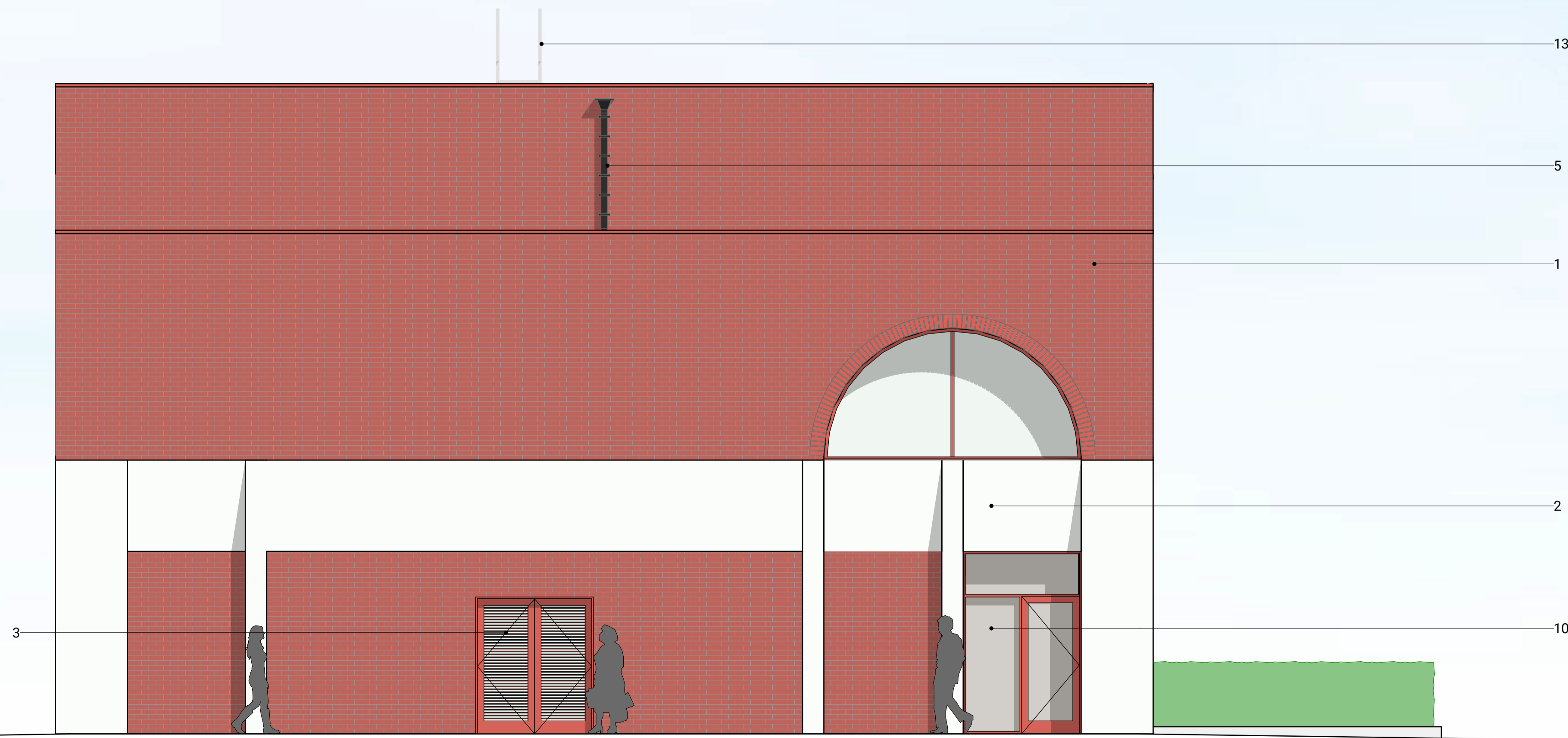
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1 South Elevation  
Scale 1:50



2 North Elevation  
Scale 1:50

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Key:

1. Red Brick
2. Pre-cast Stone/Concrete Panels
3. RAL 3013 PPC Aluminium Faced uPVC doors/windows
4. RAL 3013 PPC Aluminium Louvres
5. Downpipes
6. Retractable Awning
7. Solar Panels
8. Lift Shaft
9. ASHPs
10. Obscure Glazing
11. Signage
12. Service Hatch
13. Access Ladder

176

A	19/02/2024	Amended Planning Application
I	21/09/2023	

Rev	Date	Description	DB/CB



project  
Boscombe Phase 1  
Hawkwood Road  
Boscombe  
BH1 4AS

status  
Planning

drawing title  
Community - North & South Elevations

drawn	checked	date	scale
RE	RV	02 2024	1:50

Drawing Code

Project	Originator	Vol	Lev	Type	Role	Number	Rev
P1101	SNUG	XX	XX	DR	A	2161	A

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# Equality Impact Assessment: Report and EIA Action Plan

## Purpose

<b>What is being reviewed?</b>	Bournemouth Towns Fund – Boscombe Master Plan Phase 1
<b>Service Lead and Service Unit:</b>	Chris Shepherd, Development
<b>People involved in EIA process:</b>	Rebecca Whelan-Edmonds Martha Covell
<b>Date/s EIA started and reviewed:</b>	25.04.22

## Background

There is a robust evidence base set out in the Towns Investment Plan and the Boscombe Master Plan Business Case, to support planned targeted investment in the Bournemouth Towns Fund regeneration area, which describes how parts of the area suffer from extreme deprivation and has been the focus of the Boscombe Regeneration Partnership (BRP) since 2009.

Boscombe was once a lively seaside spa town benefiting with a vibrant creative and employment environment. It has significant potential but has been in decline since the 1970s, being blighted by a series of socio-economic problems, particularly around anti-social behaviour including drug-taking. Data from the 2011 census indicates the deprivation in the Boscombe area, including high unemployment rates, low incomes, a high rate of early deaths<sup>1</sup>, high levels of private renting and low car ownership. The gap between this most deprived part of Bournemouth and its surrounding areas is widening, with the heart of the ward, Boscombe Central, being one of the most deprived areas in the South West<sup>2</sup>. More recent Public Health data also confirms relatively high rates of childhood obesity, adult alcohol dependency and frequent emergency and non-emergency hospital admissions. Unemployment is 9.5%<sup>3</sup> versus 6.6% nationally, and while early years school attainment progress is good, it falls back at secondary level.

The Boscombe Strategic Area Assessment Refresh June 2020 for the Bournemouth Towns Fund Area, illustrates the IMD 2019 within the Boscombe Area. There are nine LSOAs within the 20% most deprived in England. The Kings Park LSOA is located adjacent to the most deprived Boscombe Central, which is 528 in the 2019 IMD ranking placing it amongst the top 20% most deprived neighbourhoods nationally.

Over this decade, Dorset has mirrored the national trends both in the occurrences of more people achieving higher-level qualifications and fewer with no qualifications, which could be seen as a significant structural change over a relatively short space of time. Over the same period, although the proportion of those working-age people with no qualifications has fallen (by 2.3 percentage points) to 4.9% which is lower than the UK average of 7.7% - a fifth of the working age population (23%) in the Towns Fund area does not have a Level 2 qualification, which is regarded a benchmark for employability.

The Standardised Mortality Ratio (SMR) for deaths, all causes aged under 75 and all circulatory disease aged under 75 is significantly worse in Boscombe East and West than the rate for England. Life expectancy for Males born in Boscombe West is significantly lower than the national average in addition the healthy life expectancy for both males and females in MSOA 019 (Boscombe West) is lower than at the preceding authority level and nationally.

The population in the Towns Fund area, is less active than average across the UK. In the Littledown and Iford ward, 59% are Active (At least 150 minutes per week) and 29% are Inactive (less than 30 mins per week) compared with the Boscombe ward where 54.7% Active and 33.7% Inactive. The National Average is 63.3% Active and 24.6% In-active respectively.

Boscombe is one of the most ethnically diverse and deprived areas within the Southwest. Residents have the lowest life expectancy of all Bournemouth wards, the highest level of hospital admissions for self-harm, 15% of those living in Boscombe have no garden or outdoor space. Even when we compare people of similar age, social grade and living situation (similar area, with or without children), those of Black ethnicity are 2.4 times less likely than those of White ethnicity to have a private garden

There is great deal of research into the value of urban green space for health and wellbeing<sup>8</sup> and how the characteristics of the environment impact on health and other inequalities. It is estimated that well-maintained parks and green spaces save the NHS £111 million per year based solely on a reduction in GP visits and excluding any additional savings from prescribing or referrals.

Research shows that good quality parks provide psychological relaxation and stress reduction, enhanced physical activity, and mitigation of exposure to air pollution, excessive heat, noise, as well as other harmful factors in the urban environment.<sup>10</sup> A five-year MIND programme concluded that by introducing.

**The Aims of the Bournemouth Town Investment Plan is:**

- To attract inward investment and deliver economic regeneration including new jobs and training opportunities focused on Boscombe Town Centre.
- To deliver high quality zero carbon homes in a vibrant mixed-use neighbourhood.
- To develop a beautiful, healthy and green place that enhances Boscombe's Victorian Heritage.
- To achieve better virtually and physically connected communities and foster active travel.
- To provide enhanced space and support for Boscombe rich arts and music scene celebrate its diverse cultures and bring the community together through festivals and events.

**The Aims of the Project:**

- Towns Investment Funds will be used to implement Phase 1 of the Boscombe Master Plan.
- The site relates to land in the ownership of BCP Council to the south of Christchurch Road, either side of Hawkwood Road, and is primarily formed of the Hawkwood Road surface carpark site.
- Third party land will be required to make a pedestrian link with Christchurch Road.

Phase 1 consists of:

- 700m<sup>2</sup> Community Space including a community centre & GP surgery
- 74 public parking Spaces
- A Public Park
- Efficient use of the site to deliver around 84 homes
- Target of 50% 3 Bed units,
- 1 parking space for each 3-bed unit



**The scheme is designed to benefit:**

- Local resident's & their families
- Local Business
- Visitors to the area
- New homeowners & people wanting to move to the area.
- Local community groups and clubs
- People with health conditions

## Findings

- Different Ages
- Current/Previous members of the Armed Forces
- Those with caring responsibilities
- Those with physical disabilities
- Those with mental disabilities
- Different ages
- Different sexes/genders
- Those who identify as trans
- Those who are pregnant/on maternity
- Those who are married/in a civil partnership
- People from different ethnic groups
- People with different religions or beliefs
- People with different sexual orientations
- People in different socio-economic groups
- People's human rights

Additional identified groups are:

- Lower income people
- People with health conditions mobility

Form Version 1.2      Prepared by: Rebecca Whelan-Edmonds

Date: 11.05.22

## Conclusion

### Summary of Equality Implications

This is one of Ten projects which will be delivered through the Bournemouth Towns Fund and Investment Plan, approved by the MHCLG in March 2021 with the total investment of £22.7 million. This project is designed to benefit residents on the Bournemouth Towns Fund Area. This project involves the redevelopment of Hawkwood Road Car Park to increase and improve accessibility to residents and visitors to Boscombe High St. To improve the visit experience to the area. To increase availability of affordable homes and open green space to the area. Improving community engagement and involvement within the new community centre and GP surgery. The impact of this project has been assessed in relation to Age, disability, sex, Gender reassignment, pregnancy and maternity, marriage and civil partnership, race religion or belief, sexual orientation and will have considerable benefit to families. The project will have the most benefit to other groups identified which include low-income households, people with health conditions. There are numerous positive outcomes anticipated which include:

- Increased access to services offering support advice & guidance within the Community Centre setting.
- Increased access to services aimed at improving physical and emotional health and wellbeing through the Health centre
- Increased access to open green space
- Increase access to homes, including affordable homes
- Better accessibility to Boscombe High Street through improvements to the pedestrian access routes.

In 2020 Dots Disability were commissioned by BCP to undertake a user led/co-produced consultation on the Boscombe Master Plan. The aim being to identify issues that would need to be given due regard as the area is redeveloped in order to design in and or maintain an inclusive environment. Dots have made recommendations against the wider Master Plan and The Project team will continue to work with Dots focusing on Phase 1 as the project develops focusing on accessibility to the High St via Hawkwood Road and the Easter Junction of Christchurch Road.

## Equality Impact Assessment: Report and EIA Action Plan

*[This action plan provides a summary of any negative impacts and relevant mitigating actions]*

**Equality Impact Assessment Action Plan**

*Please complete this Action Plan for any positive, negative or unknown impacts identified above. Use the table from the Capturing Evidence form to assist.*

Issue identified	Action required to reduce impact	Timescale	Responsible officer
Reduction in parking within Hawkward Road Main Car Park.	<ul style="list-style-type: none"> <li>(1) Good publication of proposals to enable people to make alternative parking arrangements before closures take place;</li> <li>(2) Good sign posting to alternative car parks, in wider area, to save people having increased journey times;</li> <li>(3) Ongoing discussions with the Traders Group regarding the decrease of parking and alternative arrangements.</li> </ul>	Mainly in 2025 (from 2022 with Traders Group)	Martha Covell
Accessibility of different user groups- to shops and services on Boscombe High Street, during and after construction as a result of building works and reduction in car parking.	Work with stakeholders and colleagues in housing, environment and transport to ensure that accessibility for less mobile is at the forefront at planning stage.	2026- 2028	Martha Covell

Potential impact on accessibility and noise whilst construction works undertaken	Clauses will be included within the construction contract to minimise any disruption to access and noise and these will be implemented during the construction phase.	In advance of and during the course of the construction contract.	Martha Covell
WHSmiths Store agreeing to relocate to another store to enable the access widening from Hawkwood Road	Engage earlier with WHSmiths, Landlords & Legal to build relationships and understanding of the wider Master Plan and regeneration of the Boscombe Area	Started early 2022	Martha Covell





## CARBON REDUCTION STATEMENT

**PROJECT:** Hawkwood Road, Boscombe BH1 4AS

**CLIENT:** BCP Council

**PROJECT REF:** 0292-0923-01

**DATE:** 6 November 2023

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2.0 - Energy Requirements

3.0 - Energy Hierarchy

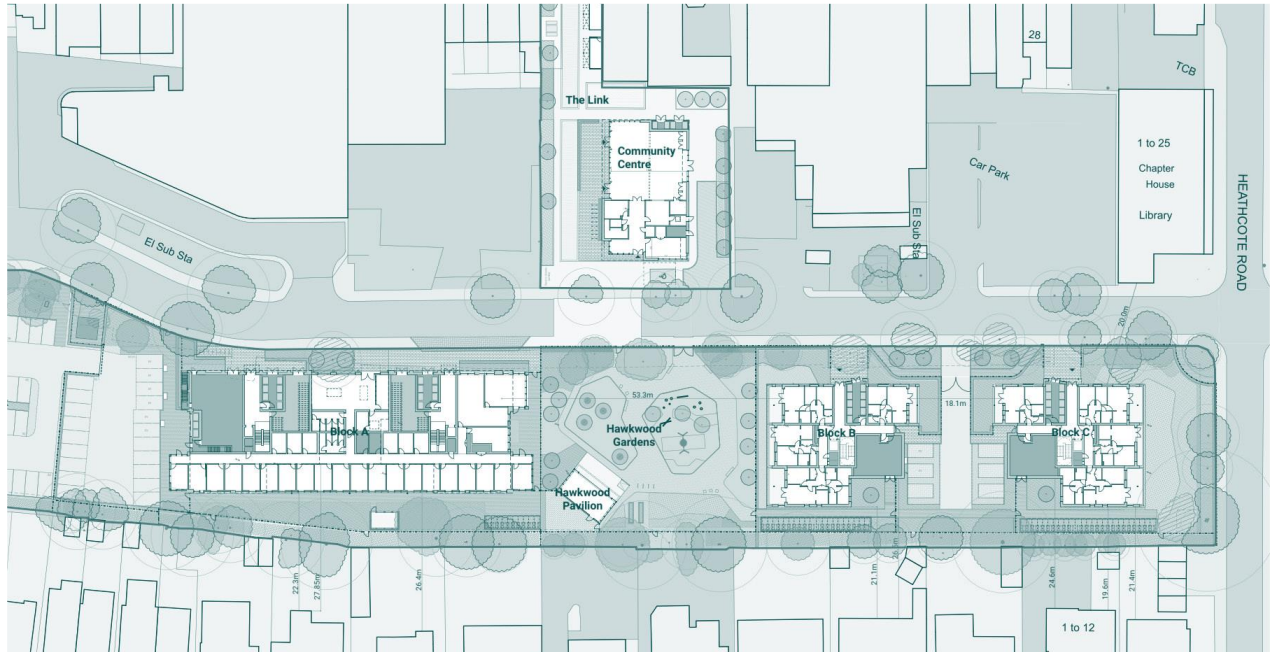
4.0 - Methodology

5.0 - Findings (Energy Demand)

5.1 - Findings (CO<sub>2</sub> emissions)

6.0 - Conclusions

## 1.0 - INTRODUCTION



The new development at Hawkwood Road consists of 2 sites (North & South of Hawkwood Road). The development contains an energy-efficient new building to the North, housing a Community Centre, and 3 blocks to the South, containing 68 apartments and a Medical Hub.

As part of its commitment to reduce CO<sub>2</sub> emissions in the conurbation BCP Council declared a Climate & Ecological Emergency in July 2019. On the back of this the new BCP local plan is being developed to help achieve a reduction in CO<sub>2</sub> emissions in new developments across the conurbation.

The current Policy CS2 of the Bournemouth Local Plan Core Strategy requires that all developments must have at least 10% of their energy demand come from decentralised and renewable or low carbon sources, unless this is demonstrated to be unfeasible or unviable.

The proposed development will be built to the Passivhaus standard using a fabric-first approach that will exceed Building Regulations.

The purpose of this report is to show how building to the fabric-first approach (Passivhaus standard) will provide a significant CO<sub>2</sub> emissions reduction across the development compared to the same buildings if they were built to current Building Regulations requirements.

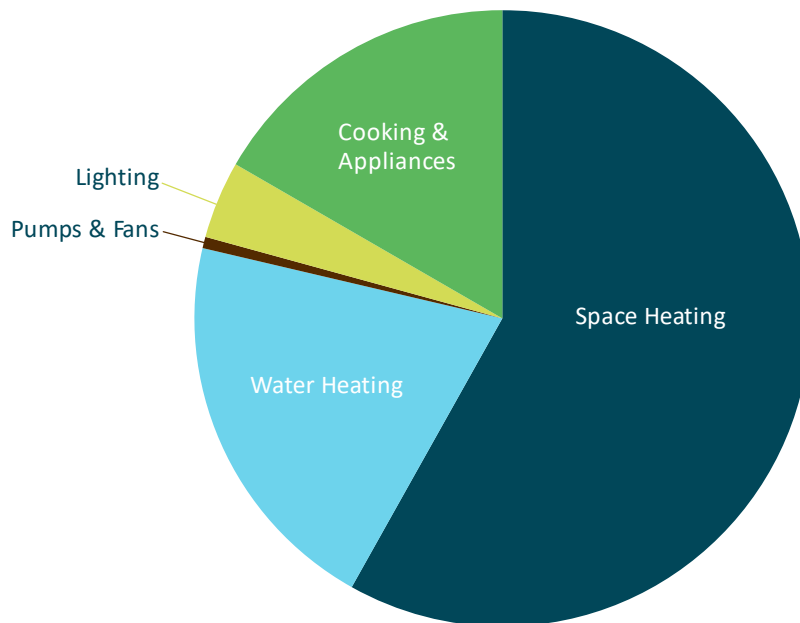
## 2.0 - ENERGY REQUIREMENTS

### Energy efficiency first

The largest proportion of energy demand of a typical dwelling built to current regulations is from space and water heating.

Figure 2.1 below shows the energy split of a typical dwelling built to comply with Building Regulations.

Figure 2.1



It is good practice therefore to reduce the overall energy demand of a dwelling by utilising a low energy design approach.

Using a fabric-first approach, the space heating demand of a dwelling is brought closer to zero due to the high levels of thermal insulation and air tightness.

Low energy design involves the consideration and implementation of measures to reduce the energy requirement of a dwelling. This can be achieved by:

- Improving levels of insulation to reduce heat loss through the fabric of the building.
- Use of low-energy technologies, e.g. low-energy lighting, energy efficient heating systems & appliances.
- Use of passive solar design.

## 3.0 - ENERGY HIERARCHY

Be Lean, Be Clean, Be Green.

When designing a building it is advisable to follow an Energy Hierarchy. The primary aim is to make the building as energy efficient as possible in order to reduce the demand for energy, and thus CO<sub>2</sub> emissions.

Building Regulations 2021 Part L aims to reduce CO<sub>2</sub> emissions from new buildings by 31% compared to those built to 2013 regulations. This can be achieved by making improvements to the fabric of the building by increasing levels of insulation, increasing air tightness and the use of efficient heating & appliances. CO<sub>2</sub> emissions can be further reduced by using renewable or low-carbon energy sources.

In order to reduce the regulated CO<sub>2</sub> emissions of the proposed development the principle is to follow the energy hierarchy:

1. Use less energy – energy efficient measures, air tightness, passive solar, low energy design
2. Use renewable & low-carbon energy sources

### Use less energy

Areas of consideration in order to improve the efficiency of the fabric of a dwelling:

- Increased insulation to main thermal elements (roof, walls, floor, glazing)
- Reduce thermal bridging to near-zero
- Improved air tightness

Other areas for improvement:

- Efficient heating & hot water systems
- Improved heating & lighting controls
- Controlled ventilation
- Energy efficient lighting
- Energy efficient appliances (cooker, washing machine, fridges, etc.)

## 1. Use less energy

The proposed minimum Building Fabric specification for the development, built to the Passivhaus standard, will be as follows:

Element	Proposed u-value (Passivhaus spec) (W/m <sup>2</sup> K)	Maximum required by Building Regulations Part L1A (W/m <sup>2</sup> K)
Walls	0.12	0.26
Floor	0.15	0.18
Roof	0.10	0.16
Glazing	1.0	1.6
Air tightness	1.0 <sup>1</sup>	8.0

## 2. Use renewable & low carbon energy sources

It is proposed that Heat Pumps be used across the development:

- Commercial units will use Air-to-air heat pumps (as part of packaged air conditioning systems)
- Apartments will have GSHP (Ground Source Heat Pump) units utilising a shared ground loop system.

It is proposed that MVHR whole-house ventilation systems are used in each unit. MVHR extracts heat from expelled air and uses it to pre-warm incoming fresh air.

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<sup>1</sup> Air tightness (or air permeability) is measured differently in Building Regulations and Passivhaus. Passivhaus uses the n50 methodology, which requires an air change/hour (ACH) rate of 0.6. An n50 result of 0.6 ACH is roughly equivalent to a 1.0 using the q50 methodology used by Building Regulations.

## 4.0 - METHODOLOGY

### Project Appraisal

BCP Council impose a condition on all new dwellings that requires a 10% reduction in Energy Demand from renewable or low carbon sources. The 10% energy demand reduction requirement in the out-of-date Bournemouth Local Plan is a noble intention, but too simplistic a tool in practice.

Under the out-of-date local plan there is no requirement for a dwelling to exceed Building Regulations, just that the energy demand is reduced by 10% using renewable or low-carbon sources. This makes it possible to build an inefficient building that fails to meet Building Regulations Part L , which only passes with the addition of renewables.

Using a fabric-first approach can achieve a decent Building Regulations pass without the need for renewables, however, the development will also use low-carbon heat pump technologies.

The proposed development will be built to Passivhaus standard using a fabric-first approach that will greatly exceed Building Regulations.

Design SAP software has been used to determine CO<sub>2</sub> emissions & Energy Demand for the development.

## 5.0 – FINDINGS (Energy Demand)

### Whole Development

Table 5.0.1 Benchmark Calculations (Base spec with gas boiler)

Unit type	Space Heating (kWh/year)	Water Heating (kWh/year)	Pumps & Fans (kWh/year)	Lighting (kWh/year)	Unit Total (kWh/year)	No. Units	TOTAL (kWh/year)
GF Flat 1 Bed	1298.6	3043.7	201.7	141.8	4685.8	4	18,743
Mid Flat 1 Bed	564.0	3082.8	201.7	141.8	3990.3	10	39,903
Top Flat 1 Bed	1293.2	3044.1	201.7	141.8	4680.9	8	37,447
GF Flat 2 Bed	1536.3	3204.0	218.9	150.2	5109.3	2	10,219
Mid Flat 2 Bed	756.8	3241.6	218.9	150.2	4367.4	12	52,408
Top Flat 2 Bed	1525.7	3204.6	218.9	150.2	5099.3	2	10,199
GF Flat 3 Bed	2189.0	3382.5	244.4	170.7	5986.6	2	11,973
Mid Flat 3 Bed	1178.6	3422.2	244.4	170.7	5015.9	22	110,350
Top Flat 3 Bed	2181.7	3383.0	244.4	170.7	5979.8	6	35,879
Community Centre	17709.3	3554.7	814.9	398.9	22477.8	1	22,478
Med Hub (Block A GF)	48474.0	4322.4	2846.0	1184.6	56827.0	1	56,827
							<b>327,121</b>

Table 5.0.1 shows that the development if built to the base specification (Building Regulations pass) has an energy demand of 327,121 kWh/year.

Table 5.0.2 Proposed Specification (Passivhaus + Heat Pumps)

Unit type	Space Heating (kWh/year)	Water Heating (kWh/year)	Pumps & Fans (kWh/year)	Lighting (kWh/year)	Unit Total (kWh/year)	No. Units	TOTAL (kWh/year)
GF Flat 1 Bed	300.5	1867.8	115.7	141.8	2425.8	4	9,703
Mid Flat 1 Bed	69.6	1788.8	115.7	141.8	2116.0	10	21,160
Top Flat 1 Bed	222.6	1846.2	115.7	141.8	2326.3	8	18,611
GF Flat 2 Bed	121.0	1977.4	132.9	150.2	2381.4	2	4,763
Mid Flat 2 Bed	7.2	1884.9	132.9	150.2	2175.1	12	26,102
Top Flat 2 Bed	71.3	1953.1	132.9	150.2	2307.4	2	4,615
GF Flat 3 Bed	579.5	2227.9	158.4	170.7	3136.4	2	6,273
Mid Flat 3 Bed	223.8	2128.6	158.4	170.7	2681.4	22	58,991
Top Flat 3 Bed	468.1	2203.6	158.4	170.7	3000.8	6	18,005
Community Centre	6313.5	1679.4	728.9	398.9	9120.7	1	9,121
Med Hub (Block A GF)	11941.8	1701.0	2760.0	1184.6	17587.4	1	17,587
							<b>168,222</b>

Table 5.0.2 shows that the development if built to the proposed Passivhaus specification with Heat Pumps has an energy demand of 168,222 kWh/year.

This represents a **48.6% energy demand reduction**  $[1-(168,222/327,121)] \times 100$ .

## 5.1 – FINDINGS (CO<sub>2</sub> emissions)

Table 5.1 Benchmark Calculations (Base spec)

Unit type	Floor Area (m)	DER (kg CO <sub>2</sub> /m <sup>2</sup> )	CO <sub>2</sub> Emissions (kg/year)	No. Units	Total Floor Area (m)	TOTAL CO <sub>2</sub> Emissions (kg/year)
GF Flat 1 Bed	57.5	17.28	993.6	4	230	3974
Mid Flat 1 Bed	57.5	14.64	841.8	10	575	8418
Top Flat 1 Bed	57.5	17.26	992.5	8	460	7940
GF Flat 2 Bed	66.0	16.39	1081.7	2	132	2163
Mid Flat 2 Bed	66.0	13.95	920.7	12	792	11048
Top Flat 2 Bed	66.0	16.34	1078.4	2	132	2157
GF Flat 3 Bed	78.7	16.16	1271.8	2	157.4	2544
Mid Flat 3 Bed	78.7	13.53	1064.8	22	1731.4	23426
Top Flat 3 Bed	78.7	16.14	1270.2	6	472.2	7621
Community Centre	362.1	12.92	4678.3	1	362.1	4678
Med Hub (Block A GF)	1371.1	8.41	11531.0	1	1371.1	11531
					<b>6415.2</b>	<b>85,501</b>

Table 5.1 shows CO<sub>2</sub> emissions of the development if built to a typical specification with gas boilers.

Total CO<sub>2</sub> emissions are 85,501 kgCO<sub>2</sub>/m<sup>2</sup>

Average CO<sub>2</sub> emissions are 13.33 kgCO<sub>2</sub>/m<sup>2</sup> (85,501/6415.2)

The base specifications used for the benchmark calculations are as follows:

Walls = 0.20 W/m <sup>2</sup> K	(Building Regulations Part L limit = 0.26 W/m <sup>2</sup> K)
Floor = 0.15 W/m <sup>2</sup> K	(Building Regulations Part L limit = 0.18 W/m <sup>2</sup> K)
Roof = 0.15 W/m <sup>2</sup> K	(Building Regulations Part L limit = 0.16 W/m <sup>2</sup> K)
Glazing = 1.4 W/m <sup>2</sup> K	(Building Regulations Part L limit = 1.6 W/m <sup>2</sup> K)
Air tightness (q50) = 5.0 m <sup>3</sup> /hr/m <sup>2</sup>	(Building Regulations Part L limit = 8.0 m <sup>3</sup> /hr/m <sup>2</sup> )

Table 5.2 Calculations with proposed specification (Passivhaus + Heat Pumps)

Unit type	Floor Area (m)	DER (kg CO <sub>2</sub> /m <sup>2</sup> )	CO <sub>2</sub> Emissions (kg/year)	No. Units	Total Floor Area (m)	TOTAL CO <sub>2</sub> Emissions (kg/year)
GF Flat 1 Bed	57.5	6.22	357.7	4	230	1431
Mid Flat 1 Bed	57.5	5.32	305.9	10	575	3059
Top Flat 1 Bed	57.5	5.93	341.0	8	460	2728
GF Flat 2 Bed	66.0	5.22	344.5	2	132	689
Mid Flat 2 Bed	66.0	4.67	308.2	12	792	3699
Top Flat 2 Bed	66.0	5.02	331.3	2	132	663
GF Flat 3 Bed	78.7	5.93	466.7	2	157.4	933
Mid Flat 3 Bed	78.7	5.00	393.5	22	1731.4	8657
Top Flat 3 Bed	78.7	5.64	443.9	6	472.2	2663
Community Centre	362.1	3.84	1390.5	1	362.1	1390
Med Hub (Block A GF)	1371.1	1.94	2659.9	1	1371.1	2660
					<b>6415.2</b>	<b>28,572</b>

Table 5.2 shows CO<sub>2</sub> emissions of the development if built to the proposed specification (Passivhaus + Heat Pumps for space & water heating).

Total CO<sub>2</sub> emissions are 28,572 kgCO<sub>2</sub>/m<sup>2</sup>

Average CO<sub>2</sub> emissions are 4.45 kgCO<sub>2</sub>/m<sup>2</sup> (28,572/6415.2)

The Passivhaus specifications used for the benchmark calculations are as follows:

- Walls = 0.12 W/m<sup>2</sup>K (Building Regulations Part L limit = 0.26 W/m<sup>2</sup>K)
- Floor = 0.15 W/m<sup>2</sup>K (Building Regulations Part L limit = 0.18 W/m<sup>2</sup>K)
- Roof = 0.10 W/m<sup>2</sup>K (Building Regulations Part L limit = 0.16 W/m<sup>2</sup>K)
- Glazing = 1.0 W/m<sup>2</sup>K (Building Regulations Part L limit = 1.6 W/m<sup>2</sup>K)
- Air tightness (q50) = 1.0 m<sup>3</sup>/hr/m<sup>2</sup> (Building Regulations Part L limit = 8.0 m<sup>3</sup>/hr/m<sup>2</sup>)

### CO<sub>2</sub> EMISSIONS (TONNES/YEAR)

The following tables show CO<sub>2</sub> emissions reductions achieved as follows:

Table 5.3 Calculated CO<sub>2</sub> emissions for the whole development (Tonnes/year)

Base Spec	Proposed spec	Difference (Base spec vs Future Homes Spec)
85.5	28.6	56.9

Table 5.3 shows the difference in CO<sub>2</sub> emissions across the whole development between the base specification and the proposed specification is 56.9 tCO<sub>2</sub>/yr.

This represents a 66.6% CO<sub>2</sub> emissions reduction.

## BUILD COSTS vs CO<sub>2</sub> EMISSIONS.

### Estimated Build Costs

Table 5.4 Estimated build cost (building costs excluding external works)

	Proposed Build spec (£)	'Normal' spec (8% less, assumed) (£)	Difference (£)
Whole Development	27,337,133	25,312,160	2,024,973

### CO<sub>2</sub> emissions over 75 years

Table 5.5 CO<sub>2</sub> emissions over 75 years for the Development

Specification	CO <sub>2</sub> emissions (tonnes/year)	CO <sub>2</sub> emissions over 75 years (tonnes)	Different in CO <sub>2</sub> emissions over base spec over 75 years (tonnes)	CO <sub>2</sub> emissions reduction (%)
Base spec	85.5	6413	-	-
Proposed spec	28.6	2143	4270	<b>66.6</b>

### Calculation of Cost vs CO<sub>2</sub> Emissions saving

Table 5.6 Cost per tonne of CO<sub>2</sub>

	Extra cost to build to proposed specification (£)	Difference in CO <sub>2</sub> emissions over base spec over 75 years (tonnes)	Cost per extra tonne of CO <sub>2</sub> saved over 75 years (£)
Whole development	2,024,973	4270	474

Table 5.6 shows the monetary cost per tonne of CO<sub>2</sub> emissions saved by using the proposed specification over the base 'Building Regulations' specification.

### Whole Development

4270 tonnes of CO<sub>2</sub> emissions are saved by building to the proposed Passivhaus specification (with heat pumps for space & water heating), which equates to a cost of £474 per tonne of CO<sub>2</sub> saved.

## 6.0 - CONCLUSIONS

If built to the proposed specification (Passivhaus + heat pumps) the development would satisfy policy CS2 by using heat pumps for space and water heating (GSHP in the apartments, ASHP in Medical Hub & Community Centre

Total CO<sub>2</sub> emissions saving over 75 years across the site by building to the proposed Passivhaus specification is **4270 tonnes**.

Cost per tonne of CO<sub>2</sub> saved over 75 years for the Whole Development is **£474**.

### ADDENDUM - Trees

Over 75 years the proposed specification would reduce CO<sub>2</sub> emissions over a Building Regulations compliant specification, as follows:

Whole Development = 4270 tonnes of CO<sub>2</sub> over 75 years

By comparison, a typical tree will absorb up to 1 tonne of CO<sub>2</sub> over 100 years, which equates to around 0.75 tonnes over 75 years.

A simple calculation shows that the CO<sub>2</sub> emissions reduction provided by the proposed specifications is equivalent to planting the following numbers of trees:

$4270/0.75 = 5692$  trees



Report subject	<b>Constitution Hill Road, Poole, Dorset, BH14 0QA</b>
Meeting date	2 October 2024
Status	Public
Executive summary	<p>The Constitution Hill Housing project is proposing to deliver c98 new residential homes to the Poole area.</p> <p>The project is currently proposed as, c98 homes made up of 76 Social Rent, 10 Temporary Accommodation and 12 Specialist Accommodation.</p> <p>Due to the increased build costs impacting the construction sector, the Council has revised its funding strategy required to support the increased budget. The revised funding strategy detail is included within paragraphs 12 to 18 (and appendix 1) of this report.</p> <p>Previous approvals were to the value of £430k (Officer Decision Record). This report requests a further £995k to secure planning approval and demolition of the seven existing buildings (a total spend of £1.425m, requiring Council approval). The full business case for the new build budget will be presented to Council at later date.</p>
<b>Recommendations</b>	<p><b>Cabinet recommends to Council:</b></p> <ol style="list-style-type: none"> <li>1. Approve a further £995k for design, planning and demolition of existing buildings.</li> <li>2. Approve the delegation to the Chief Operations Officer in conjunction with the Director of Finance and the Director of Law &amp; Governance authority to enter a contract for demolition providing all key parameters (including delivery within approved capital budget) are met.</li> <li>3. Appropriate the site for housing purposes under section 19 of the Housing Act 1985.</li> <li>4. Transfer the site to the Housing Revenue Account (HRA) from the General fund at an appropriate certified value of the land.</li> </ol> <p><b>Cabinet Approval:</b></p> <ol style="list-style-type: none"> <li>5. Approve the delegation to the Service Director to vary site security measures.</li> </ol>
<b>Reason for recommendations</b>	To enable the proposed affordable housing scheme to progress through to demolition and planning application stage, enabling us to progress the project.

Portfolio Holder(s):	Cllr Kieron Wilson, Portfolio Holder for Housing and Regulatory Services
----------------------	--

Corporate Director	Glynn Barton (Chief Operations Officer)
Contributors	Amena Matin, Director, Investment and Development Jonathan Thornton, Head of Housing Delivery Remi Oshibanjo, Housing Development Manager Gemma Parry, Development Project Manager
Wards	Parkstone
Classification	For Decision

## Background

### Site background information

1. Constitution Hill is owned by BCP Council and consists of the former Bournemouth and Poole College site purchased in 2015. It was brought into the General Fund as well as land which was surplus to the Ocean Academy school development. The site contains 7no. educational buildings including Lady Russell Cotes House, which is locally listed.
2. The site has been vacant for several years and has been subject to anti-social behaviour including arson and vandalism. Located away from main roads, the existing buildings are not overlooked. There are a high proportion of trees (covered by a blanket Tree Preservation Order), making the site vulnerable to anti-social behaviour. As a result, the Council has incurred significant costs to keep the site secure with 24 hour on-site security and installing hoarding, to maintain the safety of the buildings and adjacent neighbour properties.
3. Following recent and increasingly frequent incidents of antisocial behaviour and damage to property, it has become necessary to increase additional security onsite. This may involve increasing the frequency of visits, instructing security personnel to visit in pairs and enhancing the hoarding the fencing within and around the site. There has been a number of concerns raised from neighbours. There is an intention to install steel palisade fencing to reduce unauthorised entry on to the site in the period leading up to demolition and beyond.
4. By proceeding with the demolition, subject to planning, this will reduce the ongoing concerns and costs of security and unlock much needed land for new homes to reduce pressures on the housing service. The proposed scheme will provide high quality energy efficient housing to increase the Council's housing stock and to help reduce the numbers of families in need of suitable housing. The proposed self-contained Temporary Accommodation will assist in reducing the use of Bed & Breakfast accommodation for homeless families.

### Proposed scheme

5. The development will provide a total of circa 98 new homes on the Constitution Hill site and Brownsea Centre site. Plans for the proposed scheme are included in Appendix 5. The mix includes apartments for Social Rent, Temporary Accommodation, Specialist Housing and houses for Affordable Rent. The Temporary Accommodation and Specialist Housing includes appropriate communal spaces. The Temporary Accommodation and Specialist Housing rents are currently calculated as being capped at the Local Housing Allowance.
6. The proposal includes demolishing the remaining 7no. former education properties on the site. Broughton Housing (Building 1) was demolished, following an arson attack in February 2023. Retrospective planning consent has since been granted.
7. Below is an indicative programme for the project. The intention is to return to Cabinet and Council with a full business case in May 2025.

### Indicative Programme

Milestones	Indicative End Date
Submission of Prior-Demolition Application	September 2024
Demolition of Existing Properties	January 2025
Enter into PPA	December 2024
Receive Full Planning Decision	May 2025
Cabinet/Council Approval of full Business Case	May 2025
Tendering of Build Works	June 2025
Start on Site	November 2025
Practical Completion	September 2027

8. The current recommendation requests £995k of total funding to cover the following:

Item of works	Cost	Date to complete (or completed)
Architectural design & Principal Designer	£304.1k	£70.1k spent to date. Architect fees - on hold.
Structural design (Lady Russell Cotes House only)	£6k	June 2024
Asbestos Surveys	£5.4k	June 2024
Ground Investigation	£14.2k	Completed
Arboricultural Surveys	£3.8	Completed
Topographical Survey	£30k	Completed
Ecological surveys including PEA (Bat survey and Badger survey)	£42k	July 2024
Employers Agent fees	£67.6k	On going
Planning fee including PPA	£72.3k	December 2024
Fire Consultant	£15.8k	December 2024
Demolition of existing buildings (including tree protection works)	£460k	January 2025
Asbestos removal	£40k	December 2024
Electric, Gas and water isolation and meter removals	£50k	December 2024
Valuation fee	£0.9k	Completed
Historic Costs (Future Places)	£79.7k	Completed
Bat Building and associated works (including design fees)	£100k	December 2024
Sub total	£1.291m	

10% Contingency	£129.2k	
Total	£1.425m	
Less previous approved fee	£430k	
<b>Total funding required</b>	<b>£995k</b>	

### Quality build standards

9. The cost estimate allows for the provision of energy efficient homes to help address the BCP Council declared Climate and Ecological Emergency 2019. The development will contribute to the Council's commitment to achieving a net zero carbon emission target.
10. A carbon reduction statement has been completed which measures the sustainability of the development through carbon savings. The statement provides details of the carbon reduction figures and is included at Appendix 5.
11. All homes will be built to high sustainability standards delivered through excellent fabric first and airtightness measures. This standard offers the benefit of low carbon heating requirements, high levels of energy efficiency and an off-gas heating system.

### Financial Strategy

12. The scheme currently has an approved budget of £430k, funded by prudential borrowing. This report seeks approval to increase this sum to £1.425m, by an additional amount of £995k. Of the additional monies being requested £460k relates to demolition of the existing buildings. The remainder relates to additional costs to get us to the Planning stage.
13. The site complexities, planning constraints and additional reports required to work up a planning application have added additional spend to the scheme. The £430k was made up from an Officer Decision Record (ODR) approved in January 2023 of £350k plus £42k for Future places and an additional ODR approved in August 2023 of £38k.
14. Both the £430k (existing budget) and £995k (proposed additional budget) are included within the overall proposed scheme estimate at £28.535m shown in Appendix 1, funding for which is shown as external grant funding, borrowing and use of Right To Buy receipts originally earmarked for Princess Road. The Princess Road scheme will be re appraised in the future without this current Right To Buy funding.
15. The total cost for demolition and planning stage of £1.425m will be financed by prudential borrowing.
16. The initial appraisal shows a viable scheme with a modest subsidised cash flow over 30 years averaging at £10,156 per year based on the assumptions in the table (see Appendix 2). These assumptions will be further reviewed in drafting the full business case.
17. The appropriation of the land between the General Fund and the Housing Revenue Account, at an appropriate certified value, will be implemented immediately. The borrowing costs in respect of the £1.425m for demolition and planning stage costs will be incurred in or transferred to the HRA. Consequentially the HRA's level of indebtedness as measured by the Capital Financing Requirement (CFR) will be increased by both the land transfer value and the £1.425m.
18. The full build business case will require and increase in the Council overall threshold for borrowing. The Audit and Governance Committee will therefore be asked to recommend to Council an increase the level of borrowing following the production of both the full business case and a 30-year HRA business plan demonstrating that the debt is affordable.

### Risks to the HRA

19. In the event the scheme becomes unviable, the total cost incurred up to that point will be written off in the HRA bearing the full cost of the write off. The HRA will then possess the land which it can dispose or use for other benefits.
20. The full business case will need to demonstrate that the scheme is fully viable based on the assumptions at that time in the context of a 30 year business plan if any subsidy is required. The full business will also confirm the certified value of the land to be used in the transfer of debt between the General Fund and the HRA and therefore as part of the business case and viability assessment.
21. It should be recognised that there are still challenges to this scheme as the Council have no confirmation of government grant approval and assumptions made in the initial model may change (e.g. Government policy re social rent increase, baseline inflationary estimates, market forces, regulatory changes, etc.)

### **Benefits to the Council**

22. The Council will benefit from less cost of temporary accommodation. There will be less borrowing in the General Fund and there will be an increased supply of affordable and specialist homes.

### **Taxation and Public Sector Subsidy (Subsidy Control)**

23. Generally, the construction of residential dwellings does not attract VAT, although VAT can be charged on professional fees such as those for architects, surveyors etc. However, this VAT can be mitigated using a design and build contract (with the advantage being that the design services could also benefit from VAT zero-rating as following the liability of the principal supply of construction services). Whilst outside of a main contract we have allowed for design related VAT costs.
24. Stamp Duty Land Tax (SDLT) is not applicable to the land transfer between General Fund and the Housing Revenue Account (HRA), as the transfer will not constitute a transaction chargeable to tax for SDLT purposes.
25. Subsidy Control is applicable as State resource is given to the Council, in terms of grant from MHCLG and Homes England.

### **Value for Money**

26. The construction costs are based on a projected build cost of £2,670m2 including abnormals (demolition, asbestos and on costs). At this level the scheme remains viable in with a modest subsidy in terms of costs, and a 10% contingency budget has been included in the financial appraisal.
27. Value for money is represented by the following:
  - a) Fabric first specification, including off gas heating/hot water, heat pump technology, to achieve lower energy bills for tenants
  - b) 100% affordable housing, proving homes for people on the housing waiting list
  - c) Savings to the General Fund Revenue Account on future security costs at c£42k per annum.

### **Consultation**

28. Portfolio Holder and Ward Councillor consultation has continued from scheme inception.
29. We intend to carry out a full public consultation exercise once we have feedback from the pre-app planning process (which will establish the pattern of development). This will be undertaken prior to a full planning application being made, to allow for appropriate adjustment of the plans in response to the results of the public consultation.

## **Approval Conditions**

30. Should the build cost increase across the scheme, the Prudential Borrowing would need to be increased to maintain a near steady state for the long-term cash flow. Should costs reduce, typically the funding will reduce proportionately.

## **Summary of legal implications**

31. There Section 9 of the Housing Act 1985 empowers the Council to erect buildings for the purpose of providing housing accommodation where this is undertaken on land acquired for this purpose. The land can be treated as if “acquired for this purpose” by appropriating the land under Section 19 of the same Act.
32. Accordingly, the Council may exercise its statutory power to build the housing scheme once the properties are demolished and the site has been appropriated for housing purposes under section 19 of the 1985 Act.
33. Following the appropriation, the Council must make the requisite adjustments to the General Fund and the Housing Revenue Account as detailed above (section 24, Town and Country Planning Act 1959; section 74(1)(b), Local Government and Housing Act 1989).
34. The council is empowered to borrow under S1 Local Government Act 2003 for any purpose relevant to its functions. The report sets out that the borrowing will be required to enable the delivery of housing.
35. The Council will need to comply with all relevant procurement requirements in undertaking the proposals contained within this Report and the Council will seek further procurement and legal advice in that respect.

## **Summary of human resources implications**

36. The existing Housing Delivery Team will oversee the delivery of this scheme alongside the other new build schemes in the pipeline. Following a previous market procurement exercise the specialist role of Employers Agent and Cost Consultancy is already in place with Ward Williams if the construction phase of the project is to proceed.

## **Summary of DIA impact**

37. The DIA number is 238.

## **Summary of public health implications**

38. The housing scheme will create a sustainable good quality housing development and bring many benefits to the residents and the wider community. The proposed scheme gives careful consideration to the wider issues, such as trees, to help create an attractive area which improves the wellbeing of the community.

## **Summary of equality implications**

39. The EIA number is 2024/30.

## **Summary of risk assessment**

40. The following key risks have been identified alongside mitigating actions:

Overall Project Risk Rating		
Key Project Risks	Gross Risk Rating	Mitigating Actions
Rising construction costs render the project unaffordable	Low	Good project management will enable the close monitoring of progress and any issues that may arise will be dealt with promptly.
Planning approval for the scheme.	Low	The site is specifically identified for residential development in the emerging Local Plan. We intend to use a Pre-Planning Agreement (PPA) approach to work collaboratively with the Planning Team, a draft PPA document has been drawn up and the cost included in the financial appraisal.
Presence of Bats. Impact: Bats found post Bat Survey being completed. Outcome: Project delay due to removal of bats. Description: Bats potentially in existing buildings. Will require mitigation if found.	Low	Work with ecologist / bat consultant to understand what requirements / effects of bats being found are. Scope out and undertake surveys. Seek to sequence works around this.
Impact of Trees: Impact: Trees populate area for new development. Outcome: Trees needing to be relocated / removed. Design change around protected trees. Description: Site is densely populated with trees. These may be protected so have to be relocated, or the design changed around these.	Low	Ensure adequate programme / cost allowance. Ensure project description allows for these works. Engagement throughout with arboriculturist. Design team to consider position of existing trees to minimise works required to trees.
Ground Conditions Impact: Different foundations to those allowed for in cost plan. Potential Ground subsidence, etc. Outcome: Specialist foundations (e.g. piles) required	Low	Undertake further GI to ground once hardstanding and existing buildings are removed. GI undertaken at the earliest opportunity; this will enable the designers to modify design in line with ground conditions.
Fall in housing need for accommodation tenure provided caused by changes to the housing market or economy	Low	Monitor through construction period requirement for tenure with the Strategic Housing Options team. Should a particular need reduce the Housing Delivery Team can appraise and suggest changes to tenure to suit need and financial viability as required.
Insufficient funding available, such as failure to secure funding from Homes England	Low	The Housing Delivery Team are raising the scheme proposal with Homes England in order to gauge their appetite for funding the scheme. However, past experience indicates that provided the grant levels requested can be justified and within an acceptable range, Homes England are likely to be interested in funding the scheme once delivery is more certain (i.e. once it has received planning consent). Should Homes England funding not be made available, internal funding would be investigated. If insufficient funding were available, schemes will be prioritised and potentially some schemes put on hold until sufficient funding became available.
Increased fire risk during construction phase	Low	Design and construction will be closely monitored by the Housing Delivery Team, Employers Agent, and the principal contractor to minimise any risk. Plots will be constructed at different times to provide adequate fire distance breaks, etc.

Property development activity involves inherent risks	Low	A cautious approach has been adopted here to minimise these risks as much as possible. Financial contingencies have been included and significant consultation has been undertaken to date to help ensure a sustainable scheme.
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### Background papers

41. [Council Newbuild Housing Acquisition Strategy CNHAS 2023-2028](#) & [Historic England listing rejection report \(Lady Russell Cotes House\)](#).
42. [Approval](#)

### Appendices

- Appendix 1: Income and Expenditure Summary
- Appendix 2: Summary of Funding Assumptions
- Appendix 3: Programme
- Appendix 4: Site layout
- Appendix 5: Carbon Reduction Statement (Ward Williams)

Appendix 1 - Financial Summary for Constitution Hill

<i>Homes Prudential Borrowing Period</i>	
<b>Scheme Costs</b>	
Works	
Fees	
Other costs (Contingency at x%)	
Interest (during Build Phase)	
Land Acquisition costs	
<b>Total Scheme Cost</b>	
<b>Scheme Funding</b>	Funding rate (per unit)
Homes England Grant - TBC Affordable Housing Grant	
- Capital Funding - 1 for 1 Right to Buy Receipts	
- Capital Funding - Reserve allocation	
Prudential Borrowing - additional borrowing	
OPE funding	
<b>Total Scheme Funding (as Cabinet and Council Approved)</b>	
<b>Net Cost shown as Shortfall if +'ve</b>	
<b>Total scheme value</b>	

HRA September 2024				Comment
76	12	10	98	
Social Rent £000s	Specialist Acc £000s	Temp Acc £000s	TOTAL £000s	
16,325	2,359	2,367	21,051	
932	143	127	1,202	
1,633	235	237	2,105	
41	61	67	169	
3,257	471	472	4,200	
22,188	3,269	3,270	28,727	
-9,880	-900	-1,080	-11,860	
-2,000	0	0	-2,000	
0	0	0	0	
0	0	0	0	
0	0	0	0	
(11,880)	(900)	(1,080)	(13,860)	
10,308	2,369	2,190	14,867	
20,010	1,950	2,250	24,210	

Parameters	Assumption description
Rental income inflationary increase	3% (CPI+1%) for social rent units (76) 2% (CPI) for temporary and specialist accommodation units (22)
Running costs inflationary increase	2% (CPI)
Loss of rental income due to voids	2% for social rent units 6% for temporary accommodation 10% for specialist accommodation
Management costs for HRA	5.5%
Repairs and renewals	£783 per annum per unit
Major repair allowance	0.66% from year 10 after completion (Allowing for cost of infrastructure)
Financing costs	Interest on maturity basis – 4.61% with 0.4% discount for HRA No Minimum Revenue Payment assumption for HRA scheme
Certified value of land appropriation between General Fund and Housing Revenue Account (HRA)	£4.3m based on 2020 valuation for a mixed private rented sector and affordable housing accommodation. A new valuation is in progress as the certified value of the land is expected to reduce for a 100% HRA scheme.

## Appendix Three



**Project Title:**  
**Constitution Hill**  
**Project Lead:**  
**Gemma Parry**

<b>Historic Progress</b>	End date
<b>Task</b>	
Site investigations (surveys & reports)	01/07/24
Design stage - concept design	01/05/24
Cost analysis - Employers agent	07/04/24
Bat/ Badger Surveys	31/08/24
Planning - Prior demolition application.	25/10/24
<b>Planning/ Design/ Demolition Stage</b>	
<b>Task</b>	
Cabinet report submitted and decision	31/10/24
Disconnect the Utilities	01/03/25
Bat works	01/12/24
Demolition Stage	02/01/25
PPA stage / Design stage	01/03/25
Planning stage	02/06/25
Tender stage	02/06/25



# Baseline Carbon Assessment Dashboard

## 1. Project Summary

This carbon assessment is for a 10, 1 bed, 3 storey apartment block on a wider mixed residential scheme. The project comprises of the construction of a mixed residential development, the archetype is residential. The project is currently at RIBA Stage 1, and this represents the first carbon assessment.

The intention is that the Carbon Assessment is developed further along with the Cost Estimate at the next design phase. The baseline assessment would benefit from additional detail regarding external enclosure and proposed services.

This Carbon Baseline Assessment has been based upon initial drawings issued. The project is at feasibility stage, therefore information is limited and assumptions have been made within this Carbon Baseline Assessment that are outlined in Section 3.0 of the Cost estimate and in addition exclude Operational Carbon.

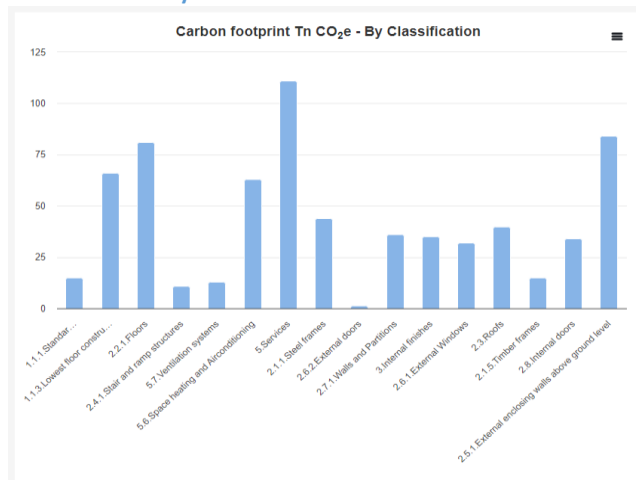
## 2. Whole Life Carbon Reporting and Baseline Assessments: Introduction and Purpose

Climate change is the greatest environmental challenge we face, and the Government has responded to calls to mandate whole-life carbon assessments for buildings.

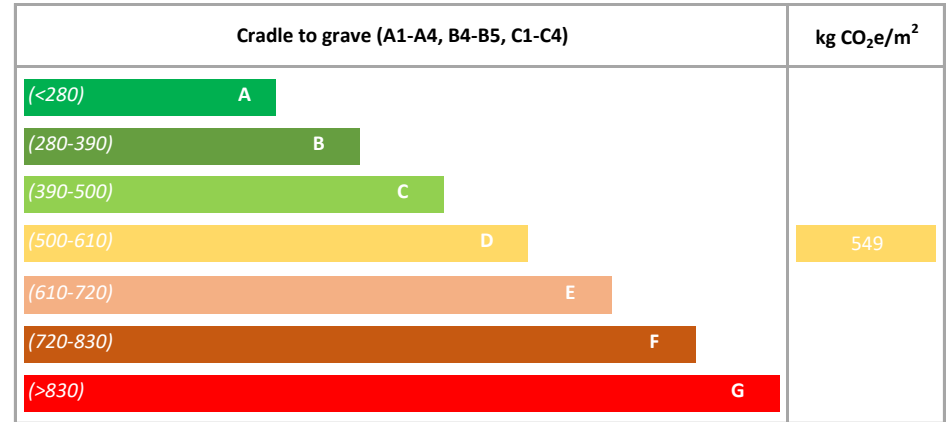
WWA utilise the OneClick Life Cycle Assessment software to assess the carbon performance (and environmental impact) of building over the course of its' anticipated lifecycle. A key aspect of this is ensuring assessments are undertaken in sufficient time so as to be able to influence the developing design to best maximise environmental performance alongside other project specific constraints.

The baseline carbon assessment studies allow early stage assessments to be made based on developing information, to ensure decisions are made with carbon performance considered at all times.

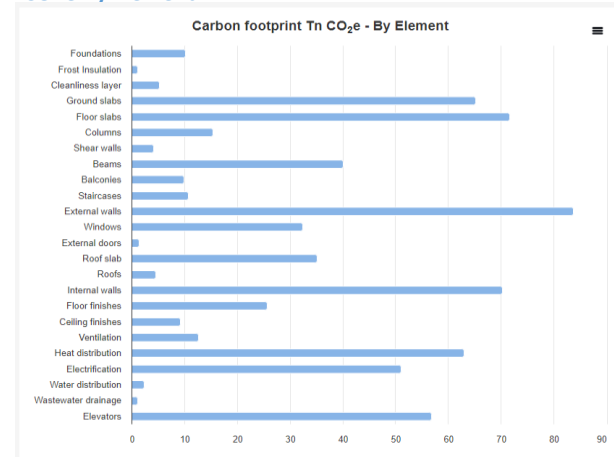
## 3. Key Project Carbon Contributors by Classification



## 4. Carbon Performance Benchmarks



## 5. Carbon footprint Tn CO2e By Element



## 6. Commentary, Suggestions and Next Steps

More detailed input/specification is required for:

- \* The external enclosure make up
- \* The specification of the integrated services for the building
- \* Foundation type

Key material review required for more sustainable alternatives once more detailed specification received.

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**CABINET**



Report subject	<b>High Needs Schools Grant Expenditure Forecast</b>
Meeting date	2 October 2024
Status	Public report
Executive summary	<p>This paper responds to the agreed action in the quarter one budget monitoring report for 2024/25 for the Corporate Director for Children’s Services to bring forward to October Cabinet a detailed report on the High Needs Dedicated Schools Grant (DSG) expenditure forecast and available mitigation measures. This report also to seek Council approval for any additional resources over the approved budget.</p> <p>A refreshed forecast is for an overspend of £16.5m, which is £0.6m more than indicated in the quarter 1 budget monitoring report. This forecast also means the Council is predicting to spend £44.5m more in 2024/25 than the grant made available by the government.</p> <p>This new forecast includes the cost of all new plans agreed as at July 2024 with a revised profile of projected assessment volume based on the current rate which is driven by local education settings and parents and carers.</p> <p>The BCP Local Area SEND system has significantly changed for the better over the last academic year. This follows the creation of a new SEND Improvement Plan developed to meet the Local Authority’s DfE Statutory Direction Notice to Improve. The improvement work which has taken place over the last 10 months has now addressed all historic backlogs and improved the servicing of new assessments and Education Care and Health Plans into the system. This improvement work has adversely increased the overspend within the High Needs Block budget.</p> <p>To note that the local authority proportion of children with EHCP is still below the national average and may therefore increase further impacting on the DSG overspend.</p>
Recommendations	<p><b>It is RECOMMENDED that Cabinet recommends that Council:</b></p> <p><b>(a) Approves a further £16.5m increase in the forecast 2024/25 expenditure on the Special Educational Needs and Disability (SEND) service. This brings the total funding forecast to £44.5m more than the grant made available by government as part of the dedicated Schools Grant.</b></p>

	<b>(b) Request the Corporate Director of Children’s service to implement the further mitigation measures outlined in this report.</b>
Reason for recommendations	To support the delivery of the Statutory Direction to improve SEND Services in BCP.
Portfolio Holder(s):	Richard Burton, Portfolio Holder for Childrens Services
Corporate Director	Cathi Hadley, Corporate Director for Children’s Services
Report Authors	Sharon Muldoon, Interim Director for Education and Skills Steve Ellis, Management Accountant, Education Finance
Wards	Council-wide
Classification	For Recommendation

## Background

1. Cabinet in September within the quarter one budget monitoring report requested an update on the DSG SEND forecast which at the time stood at £15.9million an additional funding gap above the £28m budgeted (£43.9m total in-year gap).
2. This report identifies the current activity and associated cost in the SEND system following a detailed review of the service. An additional £2.5m expenditure has been added to the forecast for high needs.
3. This report seeks permission to continue the SEND Improvement work noting the anticipated variance to the budget and for the organisation to note the significant financial implications.

## Reasons for Budget Changes derived through SEND Improvement Plan and DfE Statutory Notice

4. In July 2023, the Local Area Partnership’s progress against its SEND Written Statement of 2021 was reviewed by the Department for Education (DfE). This identified that insufficient progress had been made with regards to the service provision and associated outcomes for children and young people accessing this service. [Written Statement of Action Dec 21](#) [BCP Statutory Direction 8 April 2022](#)
5. A Statutory Direction was issued to the Local Authority that directed the organisation to improve the quality and timeliness of its services to meet statutory expectations. A new SEND Commissioner was appointed, alongside the development of a new SEND Improvement Plan; this was signed off by the DfE in February 2024. A key thrust of this plan was to ensure that no children in Academic Year 23/24 would experience a delay and that all historic assessments or plans requiring actions would be met. [SEND Statutory Direction BCP Childrens Services 26 February 2024](#) [SEND Improvement Plan - 25.06.24](#)  
Positively, this requirement has now been met.
6. ECHP assessments - in July 2023 there was a back log of 192 assessments waiting more than 30 weeks for assessment, with a service average time of

assessment completion at 44.5 weeks. It should be noted that the statutory expectation is that all assessments are completed within 20 weeks. In July 2023, 0% of assessments were being managed within the statutory timescales. By July 2024, through the SEND improvement programme the Local Authority has achieved 97%, with a much-improved average process time now standing at 21.4 weeks. The service has now completed all historic backlog ECHP assessments. This progress has been positively received by all stakeholders specifically the DfE.

7. Annual Reviews - every child or young person with an EHCP is by law entitled to and expected to have an Annual Review whereby their needs are reviewed and where accordingly their plans are amended. In July 2023, there was an Annual Review backlog of 2,453 (representing 68% of the EHCP cohort) which had not been completed or amended in time. As at July 2024, all the historic delayed Annual Reviews (2,453) have been processed, furthermore in year timeliness for Academic Year has significantly improved. There are currently 769 outstanding Annual Reviews for Academic Year 23/24 (representing 18% of total EHCP cohort). It is hoped by end of Spring Term all Annual Reviews will be met within the statutory requirements.

A new SEND Service restructure is currently being progressed as part of the SEND Improvement Plan. This restructure fundamentally changes the service profile to ensure continued timeliness against statutory time limits; positively, this has been designed within the existing current staff budget. A key focus of this new service design will be to provide greater focus on the quality of plans and to ensure that the use of independent mainstream specialist provision is reduced where possible. The table below shows the current unit cost profile for the different types of provision.

<b>Annual cost of current EHCPs</b>	<b>£ 000's</b>
Independent Schools	83.4
NMSS	57.7
Colleges	3.7
Specialist Colleges (SPI)	61.8
Independent Colleges	54.8
Special Schools	20.2
Mainstream	9.5
Independent mainstream	23.7
Mainstream Bases	16.0
Medical / Therapies	5.0
Bespoke	35.3
Pre-School	18.0
<b>Average</b>	<b>21.5</b>

8. The historic backlog of a total of 2,645 assessments and/or plans resulted in delayed costs being factored into the SEND forecast system i.e. plans not being serviced in statutory timeliness impacts or hides the real financial profile and the associated costs being unclear/uncertain in its predicted forecasts. This has now been addressed through revised and improved operational processes.
9. In October 2023, the Local Authority, working with the DfE in its Safety Valve programme submitted a revised budget for the SEND System. This plan was developed with DfE Advisors. It was established by looking at the previous 3 years of activity within the SEND system and making assumptions around the

profile of new activity in the system to reduce the key financial pressure. A key focus of this was to reduce the use of costly independent specialist provision; to promote earlier support through earlier intervention and to ensure that more children with EHCPs access their education in local mainstream provision.

10. These assumptions included the previous 'yes to assess' levels i.e. the number of assessments that were over the last 3 years found to meet statutory thresholds (for an assessment) and the onward run rate of EHCPs. These assumptions have now been proven to have materially changed, resulting in a significant variance to budget as outlined below.

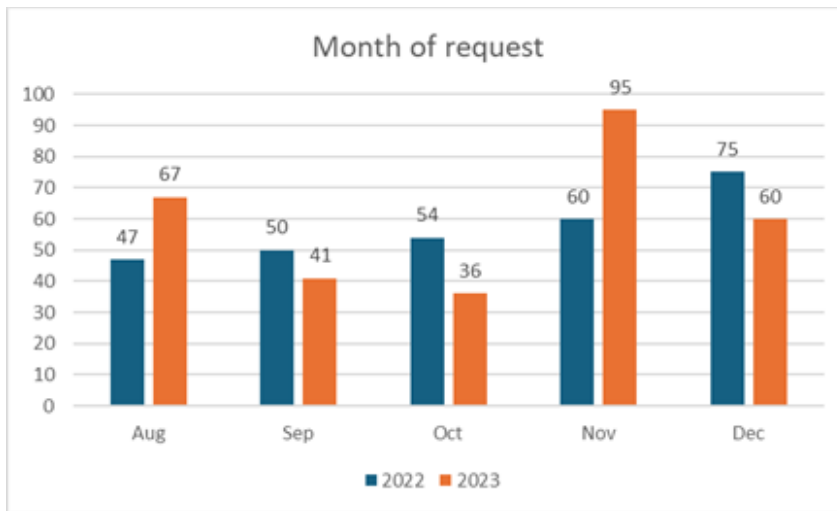
Calendar Years-'yes to assess' figures:

BCP	2020	2021	2022	2023
yes to assess	322	494	619	628
%	66.9	83.4	74.0	69.5

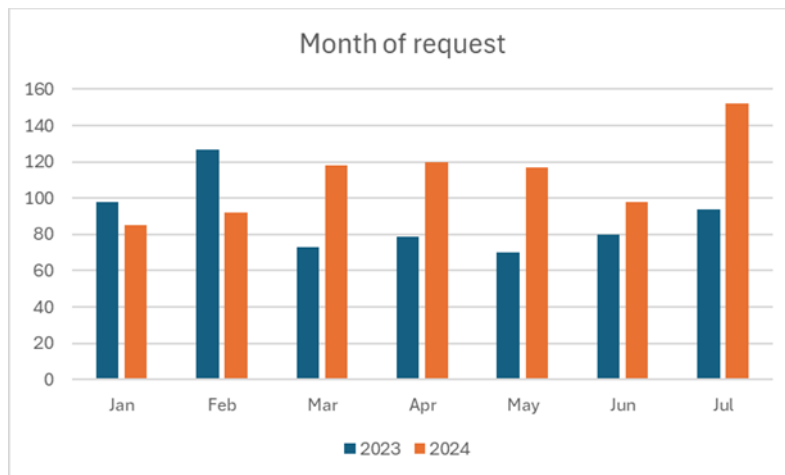
11. All improvement work has been overseen by the Department for Education's nominated Peer Support provider, Bedford Council. Each month audits are carried out by Bedford Council ensuring oversight of the Local Authority's decision processes. For the year ending March 24 BCP's yes to assess stood at 71%. Work continues to monitor decisions each month.

<b>BCP</b>	<b>National</b>	<b>South West</b>	<b>Statistical Neighbours</b>
69.5% (2023)	67% (2023)	64% (2023)	64% (2023)

12. This year's budget was built as part of the safety valve discussions and the resulting 15-year DSG management plan was set with a series of ambitious aims to reduce the number of new assessments into the system to 30 per month. This assumption was made based on data available in November 2023 (up to the end of October 2023) and is shown in the table below. Requests in October were 36 with only 24 being taken forward for assessment and likely to lead to a plan. It was always recognised that this was ambitious to maintain, but achievable through the wider SEND Improvement Plan, needs would be supported at SEN Support level and not result in escalations to EHCPs. This was also the opinion of supporting officers from the DfE.

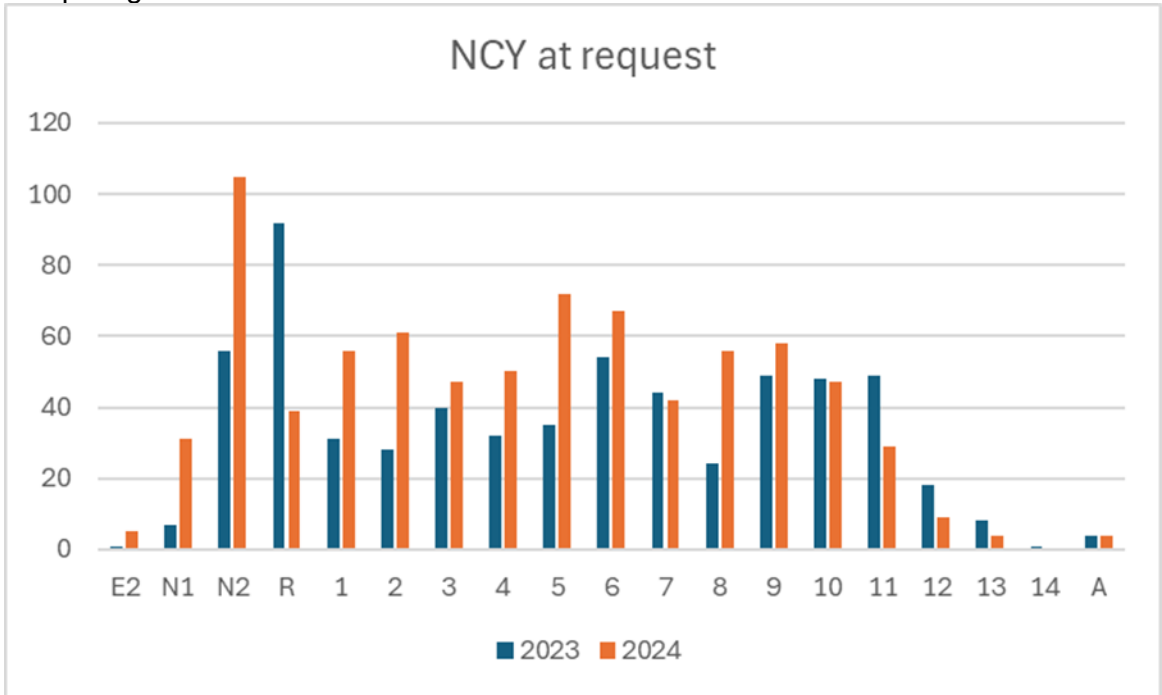


13. Since the management plan was submitted to the DfE, there has been a significant increase in demand. Data from January onwards demonstrates a continuing and substantial increase in requests superseding our expectation of an average of 30 requests per month by at least double every month. This follows a number of high-profile events held with schools following Safety Valve discussions and local activity in the press and social media.

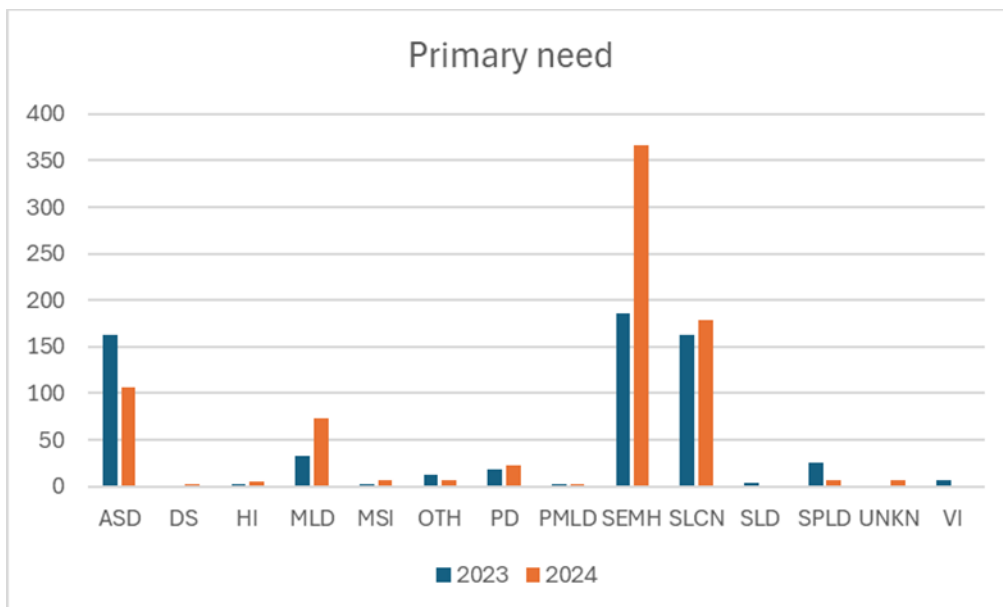


14. In addition to the volume of requests, the local area is witnessing a change in the profile in new requests. It is seeing an increase in requests for children and young people in their Early Years Foundation Stage (EYFS to Key Stage 1). This is significant for the budget as it results in a longer period of support required within an educational setting and in some cases a substantial increase in funding in relation to specialist provision where appropriate. The table below provides an overview of new assessment requests by National Curriculum Year (NCY)

comparing Jan-Jul 23 with Jan-Jul 24.



15. Further analysis of the change in the SEND system evidences there has also been a change in primary need in relation to requests received. In particular, the shift from children and young people with an Autistic Spectrum Condition diagnosis to Social, Emotional and Mental Health needs, requiring more specialist and sometimes bespoke packages to support their education journey. Listed below is the profile of primary need for the Jan-Jul 23 period compared with Jan-Jul 24. 1 provides information on the classification of the area of need. This will need to be analysed and understood and will be the subject of further work.

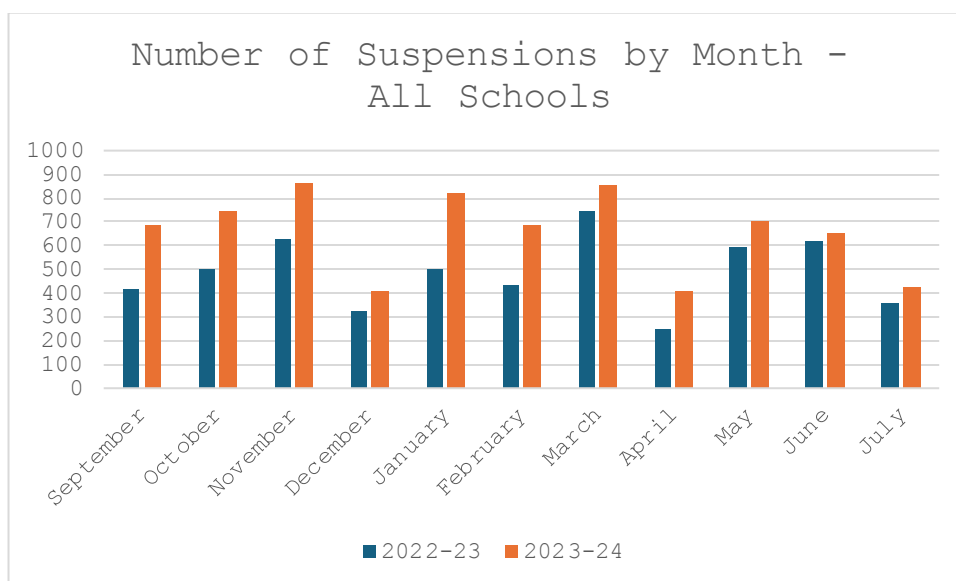


16. BCP's percentage of children with an EHCP as at Jan 2024 stands at 4.4% of the total school population which is broadly in line, with the national average of 4.7%,

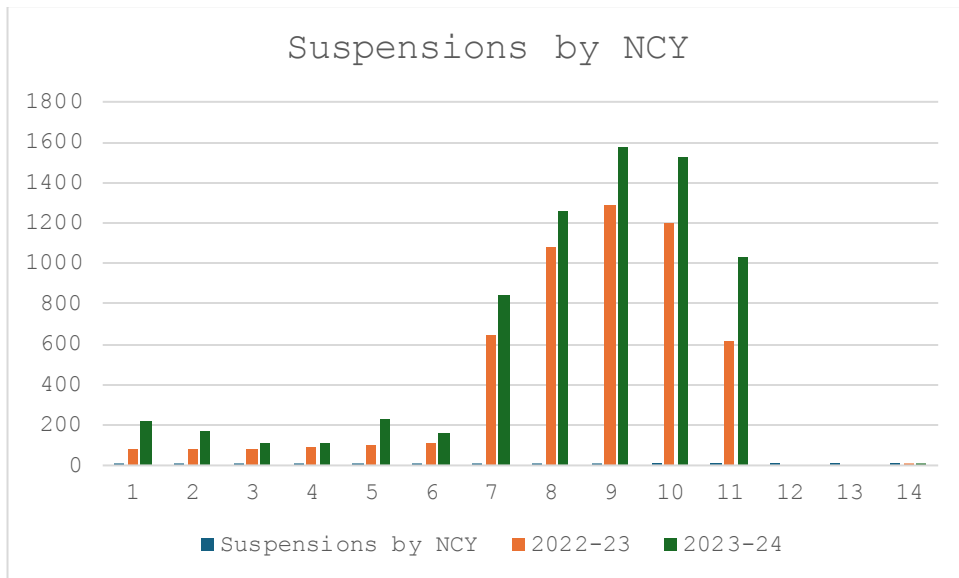
Southwest average of 4.8% and Statistical Neighbour level being 4.8%. As of July 2024 there are 4,321 EHCPs in the BCP system. If we were at national comparator level, there would be expected to **be 4,713 EHCP's in place**, which is an additional 392 EHCPs.

17. Alongside changes in SEND provision an area of further and particular concern with some direct links to the EHCP trends seen above, is the changing profile across several school inclusion measures. The information detailed below set out these changes with a summary of their impact at the end of the charts.

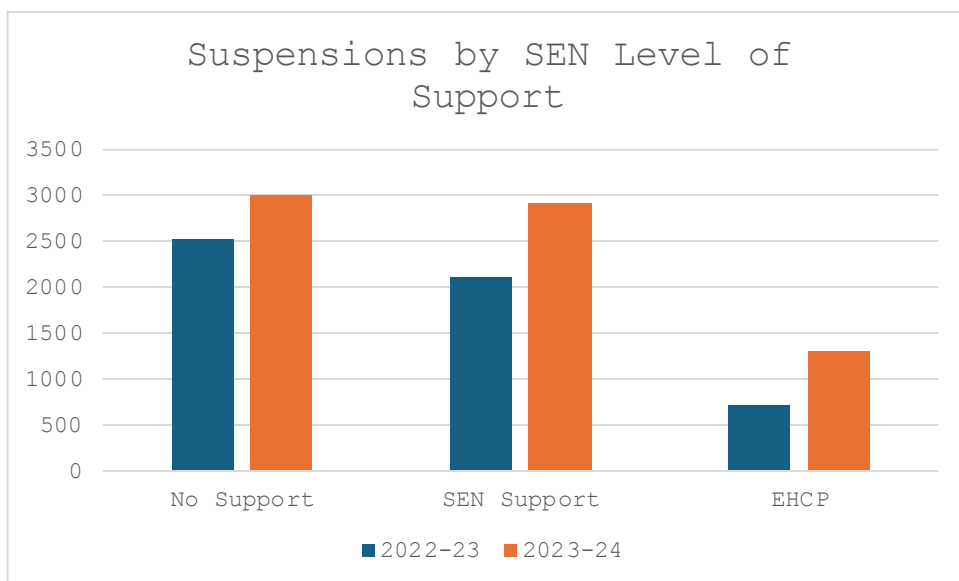
The use of school suspensions across the system is accelerating at an alarming rate. 2023-24 figures in the tables below will not be completed until the School Census figures are received in December 2024, but already far exceed the 2022-23 figures, increasing from 5374 separate suspensions to a current total of 7240 – an increase of 34.7% in one year.



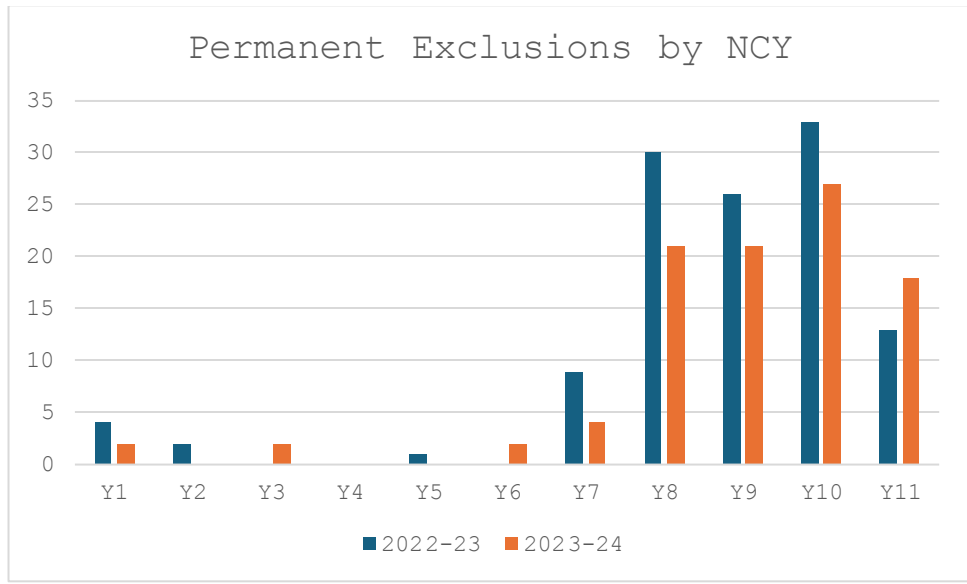
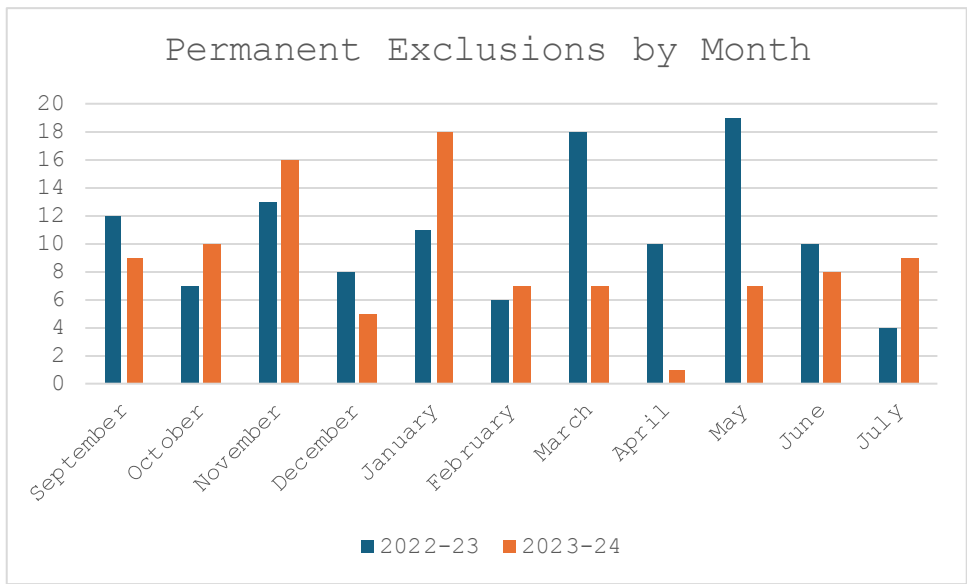
18. A breakdown of suspensions by National Curriculum Year (NCY) shows an increase across every NCY group from Year 1 to Year 11. While actual numbers have been, and remain, significantly lower in Primary compared to Secondary, the increase in Primary suspensions is 87% compared to 29% in Secondary.



19. Of particular concern, linked to SEND and EHCPs are the increases in suspensions for those on Special Education Needs (SEN) support and with EHCPs compared to those pupils without SEN. Percentage increases across the three areas between 2022-23 and 2023-24 are as follows: (again with complete figures for 23-24 not expected until Dec 2024).
20. The BCP area has seen an increase of 19% for those children currently without SEN Support, for those with SEN Support and increase of 38% and alarmingly, for those with an EHCP an increase of 80%.



21. In relation to permanent exclusions, overall permanent exclusions have reduced year on year from 118 in 2022-23 to 97 in 2023-24, a drop of 18%. The behaviours in the system demonstrate a shift in reduction of exclusions but an alarming increase in the number of suspensions occurring across the system.

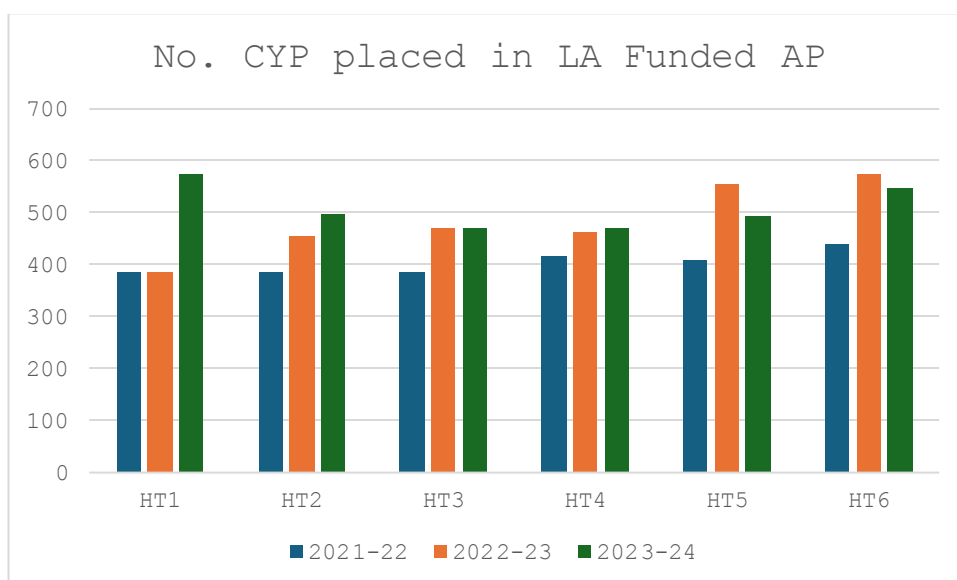


22. However, linking again to SEND and EHCPs the proportion of permanent exclusions for children with SEN and EHCPs has increased in comparison to those without Special Education Needs. This activity will then potentially drive an increase in Alternative Provision for these children and young people, driving further cost into the system.

**Permanent Exclusions by SEN Status**

By SEN Status	2022-23	Percent of total	2023-24	Percent of total
<b>EHCP</b>	6	5.10%	6	6.20%
<b>SEN Support</b>	49	41.50%	45	46.40%
<b>No SEN Support</b>	63	53.40%	46	47.40%
<b>Total</b>	<b>118</b>		<b>97</b>	

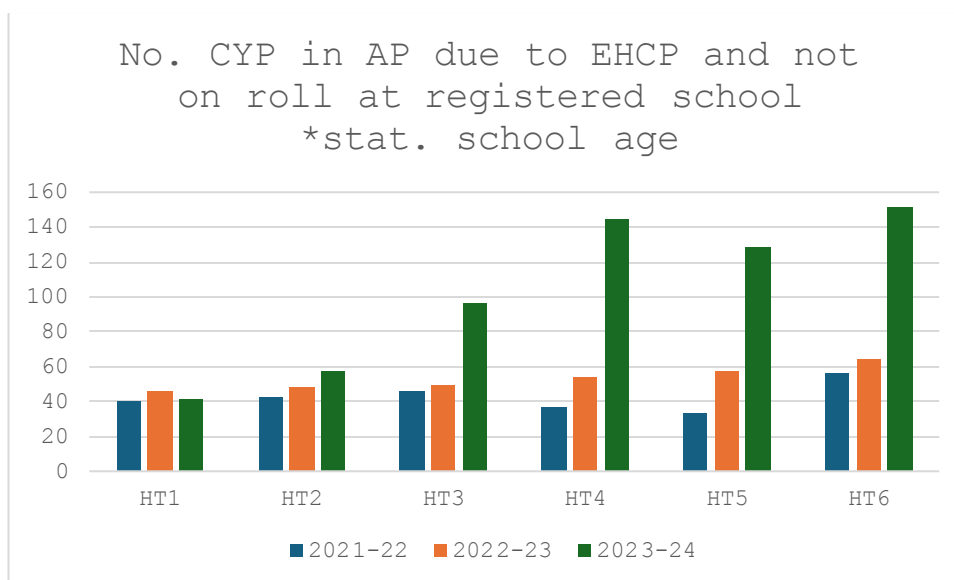
23. The two indicators of suspensions and exclusions, whilst not exhaustive, provide clear evidence of a significantly distressed mainstream system, particularly with regard to meeting the needs of children and young people with SEND. Exclusions are reducing more slowly and suspensions rising significantly more quickly for this cohort of children compared to those without SEND.
24. This evidence runs consistently with the qualitative feedback received by BCP Council officers in Headteacher Forums and SENCO meetings, that mainstream schools are struggling to meet pupils' needs and manage behaviours.
25. As a result, requests for Education, Health and Care Needs Assessments (EHCNAs) are continuing to rise as evidenced in earlier sections of this report. In addition, schools are continually seeking to have pupils placed in Alternative Provision (AP) placements instead of attending their mainstream setting. The Local Authority does not have control over this decision but has a requirement to support these pupils if they are not accessing education. This will have contributed to the avoidance of some permanent exclusions where a pupil has instead been moved to an AP setting, however this places further cost strain on the High Needs Budget with an increase in the use of Alternative Provision packages for children with SEN Support or EHCPs.
26. The two tables below share the current profile of use of AP versus the last 2 academic years. Associated financial outlay is set out in the subsequent section.
27. The first table presents snapshots of the number of CYP attending AP at the end of each half term. Due to reporting restrictions, it does not demonstrate how many CYP have been in AP across the period in total, only how many are there on the day the snapshot is taken.
28. While 2022-23 and 23-24 therefore present as similar levels, it should be caveated that the numbers do not represent the total number of placements across the entire year. The snapshots do demonstrate a particular rise however from the snapshots in 2021-22, i.e. HT 6 snapshot rises from 439 in 2021-22 to 573 in 2022-23 and 546 in 2023-24



29. The next snapshot table below represents a cohort that are a sub-group of the first table, namely CYP with EHCPs who are in AP due to an EHCP and are also not on

roll at a registered school. In HT6 of 2023-24, this figure is 151 compared to 56 in 2021-22.

30. This rise is a direct impact from the increased number of EHCPs and the improvements made in the system. We are now seeing the real-time impact of EHCP demand on the placement system as a whole.
31. 70 of the 151 are only in AP while they wait for a specialist school placement to become available for them. Without this 70, the figures would be much closer to the 2021-22 levels.



### Latest High Needs Forecast

32. Working with Finance the Service has reviewed the changes in the year to date in assessments and changes of cost to those children already in receipt of an EHCP and the increasing use of Alternative Provision in the system. **This results in a projected forecast of £108.7m, an overspend of £18.4m against the budget.**
33. The table below summarises the current position. **However, it is proposed (para 40) using £1.9m of the Innovation Fund provision to reduce this to £16.5m.**

	£million
<b>Expenditure budget (reflecting £28m gap)</b>	<b>90.3</b>
Spent to date	35.9
Future payments to fund existing plans and placements (costs known)	57.3
Future payments to fund existing plans and placements (costs estimated)	2.6
Future payments on contracted services	5.6
	<b>101.4</b>
<b>Overspend on existing commitments</b>	<b>11.2</b>
Inclusion fund and cost of new place creation	2.8
Allowance for new placements, including those already under assessment	4.5
	<b>108.7</b>
Innovation Fund	(1.9)

**Options considered**

34. The School and Early Years Finance and Childcare (Provision of Information About Young Children) (Amendment) (England) Regulations 2024 lays out the spend allowable by the local authority budget (Schedule 1) and DSG budget Schedule 2) in detail. The regulations make it clear the local authority is not able to supplement DSG with its own funds, so this is not an option.
35. In light of the Local Authority's Statutory Duties and DfE Statutory Direction to Improve, any scenarios involving a reduction to the improvements made around timeliness and improved service delivery were discounted as this would be a breach of the authority's statutory duties.
36. It should be noted that whilst the local authority deficit continues to grow, in contrast, schools' reserves are increasing overall from £13.9million, after then end of the first year of BCP, to £37.6million at the most recent published data (end March 24 for maintained schools and end August 2023 for academies).
37. The current year funding for each school has been set out and a surplus balance calculated at school level against 8% or 5% (depending on phase). The school by school figures a summary by trust has been given below. This does not allow for trust balances or other schools within the trust outside of the BCP area.
38. This is referenced by way of highlighting that whilst it is the behaviour across the whole SEND system in the local area driving the pressure, this in only reflected within the financial position of the local authority.
39. Given this position, the local authority is planning to continue to request a transfer of funding from the schools funding allocations (1% according to the current DSG management plan to support the innovation fund). This will be subject to consultation with schools as normal and require the approval of the Secretary of State.
40. The Service have reviewed all the available budgets to see where else spending can be halted and will continue to seek resource efficiencies and lean processes, and all other opportunities to bring forward savings where possible, to reduce the in-year deficit. Having reviewed the in-year position Children's Services has identified that there is the potential to allocate the underspend in the innovation fund to support the deficit. This would not impact the onward plan for this, as it is much needed, but it would reduce the projected overspend this year by c£1.9m (to £16.5m).
41. Children's Services will work with Health services and Schools to determine if there are other avenues available to reduce this forecast or to affect future expenditure. For instance, the Service has identified the cost of health elements for an ECHP and will seek to determine if NHS Dorset can increase their contributions to the cost of the health elements of the package. With regards to Schools the Service will continue to discuss the Innovation Fund programme to determine where expenditure can be reduced.

### Summary of financial implications

42. Cabinet and Council has previously and consistently been made aware of the impact the accumulating deficit on the Dedicated Schools Grant, as pertaining to the High Needs Block, is having on the financial sustainability and health of the Council.
43. The change in forecast as originally outlined in the Quarter One Budget Monitoring Report for 2024/25 and as updated via this report means that the latest forecast for the accumulated deficit on the Dedicated Schools Grant is as summarised below.

Dedicated Schools Grant	£m
<b>Accumulated deficit 1 April 2024</b>	<b>63.5</b>
Budgeted high needs funding shortfall 2024/25	28.0
High needs overspend 2024/25	16.5
<b>Projected accumulated deficit 31 March 2025</b>	<b>108.0</b>

44. Members will be aware this deficit arises as the grant made available by government is consistently insufficient to cover the costs incurred on the service. For 2024/25 the government grant is £62.3m against a total forecast £106.8m in expenditure. Members will also be aware that to address the issue of these deficits potentially being greater than the total of council reserves the government issued a DSG statutory override by way of a statutory instrument (SI) which became law at the end of November 2020. This SI, which ends on 31 March 2026, means the council cannot contribute to the deficit, cannot hold a reserve to act as a counterweight and has been required to move the deficit to an unusable reserve where it will sit as though it did not exist within the council's accounts or balance sheet.
45. However, this off-balance sheet approach, does not avoid the Council having to pay the bills and incur what for 2024/25 will be £44.5m in unfunded expenditure. As revenue expenditure the council cannot borrow to cover this expenditure. Instead, it has had to cover it from temporary short term treasury management and cashflow flexibility. As set out in the July MTFP Update report to Cabinet the Chief Finance Officer has written to government as at that stage it was predicted that this Treasury Management headroom would be fully exhausted in Q2 of 2025/26 and therefore the council without government support would be unable to set a legally balanced budget next year. The £16.5m overspend starts to push this problem into Q1 of 2025/26 and dangerously close to the current financial year.
46. The Department for Education have commissioned a detailed review by an independent local authority financial specialist to provide them with a report on BCP Councils budget and cash position. They will then consider next steps and the support they can provide the Council and any advice & guidance they can give to the Director of Finance once they have received the requested report

### Summary of legal implications

47. Reference is made in the options to BCP's statutory obligations arising out of the relevant legislation. This includes the assessment and (if applicable) relevant plan implementation process in accordance with the Children and Families Act 2014 and related Code of Practice (the Statutory Obligations).
48. The Statutory Obligations must be completed with specific timescales as referred to in this paper. A failure to meet the Statutory Obligations could result in relevant claims being made, the consequences of which could result in legal proceedings. Moreover, interventions and reporting requirements being implemented.

## **Background papers (links in document)**

WSOA 2021

SEND Statutory Direction 2022

SEND Statutory Direction 2024

SEND Improvement Plan

## **Appendices**

Appendix 1 – Glossary

## Appendix 1

### Classification of Area of Need

ASD	Autistic Spectrum Disorder
DS	Down Syndrome
HI	Hearing Impairment
MLD	Moderate Learning Difficulty
MSI	Multi-Sensory Impairment
OTH	Other Difficulty/Disability
PD	Physical Disability
PMLD	Profound & Multiple Learning Difficulty
SEMH	Severe Learning Difficulty
SLCN	Social, Emotional And Mental Health
SLD	Specific Learning Difficulty
SPLD	Speech, Language and Communication Needs
VI	Vision Impairment

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**COUNCIL**



Report subject	<b>Overview and Scrutiny Annual Report</b>
Meeting date	15 October 2024
Status	Public Report
Executive summary	<p>This is the annual report of the Statutory Scrutiny Officer on Overview and Scrutiny (O&amp;S) activity within BCP Council. There is a requirement to report on the work of O&amp;S to Council, to ensure good visibility of the function and Council ownership of activity and any improvements required.</p> <p>The annual report contains a summary and analysis of O&amp;S activity during 2023-24, reflections on working practices and an action plan identifying strategic improvements to the O&amp;S function.</p> <p>All O&amp;S committees received the annual report for consideration, providing opportunity for comment prior to the supply of the final report to Council.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <ol style="list-style-type: none"> <li><b>1. Council consider and comment on the annual report and associated action plan.</b></li> <li><b>2. Council approve the proposed minor revisions to the O&amp;S committee structure illustrated at figure 1b within this report.</b></li> </ol>
Reason for recommendations	<p>The Constitution requires the Statutory Scrutiny Officer to report to Council on an annual basis on the work of Overview and Scrutiny, including recommendations for any changes that may be required to ensure the function remains fit for purpose. The report has been informed by consultation with the Chairs and Vice-Chairs of the O&amp;S committees and referred to the four O&amp;S committees for awareness and comment. Consideration of the annual report by the O&amp;S committees and Council upholds principle b) of good scrutiny, as outlined in the Constitution, that O&amp;S shall 'be a Councillor led and owned function that seeks to continuously improve through self-reflection and development'.</p>

Portfolio Holder(s):	Not applicable – Overview and Scrutiny is a non-executive function.
Corporate Director	Graham Farrant - Chief Executive
Report Authors	Lindsay Marshall – Overview and Scrutiny Specialist
Wards	Council-wide
Classification	For Decision

## Background

### The Overview and Scrutiny Annual Report

1. [‘Overview and Scrutiny: statutory guidance for councils and combined authorities’](#) by the Ministry of Housing, Communities and Local Government (MHCLG) recommends that councils report annually on their Overview & Scrutiny (O&S) function and activity. The purpose of the report is to outline the activity and output of the O&S function over the previous year, and to identify improvements for the function to ensure it remains fit for purpose. This report is based on the municipal year of May 2023 - April 2024.
2. This is the report of the council’s Statutory Scrutiny Officer, who is responsible for supporting and promoting O&S activity. Contribution has been made by other officers who provide support to O&S and Chairs and Vice Chairs of O&S committees.
3. The report was received by all O&S committees and is now supplied to Council for consideration and comment. Comments raised on the annual report during O&S committee consultation included:
  - support for the revisions to the O&S committee structure remits as set out at paragraphs 8-10 of this report.
  - the importance of the independence of the O&S function within the council.
  - acknowledgement that in some committees the number of agenda items had been reduced to be in keeping with good practice levels, allowing more time for impactful scrutiny to take place.
4. Provision of the report to the O&S committees and Council was delayed by the requirements of the pre-election period of the 2024 Parliamentary election, which necessitated the cancellation of public council meetings.

### What is Overview and Scrutiny?

5. The purpose of overview and scrutiny, principles of good scrutiny and its role in supporting the ambitions and values of the council is set out in Appendix 1.

### Summary - 2023/24 strategic O&S activity

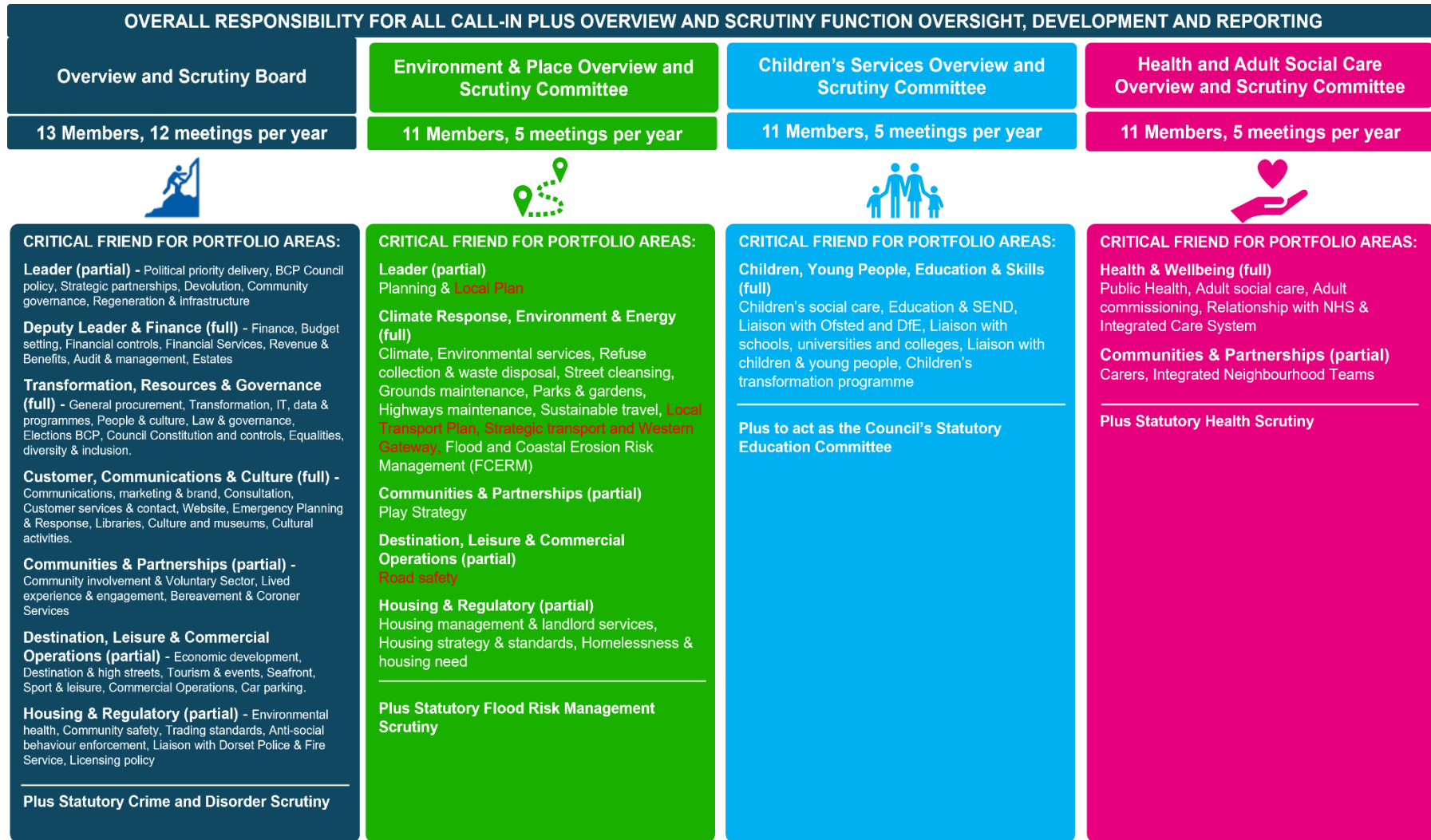
6. During summer 2023, 36 new councillors were inducted into BCP Council following May 2023 local elections. O&S activity focussed on supporting these councillors with training and skills development, along with targeted support to those in chairing positions, many of whom were new to O&S chairing. The administration agreed that all O&S chairs would be drawn from opposition groups in line with good practice, to enhance the independence of O&S.

7. In September 2023, Council agreed revisions to its O&S committee structure, to remove the Corporate & Community O&S Committee and replace this with the O&S Board, along with some adjustments to the membership, remit and meeting frequency of committees. O&S committee remits were adjusted to align to the revised Cabinet Portfolios which changed following the May 2023 elections. The O&S Board also took on overall responsibility for all call-in matters and for O&S function oversight, development and reporting, previously the responsibility of O&S Chairs collectively.
8. In July 2024, Council agreed a new Leader and further changes were made to the number and remit of Cabinet portfolios. Although this occurred after the reporting period for this report, the council's Constitution makes provision for any changes to the O&S committee structure to be proposed to Council as part of this annual report. As the designation of functions across the four O&S committees is based on the division of Portfolio Holder responsibilities, adjustments to the wording and remit of O&S committees are now proposed to maintain an efficient fit and clear lines of accountability between O&S committees and Cabinet portfolios.
9. The changes proposed to the O&S committee functions are minor. All changes within the proposed revised structure reflect amended responsibilities and wording expressed within each Cabinet portfolio. All amended portfolio responsibilities have been included within the same O&S committee as per previous arrangements, with the exception of those items listed under the Environment & Place O&S Committee in red text. These were previously included within the O&S Board responsibilities. These changes are intended to provide a more effective fit with other similar responsibilities within the remit of this committee.
- 10. Figures 1a and b below illustrate the current O&S committee structure alongside the proposed revised structure. Council is asked to approve these changes. O&S committees were asked to comment prior to Council approval of the structure and were content with the proposed revisions.**

Figure 1a – Current Overview & Scrutiny Committee Structure



Figure 1b – Proposed Overview & Scrutiny Committee Structure



11. The most significant of the committee revisions in September 2023 was the establishment of monthly meetings for the O&S Board, enabling better opportunity for the tracking of Cabinet activity and recommendations to Cabinet on forthcoming decisions. This change increased the overall scheduled O&S meeting numbers from 20 per year to 27, an uplift of 35%. The resourcing implications associated with this change are outlined in paragraphs 55 to 66 below.
12. All committees undertook annual work programming. Following O&S committee changes, the O&S Board and the newly named Environment and Place O&S Committee benefitted from supported action/learning workshops, led by the Centre for Governance and Scrutiny. The aim of this activity was to:
  - Develop O&S members' work programming skills to equip them to create work programmes rooted in good practice.
  - Refine the approach to scrutiny by articulating a more refined role for O&S. This saw the establishment of a 'sustainability lens' and a 'resident impact lens', to be used by the Environment and Place Committee and O&S Board respectively. The committees also developed a framework setting out their approach to topic selection.
  - Specifically address a recommendation arising within the council's Best Value Notice Action Plan to reduce the level of pre-decision scrutiny on O&S work plans and include more policy development work. Work was targeted towards these committees as they previously undertook the highest level of pre-decision scrutiny.
  - Generate a work plan based on the above good practices.

The framework developed through this work is attached at Appendix 2. This provides a mechanism to support future work programming in all O&S committees, and communicate the aims of O&S to the wider council and stakeholders. The learning captured through this work will be applied to the other O&S committees in their next round of work programming.

13. Work was progressed against the O&S Action Plan, agreed by Council in September 2023. The action plan sets out strategic improvements required to bring O&S activity in line with statutory guidance. This work is secondary to the support of core functions for O&S such as supporting committee meetings and working groups in accordance with the constitution. Progress against the action plan is set out in more detail in paragraphs 47-54 below.
14. Chairs and Vice Chairs were supported in their leadership roles through regular meetings to share good practice, challenges and to provide strategic monitoring to the O&S function.

### **Summary - 2023/24 committee activity, statistics and analysis**

15. A summary of work undertaken across all O&S committees is attached to this report at Appendix 3. Highlights included working groups on blue badge waiting times and the use of data to strengthen scrutiny; a focus on the safety valve programme relating to children's services, and a focus on climate change and sustainability.

### **Committee Statistics**

16. Committee activity has been assessed to provide an understanding of the breakdown of work undertaken during 2023/24, the resulting outputs and potential areas for development. The following data is set out below:

- Average number of agenda items per committee, to assess against good practice levels.
- Working groups undertaken.
- Agenda item categories, to provide a breakdown of the type of work undertaken by each committee.
- Outputs – an assessment of the number of agenda items leading to substantive recommendations.

These have been analysed to provide a commentary on areas that align to good practice and those where further development is recommended to enhance the value provided by the O&S function.

17. It should be noted that this data provides an indication of where O&S has directed its resources in 2023/24 and the resulting output, however not all O&S benefit can be assessed in this way and reflected through data. Some O&S outcomes can be 'softer', for example:

- Public demonstration of test and challenge on matters of community importance or concern.
- Comments raised through scrutiny may be reported by O&S Chairs to Cabinet but not formulated into recommendations.
- Actions raised through meetings and tracked by committees may not be captured as formal recommendations. Action tracking is particularly used by the Health and Children's O&S committees who undertake a closer monitoring role with their respective service areas.
- Informal discussions between decision makers and O&S members can influence the early direction of travel for a policy.
- The intention alone of an O&S committee to provide scrutiny to a certain area can trigger further work prior to reporting that can strengthen decision making.

## Agenda item levels

18. The average number of agenda items, ‘for information’ items and working groups for each committee during the period is set out in table 1 below.

O&S Committee	Average number of agenda items	‘For information’ items, circulated outside of committee (annual total)	Working Groups
Overview and Scrutiny Board	2.1	0	1
Environment & Place	1.6	0	0
Children’s Services	4.1	8	0
Health and Adult Social Care	4.0	3	1
Corporate & Community	1.5	0	0

### Analysis

19. Attempting to scrutinise a large number of items can dilute the benefit of scrutiny. A ‘deep dive’ approach to a smaller number of items is encouraged over a ‘broad brush’ approach to a larger number of items. For this reason the recommended maximum number of items per committee agenda is two to three.
20. Prior to the 2023 local elections, legacy O&S Committees in BCP often held lengthy meetings with multiple agenda items, creating unmanageable workloads and in some cases additional monthly meetings as standard to accommodate the O&S work timetabled. This was particularly seen in the area of work covered by the O&S Board, with 33 additional meetings held by the previous O&S Board during 2019-21.
21. It is evident that the approach to scrutiny selection has changed in both the O&S Board and Environment & Place O&S Committee with levels falling into line with good practice. This is a significant improvement against previous years of O&S activity.
22. Children’s Services and Health & Adult Social Care O&S Committees would benefit from refining workloads further to keep to the recommended levels and maximise the effectiveness of scrutiny undertaken with a greater focus on ‘deep dive’ work on a smaller number of topics.
23. Two investigative working groups were undertaken during 2023/24, on the topics of blue badge waiting times and data use in overview and scrutiny work. Both working groups led to a number of recommendations. The constitution allows for one working group to be undertaken per committee at a time, with this form of scrutiny work

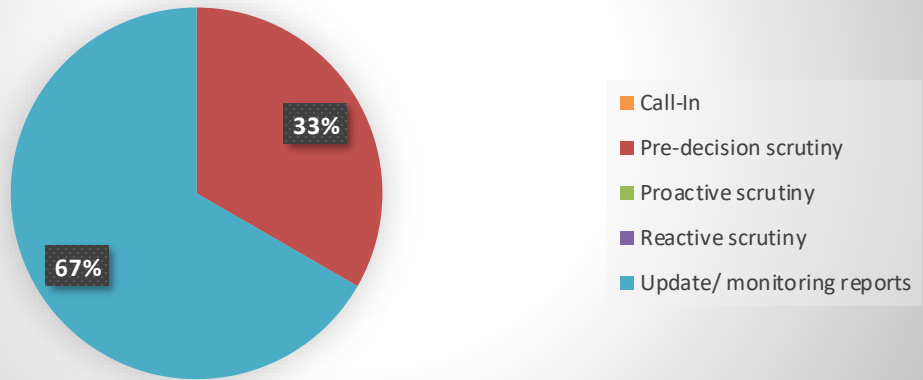
being an ideal approach for proactive work which is likely to lead to the most valuable outcomes. Committee time can be used flexibly, for example as an evidence session to contribute to the scope of a working group, or in the form of an inquiry day, which may condense the inquiry of a working group into a focussed session. Proactive work of this nature is resource intensive and must be balanced against overall resources available to support the O&S function but should be prioritised wherever possible as a form of scrutiny that is likely to lead to more impactful outcomes.

### **O&S work categories**

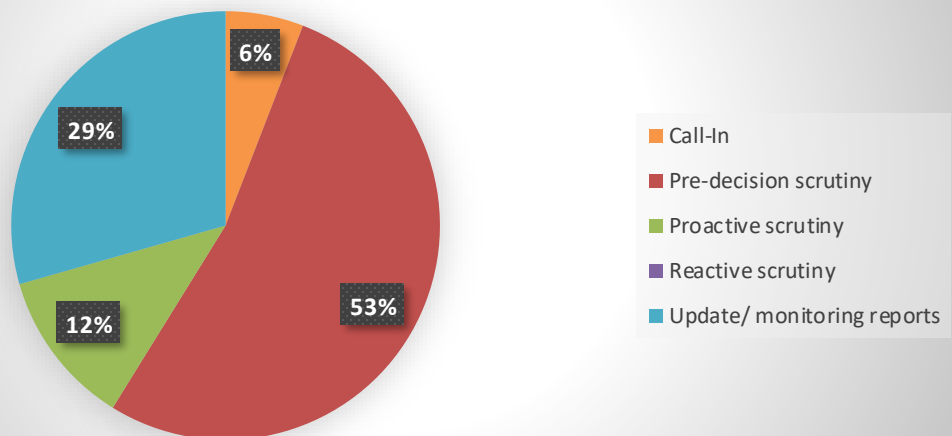
24. A breakdown of the categories of scrutiny items considered by each committee are set out in the diagrams below. These are broken down as follows:

- **Call-in**  
Reports relating to the statutory right of O&S to 'call-in' an executive decision that has been made but not yet implemented. Revision to the remit of scrutiny committees placed all call-in responsibility with the O&S Board from September 2023 onwards.
- **Pre-decision scrutiny**  
Scrutiny of a report close to the point of decision making – eg. a Cabinet report.
- **Proactive scrutiny**  
Early policy development work and exploration of future options for service delivery.
- **Reactive scrutiny**  
Scrutiny of emerging issues that arise throughout the year and can't easily be planned for in advance.
- **Update/monitoring reports**  
Information giving reports.

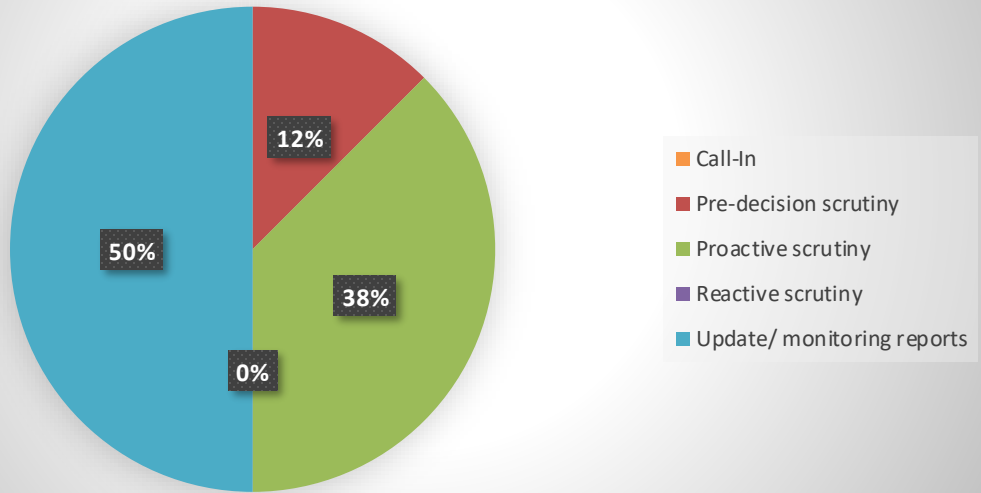
### Corporate & Community O&S Agenda Item Categories (decommissioned September 2023)



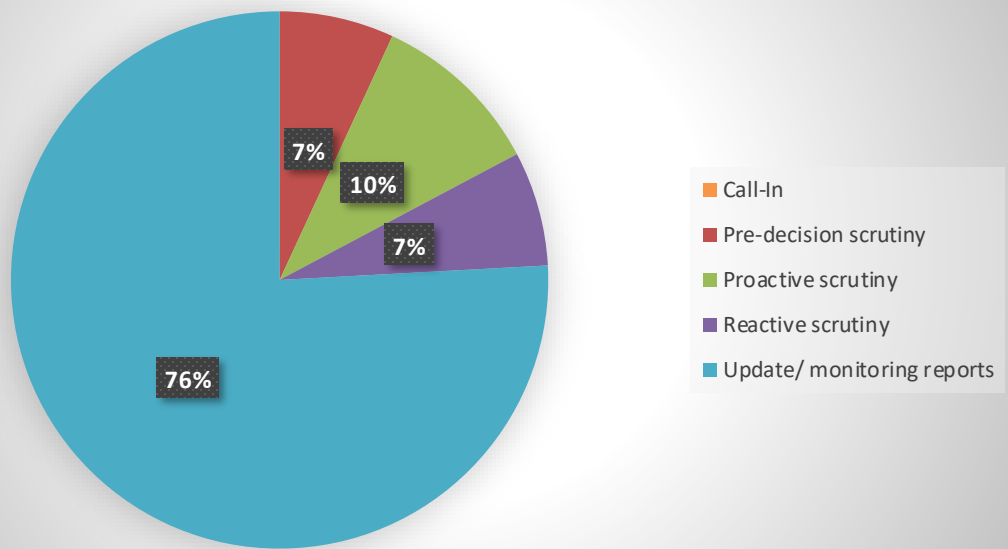
### O&S Board Agenda Item Categories (established September 2023)

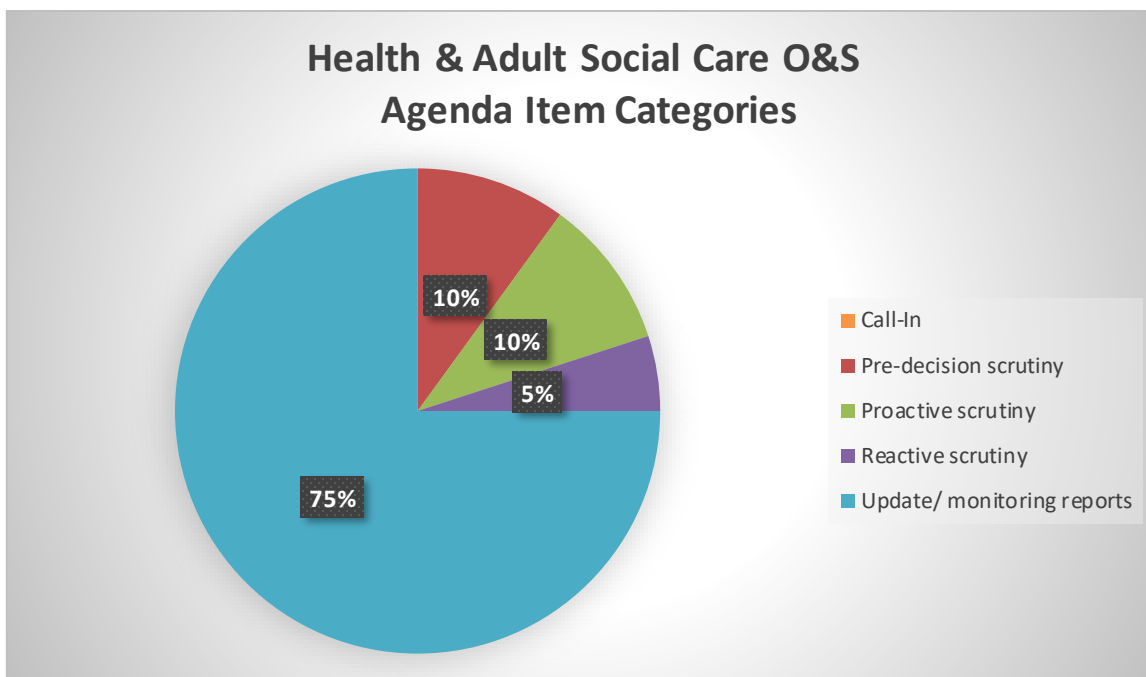


### Environment & Place O&S Agenda Item Categories



### Children's Services O&S Agenda Item Categories





#### Analysis

##### Call-In

25. O&S call-in should be used as a last resort where there is a concern that a decision has not been made in keeping with budget and policy framework of the council or the principles of decision making as set out in the council's constitution.
26. O&S guidance states:

*“Scrutiny committees do have the power to ‘call in’ decisions, i.e. ask the executive to reconsider them before they are implemented, but should not view it as a substitute for early involvement in the decision-making process or as a party-political tool.”*

27. There was one call-in item considered during 2023/24, in keeping with an average of one call in per year during the 2019-23 period. The level of call-in items in BCP therefore does not of itself indicate a concern with existing governance arrangements, or excessive use of call-in as a party-political tool. Low call-in levels may be an indication that governance arrangements in the council offer appropriate alternative opportunities to test and challenge decision making, such as a suitable level of pre-decision scrutiny opportunities and flexibility for all non- executive councillors to ask questions in O&S meetings and Cabinet meetings.

##### Pre-decision scrutiny

28. In 2023/24, greater refinement of O&S topics was strongly encouraged through work induction training, work programming activity and through ongoing support to chairs and committees. The aim was to create a more even balance between pre-decision scrutiny items and proactive scrutiny items.

29. The levels of pre-decision scrutiny in 2023/24 are now far lower than in previous years. Although these weren't assessed in the same way during the 2019-23 period it is known that, in some committees, pre-decision scrutiny dominated work programmes. The highest level of pre-decision scrutiny is now just under 50%, for O&S Board work. This is to be expected as the Board remit relates to a higher proportion of service areas and items which generate Cabinet decisions. Board meetings also align to the Cabinet timetable to specifically allow opportunity for pre-decision scrutiny before every Cabinet meeting.
30. A specific action to reduce the level of pre-decision scrutiny was incorporated into the council's Best Value Notice Action Plan and has now been completed as a result of the reduction in levels seen in committees.

#### Proactive scrutiny

31. Proactive scrutiny levels are limited across all committees and could be increased. Good practice indicates that proactive, 'deep dive' scrutiny is the form of scrutiny activity most likely to provide value-added outcomes. All scrutiny committees should aim to prioritise proactive scrutiny wherever possible.
32. The O&S Board and Environment and Place O&S Committee focussed heavily on proactive work suggestions during their annual work programming activity, and it is expected that these levels will increase in 2024/25 for these committees. The remaining O&S committees will be encouraged to take a similar approach during their next round of work programming.
33. Effective annual work programming, with minimal changes throughout the year and a reduction in the overall number of items considered by O&S would provide time to scope and undertake proactive work effectively.

#### Update/ monitoring reports

34. Reducing the level of update/ monitoring reports received by all committees would release capacity for more proactive work.
35. Monitoring reports took up the largest proportion of the work plan for four out of five committees operating during the 23/24 period. However good practice is for all information-based reports to be received outside of a committee setting, reserving committee time for value-added scrutiny that is likely to lead to recommendations. All committees should aim to reduce this level by receiving information items in other ways. Officers are actively encouraging this approach.

#### Reactive scrutiny

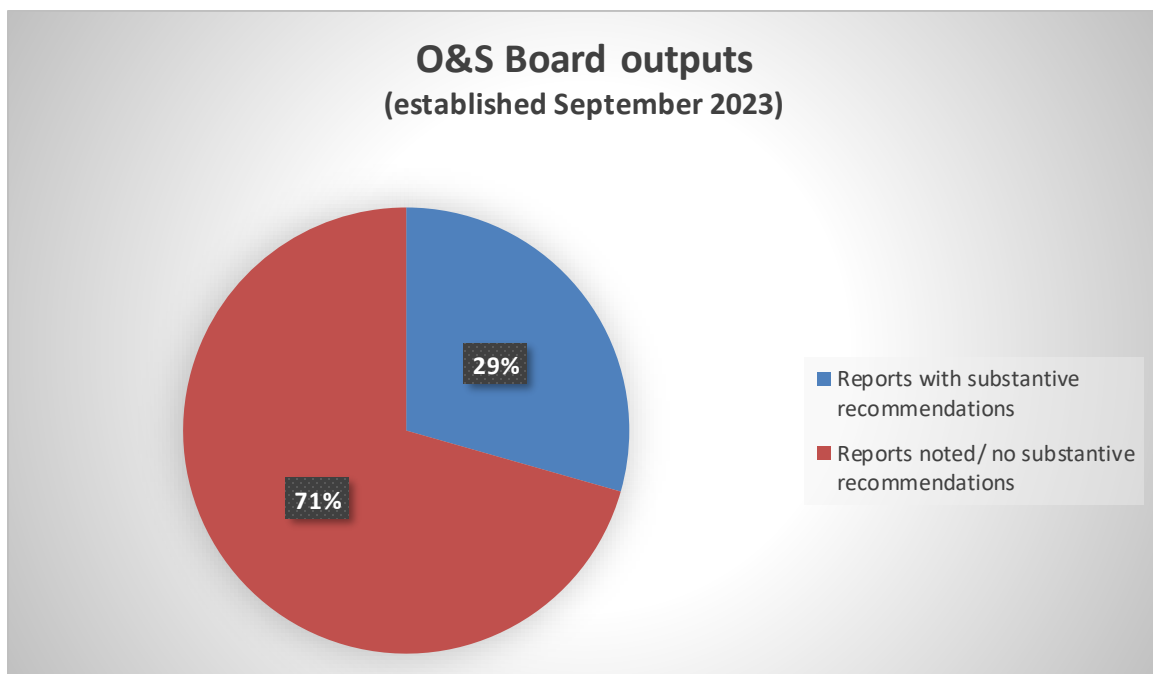
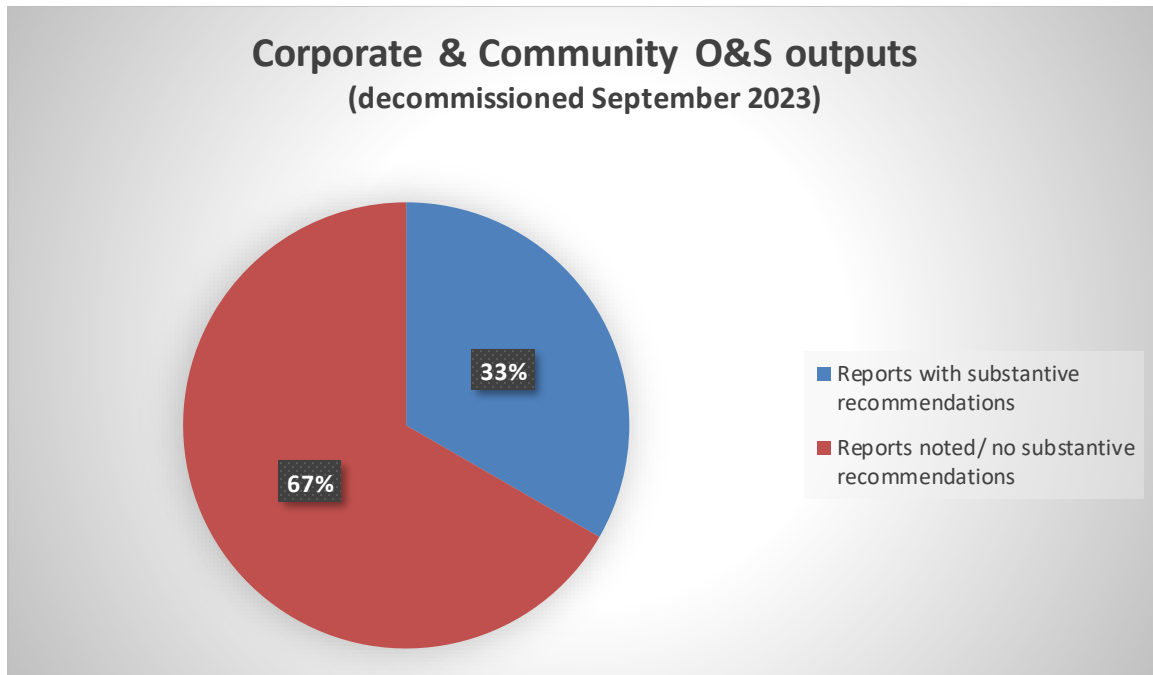
36. Reactive scrutiny is minimal but has occurred in some committees. An example of this is the Children's Services O&S Committee work on the Safety Valve Programme. All committees are encouraged to reserve room within their annual plans to provide flexibility to respond to arising issues throughout the year.

### **Outputs**

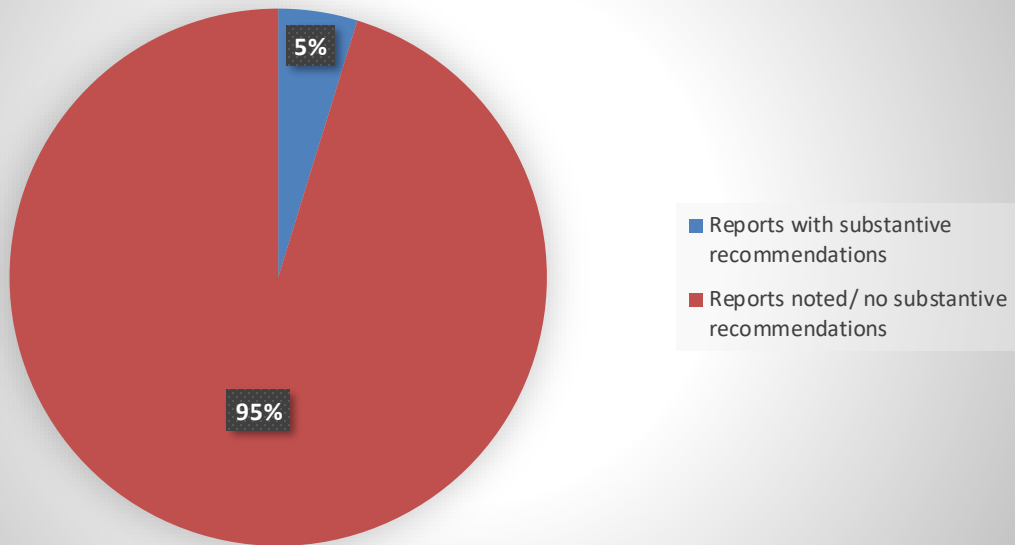
37. O&S agenda item outputs are set out in the charts below. These were assessed across all committees to establish:
  - reports generating substantive recommendations to Cabinet, portfolio holders, officers or partners of the council;

- reports that were noted or led to no substantive recommendations.

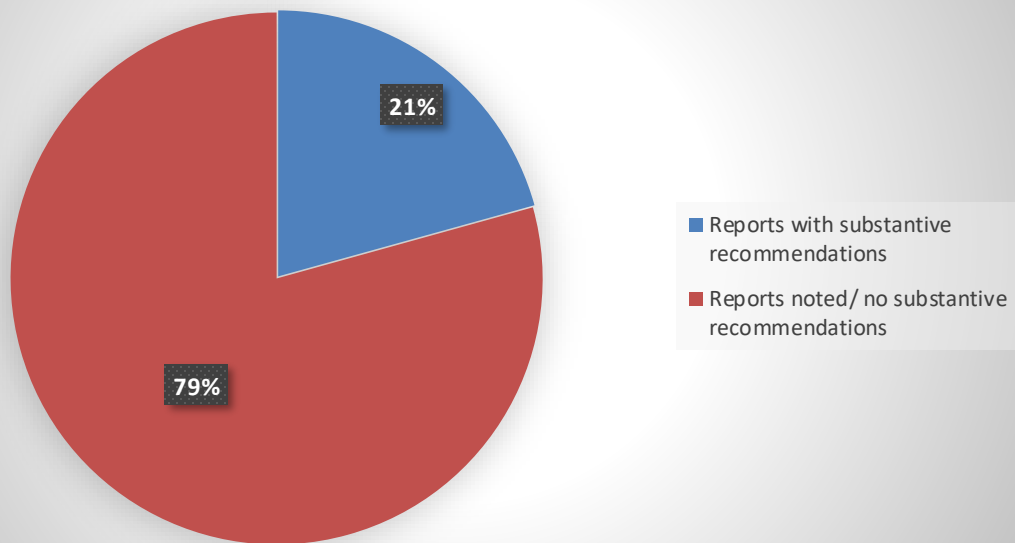
It should be noted that actions and comments raised by O&S, rather than formal recommendations, are not captured in the below data.



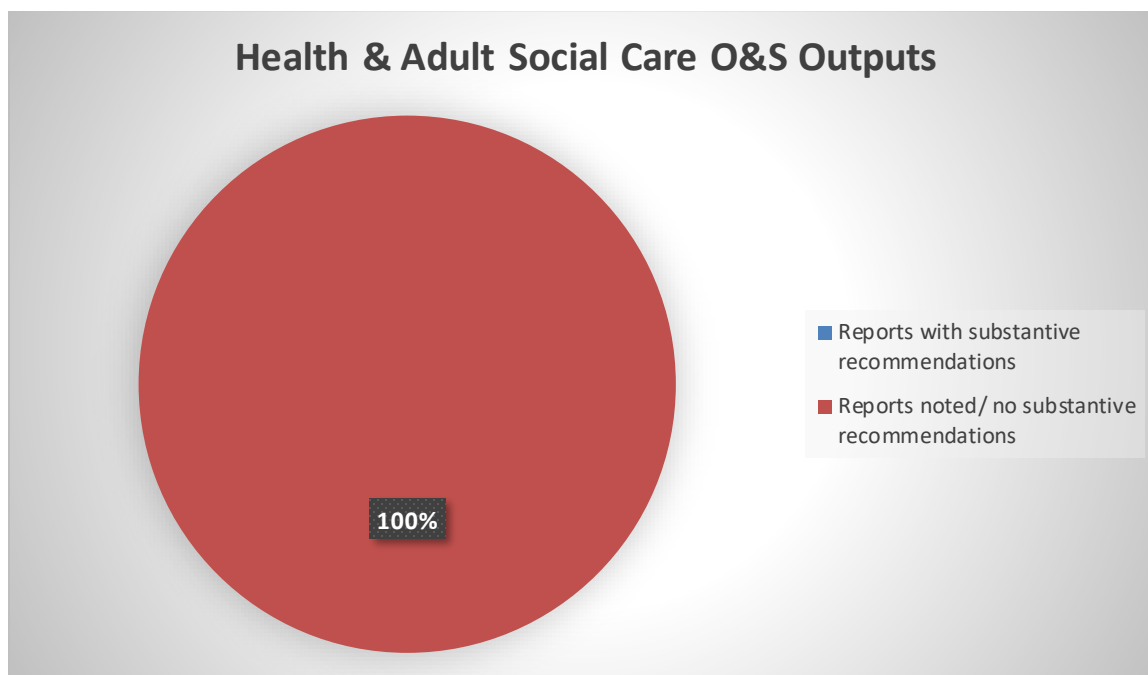
## Environment & Place O&S Outputs



## Children's Services O&S Outputs



## Health & Adult Social Care O&S Outputs



### Analysis

38. The highest level of substantive recommendations was generated by Corporate and Community O&S Committee at 33%, with the lowest generated by Health and Adult Social Care O&S Committee at 0%. To provide value through the work of O&S, all committees should look to increase the level of agenda items leading to substantive recommendations.
39. O&S comments gathered through pre-decision scrutiny may be reported to Cabinet to give a 'flavour' of councillor views to inform decision making. These may not always be captured by committees as formal recommendations and will not be reflected in the charts provided above. Where possible, committees should seek to strengthen comments into recommendations, to give weight to the view provided to Cabinet and clearer demonstrable output from O&S work. Clarifying the key lines of enquiry for scrutiny of a report can assist with the generation of clearer recommendations. This is explored further in paragraph 44 below.
40. A close alignment of proactive O&S work to the priorities of the council is likely to lead to the most value-added recommendations and outcomes. Substantive recommendations, and the resulting added value provided by the O&S function, could therefore be increased by a strengthened 'whole council' approach towards O&S in BCP Council. Work suggestions from Cabinet and Council to O&S were minimal during 2023/24, with proactive O&S work during this period largely driven by O&S member suggestions. By working more closely with the executive to identify opportunities for contribution to developing policy, O&S can have greater impact through its work, using unique statutory powers to surface issues, bring together stakeholders, explore issues in depth and test and challenge solutions. This approach has the potential to strengthen the decision and policy landscape of the council and support decision makers. Effective communications between O&S leads and executive members are essential for these opportunities to be identified, supported by a proactive approach to O&S engagement from lead officers. This is

in keeping with the strongest message set out in statutory guidance, that the culture of the council is fundamental to the success of the function:

*“The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails. While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.”*

41. O&S members have been provided with training and regular guidance on work prioritisation and should continue to bear good practices in mind when considering the likely impact of work selected. Items that are not likely to generate substantive recommendations should wherever possible not be included within work programmes. This approach is encouraged by officers through annual work programming activity and regular support to committees when reviewing work programmes throughout the year. Topic prioritisation can be particularly difficult in a council with a wide range of political views and priorities and requires O&S members to make tough decisions, with Chairs and Vice Chairs leading in this respect. This robust approach to work programming could be strengthened across all committees.
42. Establishing a clear role and focus for O&S can be key to ensuring that work selected will add value to the organisation. O&S has wide ranging powers but guidance states that these are likely to be too wide to be meaningful if not refined to a key focus or set of priorities:

*“... authorities should take steps to ensure scrutiny has a clear role and focus within the organisation, i.e. a niche within which it can clearly demonstrate it adds value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority.”*
43. Acting on this good practice, the O&S Board and Environment & Place O&S Committee have now established lenses of ‘resident impact’ and ‘sustainability’ for their work respectively. This narrows the scope through which the committees intend to select and approach work with the aim of establishing a clearer role for the committees. This more refined focus for these committees was developed through action/ learning work supported by the Centre for Governance and Scrutiny (CfGS) and targeted specifically at these committees to embed good practices following the change in the O&S committee structure. The learning from this work will now be rolled out to Children’s Services O&S and Health and Adult Social Care O&S Committees and strongly encouraged for all committees going forward to give clarity of purpose to the work of O&S.
44. All committees would benefit from refining the scope for all work items using documentation of Key Lines of Enquiry. This will ensure that the information request from O&S committees is considered, clear and is scoped with a likelihood of generating impactful outputs. This approach is now being encouraged with all committees. Through this process, the angle to be taken by scrutiny, and the possible outcomes of the work should be considered in advance to determine if recommendations will be likely. Even items of apparent high importance should not be prioritised if there is no likelihood of having impact through the scrutiny provided.
45. Pre-meetings, led by O&S Chairs, can encourage a clearer focus on Key Lines of Enquiry during committee debate, and provide another mechanism to clarify in

advance the intended outcome of the scrutiny sessions planned. This approach is regularly discussed with O&S Chairs as a way of strengthening O&S outcomes and has been adopted by the Environment & Place O&S Committee. All committees would benefit from the use of pre-meetings.

46. Some committees undertake a greater monitoring role than others. Whilst committee members may become well informed through monitoring reports, if the level of this is too high there is little work plan capacity remaining for proactive, value-added scrutiny. This is a particular challenge for the Health & Adult Social Care O&S Committee which receives information from both within the council and from partners such as the NHS on service design and delivery. Similarly, the Children's Services O&S Committee closely monitors the improvement journey within the children's services area. Establishing a critical set of monitoring areas and incorporating more diverse ways of working will help these O&S members to remain informed in priority areas, whilst reserving committee time for value added scrutiny. Alternative methods for information receipt could include:

- informal briefings,
- independent research and horizon scanning
- receiving 'information reports' outside of meetings
- establishing rapporteurs to maintain an overview of designated areas and report back to committee by exception.

A mix of these information sharing methods have been used across committees, and a more consistent approach to information sharing will be encouraged in 2024/25, with the aim of reducing the overall level of 'for noting' reports across all committees.

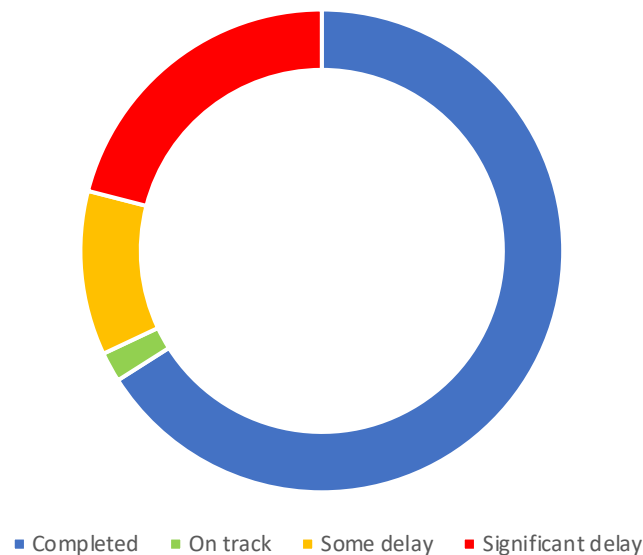
## **O&S Action Plan**

47. An O&S Action Plan was developed in 2023 to provide detail on strategic actions identified to improve O&S activity in BCP Council and bring practices in line with statutory guidance for O&S. The action plan was agreed by Council in September 2023.
48. The action plan also addresses O&S areas for development as identified through work which responds to the 'Best Value Notice' that was issued to the Council by the Department for Levelling Up, Housing & Communities (DLUHC) in August 2023. This was in response to the completion of an external assurance review carried out by DLUHC. The findings were in line with those of the Chief Executive's internal assurance review and all activity was monitored through the BCP Council Best Value Notice Action Plan. The recommendations have been welcomed in dealing with historical issues and setting a new tone for the Council. All actions relating to O&S within the Best Value Notice Action Plan have now been completed.
49. To establish improvement actions for O&S, all practices within the O&S function were assessed against the standards set out in 'Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities' (2019) in a desktop exercise undertaken by the Statutory Scrutiny Officer in Spring 2023. The guidance provides a benchmark for good working practices in O&S and is statutory, meaning that guidance should be followed unless there is a good reason not to.
50. Much of the statutory guidance relates to ways of working and the council-wide approach to O&S. The clearest message is the need for a strong organisational

culture in which there is a collective ownership of the success of O&S, parity of esteem for O&S and value placed on the challenge that O&S can provide.

51. The O&S action plan follows the themes of the statutory guidance. All relevant paragraphs of the guidance have been included within the action plan, to aid reader's understanding of why actions have been identified, and the resulting plan for improvement is comprehensive. There are a total of **120** actions, some of which overlap. Where actions are similar (e.g. reflecting different aspects of councillor training required) they remain split into separate actions to demonstrate how these will uphold the statutory guidance. It should be noted that for this reason the action plan is highly detailed and serves as an operational tool to progress actions as well as for reporting on progress.
52. The action plan at Appendix 4 provides a detailed update against each of the actions as of June 2024. 66% of the actions have now been completed, a 21% increase since December 2023. Of the remaining actions, there has been an increase to those that are now significantly delayed with 21% now within this category. 11 % have experienced some delay and 2% are on track to complete as planned.

### Progress against actions



53. Improvement actions identified within the plan were set over a period of one year for completion. This time frame was ambitious and whilst good progress has been made in many areas, some actions have been impacted upon by other O&S activity taking place concurrently and have not progressed. In particular, the increase in meeting numbers following the changes made to O&S committees in September 2023 has impacted on resources available to progress strategic improvements to the O&S function. Core O&S functions such as support to committee meetings will continue to be prioritised during 2024/25 and work against the action plan will be progressed where resources allow.
54. Responsibility for monitoring the O&S Action Plan sits with the O&S Board, which is supported in this role by regular monitoring in O&S Chairs/ Vice Chairs meetings.

Progress on the Action Plan will also be reported annually to Council through this report.

## **Resourcing O&S**

55. Council agreed revisions to the committee structure in 2023 which formally increased O&S committee meeting numbers. Along with special meetings called by committees to respond to urgent business, a total of 27 meetings were held during 2023/24.
56. Historically, O&S meeting levels have been high as a result of additional special meetings called by committees, however formalised committee meeting numbers are now at the highest level since the start of BCP Council. By the end of the reporting period, planned meetings per year were 35% higher than the level of O&S meetings planned for the same period in 2022/23.
57. Resources to support O&S are stretched. The Democratic Services team provides direct officer support to the O&S function. There has been no increase in officer resource to support the increase in O&S meeting numbers agreed by Council in September 2023.
58. The Democratic Services structure was designed to support the service approved by the Shadow Authority which anticipated 22 O&S meetings per year with a larger Democratic Services team to support this. Since the establishment of BCP Council, the officer support available to O&S has not been adequate for the level of O&S meetings held by the council, which, through many changes to the O&S committee structure, have predominantly been above the level anticipated by the Shadow Authority. In 2021 the service budget was reduced by 14.9% to support the corporate budget pressures. Following the most recent changes to the O&S structure the service is now considered to be operating above maximum capacity. Taking into account the increased meetings and reduction in manpower resources, the ratio of meetings per equivalent officer FTE to provide support has increased by over 28%. This is excluding any additional special meetings called by committees. This has an impact on the level of support that can be provided to the O&S function and the resulting outputs.
59. To illustrate the officer support available to O&S, activity has been broadly split into a range of areas in the following priority order:
  - a. core functions of the service such as the servicing of meetings, agendas, minutes, advice and guidance, ongoing work planning support;
  - b. support to proactive scrutiny such as annual work programming for all committees, scoping and research, working group support, planning and supporting evidence sessions;
  - c. strategic improvements to the function in line with the O&S Action Plan.
60. An increase in meeting numbers without a match in the level of officer resource has required that support is diverted from activities within the 'b' and 'c' categories above, to ensure that core, statutory requirements within category 'a' are met. This will vary throughout the year according to additional pressures upon the team, which supports all decision-making bodies of the council in addition to O&S committees.
61. Additional O&S meetings also have implications council-wide for officer attendance and support to scrutiny activity.
62. Under the constitution, all O&S committees may undertake one working group at a time. These fall under category 'b' of the activity outlined above. In line with good

practice, working groups and other 'deep dive' inquiry mechanisms are encouraged as a means of providing the most effective O&S outcomes, however, it is fortunate that not all committees have chosen to take up this option during 2023/24 as this would have had a further impact on resources.

63. A 'whole council' approach to O&S, with working groups more fully scoped and overseen by service areas across the council rather than Democratic Services, would provide greater resource to support O&S work. It should be noted that service area - led approach to scrutiny carries a risk that the independent approach of scrutiny will be affected, as service areas will have an inherent viewpoint which may impact on the investigations undertaken by O&S.
64. In summary, councillors should note that the overall impact of the O&S function will continue to be limited by the dedicated levels of resource available to support it. Statutory guidance states:

*"The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority. Ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective scrutiny function requires them to allocate resources to it."*

65. Councillors can take some action to mitigate the resource pressures upon the O&S function and promote valuable outputs:
- Strong and realistic work planning, with minimal revisions and retained capacity for arising issues, will limit the need for additional meetings over and above the 27 planned per year.
  - Flexibility of approach to O&S resource, with committee meetings used for more deep dive work – such as to support a working group through a public evidence gathering session.
  - Monitoring reports can be received in other ways, outside of committee to free up meeting time for value- added scrutiny.
  - O&S councillors can undertake a higher level of research and horizon scanning independently, to review data and policy sources, maintain an overview of council activity and bring an evidence-led approach to their scrutiny. A [Data Use Toolkit](#) has been developed by the Health & Adult Social Care O&S Committee to support councillors in this respect with the aim of rolling out a similar toolkit for all other O&S committees.
  - Informal relationships with executive members and officers can be strengthened and shared across committees through the use of rapporteurs. This will keep O&S councillors informed of developing policy or concerns which may benefit from scrutiny and encourage the regular information sharing that is necessary to understand where the most value-added scrutiny opportunities lie.

These actions are in line with the principle that the O&S function should be member-led.

66. The benefit of effectively resourcing scrutiny is explored in further detail within O&S guidance and set out more fully in the Action Plan at Appendix 4.

## **Options Appraisal**

67. The Overview and Scrutiny Annual Report is for information and comment. An options appraisal is not relevant to this report.

## **Summary of financial implications**

68. There are no direct financial implications related with the production of this report. The report explores the implications of resourcing O&S in paragraphs 55 to 66 above.

## **Summary of legal implications**

69. Overview and Scrutiny is a statutory function of all councils operating an executive model of decision making. Improvements to the function, outlined in the report, will ensure that the work of O&S Committees in BCP Council complies with relevant legislation and upholds statutory guidance.

## **Summary of human resources implications**

70. There are no human resources implications arising from this report.

## **Summary of sustainability impact**

71. There are no sustainability implications arising from this report.

## **Summary of public health implications**

72. There are no public health implications arising from this report.

## **Summary of equality implications**

73. There are no equality implications arising from this report.

## **Summary of risk assessment**

74. The improvements identified for O&S, as set out in the O&S Action Plan at Appendix 4, will ensure that statutory Government guidance is upheld. There is a risk that the guidance will not be properly upheld by the Council if actions identified are not taken.

## **Background papers**

Published works:

[‘Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities’](#),  
Ministry of Housing, Communities and Local Government (MHCLG)

[Best Value Notice Action Plan 2023/24](#)

[Corporate plan – ‘A Shared Vision for Bournemouth Christchurch and Poole, 2024-28’](#)

[O&S Data Use Toolkit](#),

Health & Adult Social Care O&S Committee

## **Appendices**

Appendix 1– Overview and Scrutiny statutory powers and BCP context

Appendix 2 – Overview & Scrutiny framework, developed by E&P O&S Committee and O&S Board.

Appendix 3 - Summary of O&S Activity 2023-24.

Appendix 4 – Overview and Scrutiny Action Plan 2023-24

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## BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL

### OVERVIEW AND SCRUTINY STATUTORY POWERS AND BCP CONTEXT

#### WHAT IS OVERVIEW AND SCRUTINY?

1. Overview and Scrutiny (O&S) is an integral part of the Council's governance structure and is a statutory requirement for BCP Council. All councils operating executive arrangements must have at least one O&S committee. In BCP Council, O&S activity is carried out by four O&S committees formed of councillors and co-opted members. These are:
  - The Overview and Scrutiny Board
  - Environment and Place Overview and Scrutiny Committee
  - Children's Services Overview and Scrutiny Committee
  - Health and Adult Social Care Overview and Scrutiny Committee
2. The role of the Overview and Scrutiny Board and Committees is to help develop policy, to carry out reviews of Council and other local services, and to hold decision makers to account.
3. O&S committees are not decision-making bodies but can influence decisions through powers to obtain information, require attendance from council officers and members and to make recommendations. Under the [Local Government Act 2000](#), O&S committees have the right to scrutinise *'any matter affecting the local authority area or the inhabitants of the area.'*
4. Additional powers to scrutinise NHS services and review the work of the local community safety partnership mean that O&S committees have an important role in acting as a 'check and balance' to decisions made both within the council and in external organisations.
5. The overall aim of O&S activity is to impact in a tangible way on the council and the residents it serves. The Ministerial foreword of ['Overview and Scrutiny: statutory guidance for councils and combined authorities'](#) by the Department of Levelling Up, Housing and Communities (DLUHC) states:

*"The role that overview and scrutiny can play in holding an authority's decision-makers to account makes it fundamentally important to the successful functioning of local democracy.*

*Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself. Conversely, poor scrutiny can be indicative of wider governance, leadership, and service failure."*

## PRINCIPLES OF GOOD SCRUTINY

6. The majority of councils base their O&S arrangements on commonly held principles of good scrutiny. These are set out in the [BCP Constitution](#), which states that the O&S committees shall:
- a) contribute to sound decision making in a timely way by holding decision makers to account as a 'critical friend';
  - b) be a Councillor led and owned function that seeks to continuously improve through self-reflection and development;
  - c) enable the voice and concerns of the public to be heard and reflected in the Council's decision-making process;
  - d) engage in decision making and policy development at an appropriate time to be able to have influence;
  - e) contribute to and reflect the vision and priorities of the Council; and
  - f) be agile and be able to respond to changing and emerging priorities at the right time with flexible working methods.

Through their work, O&S councillors should seek to uphold these principles.

## SUPPORTING THE AMBITIONS AND VALUES OF THE COUNCIL

7. O&S can support the high level aims of the council by aligning its work to the priorities identified within the council's corporate plan entitled '[A Shared Vision for Bournemouth Christchurch and Poole, 2024-28](#)'. The plan was refreshed in May 2024. With the remit of O&S committees spanning all service areas of the council, O&S activity has the potential to support the following vision and priorities identified within the corporate plan:

Our vision:

- Where people, nature, coast and towns come together in sustainable, safe and healthy communities.

Our priorities:

- Our place and environment: Vibrant places, where people and nature flourish, with a thriving economy in a healthy, natural environment.
- Our people and communities: Everyone leads a fulfilled life, maximising opportunity for all.

This could be achieved through alignment of O&S work plans to policy areas earmarked for development within the corporate plan. O&S can also provide benefit by monitoring the progress of the council against the ambitions set out in the corporate plan, through engagement with the relevant aspects of performance dashboards.

**1. Development of this framework and its application by O&S Committees**

Workshops were held with members of O&S committees across December 2023- February 2024, supported by the Centre for Governance and Scrutiny (CfGS). The aim of the workshops was to develop an approach to work programming at BCP for 2024/25 and beyond that is based on good practice and addresses improvements already identified for O&S as set out in [Assurance Review Action Plan](#) and the [O&S Action Plan](#). One output of this work is the framework set out below.

During 2024, the O&S Board and Environment and Place O&S Committee have been following the principles set out in this framework. The same good practices will be rolled out to all O&S committees in 2024 and used to support future annual work programming.

**2. Using a lens to select and approach scrutiny topics**

O&S statutory guidance recommends that a 'lens' or key set of priorities be established by O&S committees, to clearly communicate their role and how they will add value to the work of the organisation. The statements also clarify the role of the committee to the public.

Established lenses provide a tool to assist O&S members in work programming, to sift suggestions for work into a realistic annual work programme for each committee and should be referred to throughout the year as arising suggestions for work are made.

O&S Board and Environment and Place O&S Committees agreed lenses in 2024. Children's Services and Health and Adult Social Care O&S Committees have not yet considered the application of lenses to their work. Lenses are set out below. It is suggested that these lenses be reviewed annually to ensure they remain fit for purpose.

The **O&S Board** will approach work through a lens of **RESIDENT IMPACT AND EXPERIENCE**, such as considering:

- benefits that could be brought to residents by **delivering services** in different ways
- how the areas of highest **financial risk** for the council may impact on residents
- the council's **relationship with the public** and work that can be done to strengthen this.

The **Environment & Place O&S Committee** will approach work through a lens of **SUSTAINABILITY**, with a specific focus on the following priorities, drawn from the Corporate Strategy:

- **Climate change** is tackled through sustainable policies and practice
- Our **green spaces flourish** and support the wellbeing of being people and nature
- Our communities have pride in our **streets, neighbourhoods and public spaces**
- **Good quality homes are** accessible, sustainable and affordable for all

The **Children's Services O&S Committee** will approach work through a lens of ....TBC

The **Health and Adult Social Care O&S Committee** will approach work through a lens of ....TBC

### 3. Using a framework to structure O&S activity:

A framework for supporting different types of scrutiny work is set out in the table below. Scrutiny is split out into **proactive work**, **reactive work** and **pre-decision scrutiny**. When developing this framework, O&S councillors gave a clear steer that they wish to continue to undertake all these elements of scrutiny through their work programmes.

As with the lenses outlined at 2 above, the scrutiny framework will also be used to communicate the role and intentions of the committees to the wider council and the public. It is suggested that the framework be reviewed annually to ensure it remains fit for purpose.

## Proactive Scrutiny

### What is it?

- Early policy work - work focused on policy development and exploring options for the future. Also described as 'overview work' in BCP.
- Framed as a series of questions or 'key lines of enquiry', to which O&S seeks answers. These are found through the gathering of evidence, with a view to informing future policy.
- Driven by the O&S committee itself, or may be in response to a suggestion from councillors, community or decision makers.
- Less likely to directly align to another piece of work already underway in the council, eg. a cabinet report.
- Fulfils BCP principles of good scrutiny:

*'O&S engages in decision making and policy development at an appropriate time to be able to have influence'*

*'O&S is a member led and owned function'*

*'O&S enables the voice and concerns of the public to be heard and reflected in the Council's decision-making process'*

### Examples

Cllr suggestions based on their understanding of local needs, eg:

- What more can we do to meet local people's housing needs?
- To what extent do we as a council as a community understand the likely challenges of climate change, and what action do we need to take?

### Method for undertaking scrutiny:

- Either "in committee", as a whole-meeting challenge session followed up by agreement of recommendations at the next meeting, or a short and sharp working group with a group meeting two or three times between meetings.
- Outcomes are unlikely to be met by an officer report – proactive scrutiny relies on councillors scoping and directing the work and asking for specific data, information and evidence to be brought by relevant stakeholders.
- Recommendations are made, usually to Cabinet or Portfolio Holders. They must respond to these recommendations.

### Pros and Cons

- ✓ Potential to add significantly more value than other work by using powers to gather evidence from stakeholders, investigate an issue in depth and find solutions. These may be used to inform policy in a significant and meaningful way.
- ✓ Potential to select and scope topics to have maximum positive impact on the communities of BCP.
- ✓ Can generate a clearer set of recommendations that can be communicated in the council and to the public.
- ✓ Easier for O&S to own the programme of work and not be affected by other factors (eg. movement of decisions on the Cabinet Forward Plan).
- ✗ Resource intensive for officers and councillors.
- ✗ May require committee to work more flexibly to find capacity for the depth of work, eg. swapping committee meetings to undertake working group meetings instead.

### Method for selection of proactive scrutiny topics:

- Invite suggestions from councillors annually (through work programming workshops)
- Invite suggestions from decision makers for O&S to contribute to developing policies/ decisions.
- Invite suggestions from the public annually (consider how to incorporate into methodology for 2025 work programming)
- Sift suggestions according to the priorities of lenses as set out above ('resident impact and experience' / 'sustainability' )
- Agree, scope and plan topics to add maximum value.
- Plan all proactive work on an annual basis to ensure it can be undertaken by an appropriate time to add value and in within resources available.

## Pre-decision Scrutiny

### What is it?:

- Scrutiny of a report close to the point of decision making – eg. a Cabinet report.
- Predominantly driven by the Cabinet Forward Plan.
- Sits between 'proactive' and 'reactive' scrutiny. Some councils undertake a minimal level of pre-decision scrutiny in favour of greater levels of deep dive investigations. BCP councillors have said that pre-decision scrutiny is an important part of the scrutiny process which they are keen to see stay in place.
- Fulfils BCP principle of good scrutiny:

*'O&S contributes to sound decision making in a timely way by holding decision makers to account as a 'critical friend'.*

### Examples

Scrutiny of Cabinet reports on:

- BCP Local Plan
- BCP 2024/25 budget scrutiny & MTFP update reports
- Various policies prior to Cabinet/ Council decision

### Method for undertaking scrutiny:

- In committee, consideration of a report already written for Cabinet. Report considered approximately 10 working days prior to the Cabinet meeting.
- Any recommendations or comments made on the report are formally passed to the next Cabinet meeting.
- The O&S Chairman will attend the Cabinet meeting to report recommendations and/or give a summary of comments made at O&S.
- Cabinet must consider any **formal recommendations** made and respond.

### Pros and Cons

- ✓ Publicly demonstrates that decision makers are held to account.
- ✓ Less resource intensive – reports already written for Cabinet.
- ✗ Reactive – hard to plan agendas and relies on a well populated Cabinet Forward Plan to timetable work.
- ✗ Limited impact vs time spent. O&S is unlikely to be able to have much influence on fully developed policy and decisions.
- ✗ Potential to establish a ‘shadow cabinet’ and for meetings to become political, which must be managed effectively by O&S Chairs.
- ✗ Potential for Cabinet scrutiny to overwhelm agendas - can lead to additional/ long meetings which can limit effectiveness of scrutiny.
- ✗ Potential to duplicate other scrutiny opportunities – eg. full council debate.

### Method for selection of pre-decision scrutiny topics:

- Establish a programme of informal, Teams based briefing sessions at a frequency which can be accommodated by O&S members and support officers. Schedule briefings to provide O&S with information on the key aspects of developing decisions. Aim to hold these as early as possible and at least 3 months prior to the decision to be made. Chairs and Vice Chairs take the lead in this, using the Cabinet Forward Plan and informal discussions with decision makers.
- Using the information provided at briefings and the agreed O&S lenses to determine which forthcoming Cabinet decisions will benefit from a councillor maintaining a watching brief and reporting back (rapporteur) or ultimately pre-decision scrutiny at committee.
- Give notice as early as possible of those items required for pre-decision scrutiny, to enable report authors to work to the relevant O&S timescales.
- Provide regular reporting on out of committee activity into a committee meeting via Chair, to maintain transparency of O&S activity.
- Note – this framework for selecting pre-decision scrutiny is expected to significantly reduce the number of Cabinet reports being considered by O&S committees but will require a commitment from decision makers to share information with O&S in a different way that is both open and timely. The proposed format will also provide decision makers with the opportunity to surface issues with the wider membership of the council prior to decision making and to gather informal input to shape direction of policy.

## Reactive Scrutiny

### What is it?:

- Emerging issues that arise throughout the year and can't easily be planned for in advance.
- Usually a significant issue of concern or risk to the council, residents or external bodies (eg. Ofsted or Government department)
- Fulfils BCP principles of good scrutiny:

*'O&S contributes to sound decision making in a timely way by holding decision makers to account as a 'critical friend';  
'O&S is agile – able to respond to changing and emerging priorities at the right time with flexible working methods'  
'O&S Contributes to and reflects the vision and priorities of the council';*

### **Examples**

- Targeted scrutiny on council finances at the end of 2022 following concerns about in-year budget
- Safety valve scrutiny at Children's O&S Committee
- Best Value and Assurance Review reports.
- Decisions 'called in' by O&S

### **Method for undertaking scrutiny**

- O&S Councillors review a suite of information regularly outside of the committee space – eg. corporate performance reports, medium term financial plan updates, complaints data or resident surveys.
- 'Red flags' are elevated to committee for more formal scrutiny to take place. Usually, a report is requested from officers.
- Any recommendations or comments made on the report are formally passed to the relevant decision maker, usually Cabinet/ Council.
- Cabinet/ Council must consider the recommendations made and respond.
- O&S may ask to receive regular updates outside of committee, to maintain a closer eye on the matter until it is resolved.

### **Pros and Cons**

- ✓ Important governance mechanism to assist the council in resolving issues of concern.
- ✓ Provides public demonstration of scrutiny on issues that may be causing press interest or community concern and gives opportunity for public to engage.
- ✗ Limited impact vs time spent. O&S may ask decision makers to reconsider an issue or make recommendations expressing concerns but cannot change a decision.
- ✗ Can disrupt workplans owing to the need to scrutinise a matter quickly.
- ✗ Potential to duplicate other scrutiny opportunities – eg. full council debate.

### **Method for selection of reactive scrutiny topics:**

- Committee members 'horizon scan' by reviewing a suite of information on a regular basis in their own time. These are provided by email or in a designated webspace. Rapporteurs may be established to monitor designated areas of interest, sharing the load across the committee.
- Emerging trends or red flags are raised by committee members informally to the Chair & Vice Chair.
- Chair and Vice Chair take the lead in raising concerns with relevant decision makers and seeking more information. Using this information and the lenses established by committees, they determine which matters warrant elevating to committee.
- In all cases, O&S will prioritise work where it can have the most value and will avoid duplicating efforts underway elsewhere in the council to resolve arising issues. Priority will therefore be given either to those areas of highest concern and which are generating significant public and media attention; where data trends indicate that concerns are at risk of becoming embedded, or where attempts to find solutions by Cabinet or service areas have not worked.

- For these matters, a report is requested to the next available committee meeting for more formal and forensic scrutiny to take place. Work plans may be adjusted to make room for this arising work within existing resources.
- Following formal scrutiny, O&S may ask to receive regular updates outside of committee, to maintain a closer eye on the matter until it is resolved.
- Nb. 'Call-in' decisions will follow a separate process as outlined in the constitution.

#### **4. Next steps**

- The O&S Board and Environment and Place O&S Committees have adopted this framework and agreed lenses for their work.
- In 2024, all remaining O&S committees will be asked to adopt this framework and establish lenses or a limited set of high-level priorities.
- The framework will accompany all work programme reports to committee and should be referred to as a structure to underpin ongoing work programming activity.
- The framework will be reviewed annually by O&S Chairs, and lenses reviewed annually by O&S Committees in annual work programming, to ensure they remain fit for purpose.

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## Corporate & Community O&S Committee

(May-September 2023, then decommissioned)



**Chair – Councillor Stephen Bartlett**

**Vice Chair – Councillor Sue Aitkenhead**

- **Meetings:** 2 ordinary, 0 special meetings
- **Membership:** 11 councillors
- **Average number of agenda items** – 1.5
- **Working Groups** - 0
- **'Call-Ins' considered** – 0

In these meetings the committee received an update on the council's Pay and Reward project and provided pre-decision scrutiny to the Cabinet report regarding Future Places Ltd, which undertook regeneration activity on behalf of the council. The committee supported the recommendation to Cabinet that regeneration activity be brought back in house, and also recommended that any decision on the disposal of the previous civic offices at Christchurch and Poole be deferred for further consideration. These recommendations were accepted by Cabinet.

**This committee held two final meetings, prior to being disbanded in September 2023 and replaced by the O&S Board.**

## Overview & Scrutiny Board (established 30 September 2023)



**Chair – Councillor Stephen Bartlett**

**Vice Chair – Councillor Sue Aitkenhead**

- **Meetings:** 7 ordinary, 1 special meeting
- **Membership:** 13 councillors
- **Average number of agenda items** – 2.1
- **Working Groups** – 1 (informal, member led working group)
- **'Call-Ins' considered** – 1

Following changes to the O&S committee structure in September 2023, the Overview & Scrutiny (O&S) Board was established. This took on the previous remit of the Corporate & Community O&S Committee, along with an overarching responsibility for the O&S function and all scrutiny 'call-in' responsibilities. Board meetings were programmed monthly, to track Cabinet and allow for recommendations on pre-decision scrutiny to reported to Cabinet in a timely way.

The Board began its work with the only Call-In meeting of the municipal year, relating to the detail of a Public Space Protection Order to be applied across beaches, heathland, parks and recreational areas. After consideration of the call-in request, no recommendations were made to Cabinet and the decision was implemented.

Statutory crime and disorder scrutiny responsibilities were fulfilled through the scrutiny of the BCP Community Safety Partnership annual report and the Board fulfilled its new responsibilities to monitor the overall O&S function through update reporting on the O&S Action Plan, agreed by Council in September 2023.

O&S induction training was provided to all councillors in Summer 2023. Mindful of good practices highlighted through this training, Board members made significant efforts to maintain a focus on 2/3 substantive items per agenda, to provide more effective and targeted focus to those topics selected. The average agenda items of 2.1 per meeting demonstrate a significant improvement compared to previous years where the number of agenda items selected by legacy committees were numerous and meetings lengthy. The Board expressed a wish to focus on matters of the highest risk or priority for the council, along with those that may have a significant impact on residents.

The Board was mindful of the significance of the Best Value Notice, issued to the Council in August 2023 and the work being undertaken by the council to make identified improvements. Through test and challenge, the Board supported the Best Value improvement journey by focussing on the following critical areas of council activity:

- Transformation Programme update,
- Medium Term Financial Plan updates,
- Best Value Notice action plan monitoring,

- A Shareholder Governance Review of council owned companies
- Scrutiny of the 2023/24 BCP budget
- Corporate Performance Reporting

Decisions with significant financial implications attached were also scrutinised, such as the disposal of land at Wessex Fields.

### **Spotlight on... Resident Impact**

Along with scrutiny of internal / corporate priority areas, the Board focussed on those matters which it felt would be of highest importance to residents. This included pre-decision scrutiny of proposals for 20mph speed limits in the BCP area; development of a Library Strategy, and the draft BCP Local Plan, scrutiny of which resulted in a number of recommendations to Cabinet.

An informal, member led working group was also undertaken to understand the causes of long waiting times for Blue Badge applications to be processed. Members agreed to progress this work after becoming aware of resident concerns. Mindful of limited resources, three O&S members undertook their own background research, meeting with officers for informal discussions which established that application processes are complex and driven by the strict rules that are set nationally and must be rigorously observed to prevent fraud. The work done by the council to communicate effectively with applicants was examined along with the fees and resources associated with running the service.

The group reported its findings to full committee, which determined that further scrutiny work would not add value to this matter but offered several suggestions to officers for potential improvements to the service. This informal member-led research allowed for quicker progression of the matter and an informed decision to be made on whether the investment of scrutiny resource would be impactful. The Board recognised that this would be a valuable tool for future scrutiny work.

## Environment & Place O&S Committee



**Chair – Councillor Chris Rigby**

**Vice Chair – Councillor Richard Herrett**

- **Meetings:** 5 ordinary, 0 special meetings
- **Membership:** 11 councillors
- **Average number of agenda items** – 1.6
- **Working Groups** - 0
- **'Call-Ins' considered** – 0

Following changes to the O&S committee structure in September 2023, the Place O&S Committee was renamed 'Environment & Place' to reflect an intended greater focus on environmental and sustainability matters. The committee also agreed to recruit two independent co-opted members to its membership, to provide additional expertise and challenge to this priority area of work. At time of writing, this recruitment is in process.

Work activity included proactive scrutiny on planning reforms, families in B&Bs and the development of the BCP Green Spaces Play and Wheeled Play Strategy. Monitoring reports included an update on the Schools Streets programme, with the committee scrutinising this from an environmental perspective, endorsing further roll out of the scheme to encourage management of traffic around schools in a way that is particularly beneficial for children and their families travelling to schools on foot or by other active modes.

Other activity included monitoring improvements being made to the council's planning service and the committee has indicated a wish to support this improvement journey through further monitoring updates.

### **Spotlight on...Climate Change and Sustainability**

The council made changes to the committee in recognition that addressing climate change and improved sustainability is a central tenet of the council's aims. In addition to enhancing the breadth of challenge and expertise through seeking additional co-opted members, the committee agreed to approach all its work through a lens of sustainability.

The council's annual climate progress report was scrutinised by the committee in early 2024, providing an update on progress towards commitments made in the BCP Council Climate and Ecological Emergency Declaration, made in July 2019.

To support work in this important area, the committee expressed an intention to align its future work plan to those council policies and decisions where it may add value through a sustainability lens. This will be established through an assessment of the sustainability aspects of the revised Corporate Strategy and delivery plans accompanying this.

## Children's Services O&S Committee



**Chair – Councillor Bobbie Dove**

**Vice Chair – Councillor Simon Bull**

- **Meetings:** 5 ordinary, 2 special meetings
- **Membership:** 11 councillors, plus 4 co-opted members and 4 Youth Parliament reps
- **Average number of agenda items** – 4.1
- **Working Groups** - 0
- **'Call-Ins' considered** – 0

In keeping with the previous year, close monitoring of the improvement journey in children's services remained a priority for the committee, with themed meetings relating to the improvements in Children's Social Care, SEND and Education & Skills. All Ofsted Monitoring Visits were also reported on to the committee. This committee also received portfolio holder updates at each meeting with opportunity for questions and discussion. Two additional meetings of the committee were called to focus on safety valve scrutiny.

### Spotlight on... Safety Valve

During winter 2023 the council was invited by the Department for Education's Safety Valve programme which is an initiative focussed on helping local authorities to tackle overspending on SEND services. A proposal was submitted to the DfE to join the initiative and in March 2024 the council was informed that that the DfE could not enter into an agreement with BCP Council on the basis of the proposal made at this time.

Whilst negotiations were taking place between the council and the DfE, the O&S committee undertook three targeted scrutiny sessions on Safety Valve, including two special meetings. Scrutiny included input from residents, families and schools, along with lead officers and the portfolio holder. The committee particularly focussed on the potential impact for families and schools if the council were to join the initiative and received many public questions and statements in relation to this.

Through its work the committee made recommendations to the portfolio holder for there to be as wide as possible member engagement in any final decision relating to Safety Valve. Further, well-timed scrutiny on the matter was welcomed by the portfolio holder and a full council resolution was also made that all members of the council would have the opportunity to consider any potential future decision to join the Safety Valve programme, should this come forward as a formal proposal at a future date.

## Health & Adult Social Care O&S Committee



**Chair – Councillor Patrick Canavan**

**Vice Chair – Councillor Jackie Edwards**

- **Meetings:** 5 ordinary, 0 special meetings
- **Membership:** 11 councillors, plus regular Healthwatch attendance
- **Average number of agenda items** – 4
- **Working Groups** - 1
- **'Call-Ins' considered** – 0

The committee's work included pre-decision scrutiny on the Adult Day Opportunities Strategy with views raised in committee reported by the Chair into Cabinet. Monitoring reports included the annual report from the Safeguarding Adults Board, the annual report on Adults Social Care Complaints and monitoring of the implementation of the Carer's Strategy, one year on from its approval.

The committee considered local service provision including access to GP practices and NHS Dentistry Provision in the BCP area. Background briefings were also provided into committee to provide a good understanding of policy and issues which may inform future work planning. These included briefings on Health Inequalities, Suicide Prevention and the updated Joint Strategic Needs Assessment. This committee also received portfolio holder updates at each meeting with opportunity for questions and discussion.

### **Spotlight on... Achieving Data Driven Scrutiny**

Acknowledging that the data and policy landscape in the health and adult social care arena is extensive and complex, and with many new councillors joining BCP Council in 2023, the committee established a Data Working Group to better understand the various data sources and how these could provide a wider evidence base for the work of scrutiny.

The group was supported by expert officers and data analysts from both within the council and Public Health and the NHS. Data and policy sources were demonstrated and compared. The group was keen to encourage a member led approach to the inclusion of data in scrutiny and isolated those sources suitable for 'self-serve' research compared to those which enhance deeper dive scrutiny work and may require the support of data analysts to access and interpret.

A standard expectation of data provision to accompany committee reports was also agreed with officers during the work of the group. These findings were brought together in a data toolkit, with the aim of providing current and future councillors with a user guide to accessing data, and to ultimately improve the evidence base for scrutiny by the committee. This approach could be mirrored by other O&S committees to improve the overall evidence base underpinning scrutiny activity at BCP.

### Introduction

This action plan outlines improvement activity for BCP Council's Overview and Scrutiny function. This activity has been identified as appropriate to bring O&S practices to the level outlined in the Government's [Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities](#)

The actions also address recommendations arising from the Department for Levelling Up, Housing & Communities' (DLUHC) [external assurance review](#) and [Best Value Notice](#), issued on the 3 August as well as the Chief Executive's own [internal assurance review](#) conducted in Spring and updated in Summer 2023. The resulting [Assurance Review Action Plan](#) has been established by the Council to respond to these recommendations.

### Guidance Note

This action plan follows the themes of the statutory guidance which are categorised as follows:

- Culture • Resourcing • Selecting Committee Members • Power to Access Information • Planning Work • Evidence Sessions

All relevant paragraphs of the guidance have been included within the action plan, to aid reader's understanding of why actions have been identified. Please note that where actions are similar (eg. reflecting different aspects of councillor training required) they remain split into separate actions to demonstrate how these will uphold the statutory guidance. It should be noted that for this reason the action plan is highly detailed and serves as an operational tool to progress actions as well as for reporting on progress.

Actions are grouped and action leads identified as per the coding set out in the key below. Where actions are duplicated, the update is provided against the first arising action. A RAG rating is used to show progress against actions along with a commentary, with the latest updates provided in blue text.

Overview and Scrutiny Action Plan 2023-24

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<b>Key</b>		
<b>Code Description</b>	<b>Action Lead</b>	<b>Code</b>
Member Training – induction and refresher	Democratic Services Team	MT1
Member Training – Chairs		MT2
Member Training – ongoing programme of training		MT3
Officer Training		OT1
Role Descriptions for O&S leads		RD1
Chairs’ Meetings		CM1
Work Selection and Scoping		WS1
Community Insight		CI1
Web Presence		WP1
Working Methods		WM1
Terms of Reference for O&S Committees		TOR1
Constitution Review		CR1
Library of O&S Resources		L1
Protocol and Tool Development		P1
Annual Reporting on O&S		AR1
Resourcing		R1
Communications	COM1	
Corporate Management Team Action	Corporate Management Team	CMT1
Cabinet Action	Cabinet	C1
Chief Executive/ Leader Action	Chief Executive/ Leader	CL1
Supporting Children’s Services O&S	Democratic Services Team	CS1
<b>RAG Rating</b>		
Significant delay likely to affect action completion		
Some delay likely to affect action completion		
Action on track to complete as planned		
Action completed		

Overview and Scrutiny Action Plan 2023-24

<b>Relevant Extract from:</b> Statutory Guidance on O&S (ID 1-53) Chief Executive’s Assurance Review (ID 54-58) DLUHC Assurance Review (ID 59 – 64)	<b>ID</b>	<b>Action for BCP Council with updates</b> (Latest updates December 2023 in blue text)	<b>RAG and timescales</b>	<b>Code</b>
<b>Culture</b>				
<b>Scrutiny is Member Led</b>				
<i>The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails. While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.</i>	1a	New Councillor and refresher training to be provided to include – O&S in BCP is Member led	Complete. Monitor the need for refresher training.	MT1
	1b	Role descriptions to be developed for Councillors in leading O&S roles to clarify expectations for this role Not started. Completion likely to be delayed to Autumn 2024.	Autumn 2023	RD1
	1c	Establish calendar of meeting dates for O&S chairs for collective leadership and oversight of the effectiveness of the O&S function.	Complete	CM1
<b>Scrutiny is understood and recognised across the organisation</b>				
<i>Recognising scrutiny’s legal and democratic legitimacy – all members and officers should recognise and appreciate the importance and legitimacy the scrutiny function is afforded by the law. It was created to act as a check and balance on the executive and is a statutory requirement for all authorities operating executive arrangements and for combined authorities.</i>	2a	New Councillor and refresher training to be provided to include – Background and statutory powers of O&S, to raise the profile and importance of the scrutiny function within the organisation.	Complete. Monitor the need for refresher training.	MT1
	2b	Officer refresher training to be provided to include – Background and statutory powers of O&S, to raise the profile and importance of the scrutiny function within the organisation Planned for Summer / Autumn 2024.	Winter 2023	OT1

Overview and Scrutiny Action Plan 2023-24

<b>Relevant Extract from:</b>  <b>Statutory Guidance on O&amp;S (ID 1-53)</b> <b>Chief Executive’s Assurance Review (ID 54-58)</b> <b>DLUHC Assurance Review (ID 59 – 64)</b>	<b>ID</b>	<b>Action for BCP Council with updates</b>  <b>(Latest updates December 2023 in blue text)</b>	<b>RAG and timescales</b>	<b>Code</b>
<b><i>Scrutiny draws on community insight and selects topics of community relevance</i></b>				
<i>Councillors have a unique legitimacy derived from their being democratically elected. The insights that they can bring by having this close connection to local people are part of what gives scrutiny its value.</i>	3a	New Councillor and refresher training to be provided to include – Councillors bring community insight to their scrutiny work	Complete. Monitor the need for refresher training.	MT1
	3b	Strengthen O&S work selection criteria, as set out in the constitution, to include consideration of the impact and value to the public when selecting work programme topics. Review for use in annual work programming for O&S Committees.  O&S scrutiny request forms ask councillors to outline the value to be added to BCP Council, the area or its inhabitants of a proposed scrutiny topic. Use of this form is becoming embedded by councillors and is being used as part of annual work programming. O&S work programmes now include more work balanced towards the impact on BCP residents. O&S Board has selected resident impact as a lens by which to plan and approach its work. Officers will continue to encourage selection of O&S topics that have tangible benefit to residents and monitor work programmes.	Complete, monitor long-term.	WS1
	3c	Use is made of community insight through the selection of work topics that are driven by community need, evidence sessions, use of subject experts and data providing the view of residents and community groups. O&S Board and Environment & Place O&S have now planned annual work programmes based on councillor suggestions generated by issues of significance to communities.	Complete, monitor long-term and revisit in annual work programming for all committees.	CI1

Overview and Scrutiny Action Plan 2023-24

<b>Relevant Extract from:</b> Statutory Guidance on O&S (ID 1-53) Chief Executive’s Assurance Review (ID 54-58) DLUHC Assurance Review (ID 59 – 64)	<b>ID</b>	<b>Action for BCP Council with updates</b> (Latest updates December 2023 in blue text)	<b>RAG and timescales</b>	<b>Code</b>
		Greater use of subject experts and community insight have been included in O&S since May 2023. Examples include a subject expert on the Safety Valve programme, developer input to Local Plan discussions and regular Healthwatch contributions at HASC O&S Committee. The terms of reference of the Environment & Place O&S Committee was amended by Council in September 2023, to include additional insight on sustainability matters in the form of two non-voting member independent members. Recruitment to these positions is in process. Use of community insight and evidence could be developed further still and officers will encourage at the scoping stage of forthcoming work.		
	3d	Develop O&S web pages to clarify public role in O&S, ways to engage and improve ease of access for topic suggestion. Not started.	Autumn 2024	WP1
<b>Scrutiny has a clear role and focus</b>				
<i>Identifying a clear role and focus – authorities should take steps to ensure scrutiny has a clear role and focus within the organisation, i.e. a niche within which it can clearly demonstrate it adds value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority</i>	4a	Scrutiny committees agree a clear communicable role or focus for the year when planning their work programme in order to assist in topic selection and in ensuring that stakeholders can anticipate which topics are likely to be of interest to scrutiny, and plan accordingly for engagement. This may be in the form of a ‘lens’ (eg. risk) through which to scrutinise topics, or a key priority or set of priorities for a committee (eg. ‘budget’ or ‘ofsted improvement plan’) HASC O&S and Children’s Services O&S Committees planned work for the 2023/24 municipal year but did not agree a role or priority focus. These committees would benefit from establishing a more defined lens or communicable focus for the 2024/25 work programmes. The O&S Board and Environment & Place O&S Committee engaged in action/ learning workshops to plan their work programmes for 23/24. These were led by CfGS and based on	Autumn 2023	WS1

Overview and Scrutiny Action Plan 2023-24

Relevant Extract from: Statutory Guidance on O&S (ID 1-53) Chief Executive’s Assurance Review (ID 54-58) DLUHC Assurance Review (ID 59 – 64)	ID	Action for BCP Council with updates (Latest updates December 2023 in blue text)	RAG and timescales	Code
		good practice. Both committees established a lens and a scrutiny framework to more clearly refine and communicate their role and areas of priority. This approach to be rolled and maintained by all O&S committees in future work programming.		
	4b	Committees carefully consider the type and balance of work undertaken to ensure that work aims can be met within the meeting capacity available. This will require a determined focus to undertake work in diverse ways eg. <ul style="list-style-type: none"> <li>• receiving information based reports outside of meetings,</li> <li>• establishing O&amp;S rapporteurs (topic champions) to maintain oversight of an issue and report back to committee on exceptions</li> <li>• reducing the level of Cabinet decision scrutiny to free up capacity for more overview work.</li> </ul> O&S Committees have received targeted training and support throughout the year to assist in this aim. There has been significant progress in reducing the level of Cabinet pre-decision scrutiny across committees, which previously dominated some work programmes. Committees are planning more manageable work programmes. Three additional O&S meetings were called during 23/24 to accommodate arising issues.  All committees would benefit from reducing update items reported to committee, which usually generate limited substantive recommendations. Analysis of 23/24 work outputs across all committees show an overbalance of this type of work, with this taking up the majority of work for 4 out of 5 committees operating in this period. This is taking up time that could be used for other value-added scrutiny.		WM1

Overview and Scrutiny Action Plan 2023-24

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<b>Relevant Extract from:</b> Statutory Guidance on O&S (ID 1-53) Chief Executive’s Assurance Review (ID 54-58) DLUHC Assurance Review (ID 59 – 64)	<b>ID</b>	<b>Action for BCP Council with updates</b> (Latest updates December 2023 in blue text)	<b>RAG and timescales</b>	<b>Code</b>
		Good practice is for all information based reports to be received in other formats. Greater use could be made of other methods, such as rapporteurs, to maintain overview of information otherwise reported into committee. This approach will continue to be encouraged across all committees.		
	4c	Develop user friendly terms of reference documents for each O&S committee based on split of responsibility set out in constitution. Updated terms of reference are now circulated with the forward plan paper for each O&S Committee.	Complete	TOR1
<b><i>There is a clear distinction between scrutiny and audit</i></b>				
<i>Authorities should ensure a clear division of responsibilities between the scrutiny function and the audit function. While it is appropriate for scrutiny to pay due regard to the authority’s financial position, this will need to happen in the context of the formal audit role. The authority’s section 151 officer should advise scrutiny on how to manage this dynamic</i>	5a	Division of responsibility already established within the Articles of the Constitution.	Complete	CR1
	5b	A&G chair invitation to be scheduled into annual programme of O&S Chairs meetings A&G Chair has been invited to attend meetings during 2024/25.	Complete	CM1
<i>While scrutiny has no role in the investigation or oversight of the authority’s whistleblowing arrangements, the findings of independent whistleblowing investigations might be of interest to scrutiny committees as they consider their wider implications.</i>	6	Develop a library of O&S oversight information, provided in an online format for Councillors to access independently, to include – The findings of independent whistleblowing investigations HASC O&S has developed a data toolkit, which gathers oversight information in a digestible format for O&S members. This to be rolled out to all committees to include whistleblowing information.	Spring/ Summer 2024	L1

Overview and Scrutiny Action Plan 2023-24

Relevant Extract from: Statutory Guidance on O&S (ID 1-53) Chief Executive’s Assurance Review (ID 54-58) DLUHC Assurance Review (ID 59 – 64)	ID	Action for BCP Council with updates (Latest updates December 2023 in blue text)	RAG and timescales	Code
<i><b>The relationship between scrutiny and the executive is effective</b></i>				
<i>Ensuring early and regular engagement between the executive and scrutiny – authorities should ensure early and regular discussion takes place between scrutiny and the executive, especially regarding the latter’s future work programme.</i>	7a	Portfolio Holders attend O&S meetings when requested, or send deputies Attendance of Portfolio Holders at O&S when requested is now well established and will continue to be encouraged.	Complete, monitor long-term.	C1
	7b	The Cabinet Forward Plan is regularly updated with sufficient notice of forthcoming priorities to enable O&S to engage effectively at an early stage in policy shaping. Populating the Cabinet Forward Plan is a work in progress, with priorities currently identified approximately 3 months ahead. The Leader has committed to populating the plan 6 months ahead. The O&S Specialist met with CMB in November 2023 to outline the implications on O&S of Forward Planning by the Cabinet.  Although the Cabinet Forward Plan is still in development, other activities have taken place which will support O&S/ executive work to be effective:  Quarterly meetings between the Leader, Chief Executive, Statutory Scrutiny Officer and O&S Chairs are planned and will allow opportunity for discussion of O&S engagement in forthcoming policy work.  Delivery plans attached to the refreshed Corporate Strategy set out the policy and decision making plans for the council for the forthcoming 2 years. This will assist O&S planning and consideration of this document as a horizon scanning tool is being encouraged with all committees.	Immediate and ongoing request to Cabinet	C1

Overview and Scrutiny Action Plan 2023-24

<b>Relevant Extract from:</b> Statutory Guidance on O&S (ID 1-53) Chief Executive’s Assurance Review (ID 54-58) DLUHC Assurance Review (ID 59 – 64)	<b>ID</b>	<b>Action for BCP Council with updates</b> (Latest updates December 2023 in blue text)	<b>RAG and timescales</b>	<b>Code</b>
	7c	The Constitution sets out that it is good practice for there to be regular, informal dialogue between O&S leads and Portfolio Holders in order that O&S can understand developing Cabinet priorities, discuss and assess the value that Overview and Scrutiny can provide and contribute in a timely way to policy development (O&S Procedure Rule 8.3). Officers regularly encourage this action.	Complete, monitor long-term.	CR1
	7d	Role descriptions to be developed for Councillors in leading O&S roles to clarify expectation that scrutiny chairs establish informal working arrangements with relevant Portfolio Holders. Development of role descriptions has been delayed, however, lead O&S members are encouraged on a regular basis to develop informal working arrangements with relevant Portfolio Holders. Completion of role descriptions likely to be delayed to Autumn 2024.	Autumn 2023	RD1
	7e	Lines of accountability between scrutiny committees and Portfolio Holders were agreed by Council in April 2022- review after election when any change to Cabinet portfolios are known and document these in a more granular way than is captured within the constitution to aid transparency. Changes were made to O&S Committees by Council in September 2023. New lines of accountability are identified in updated terms of reference documents, providing clarity on lines of accountability. These are circulated with each O&S agenda.	Complete	TOR1
	7f	Maintain a review of the Portfolio/ O&S Committee alignment to ensure that it is fit for purpose, with amendments to be suggested via O&S annual report to Council, as required.	Complete, monitor annually through	AR1

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		Changes were made to O&S committee remits in September 2023. No further changes suggested in 2024 annual report.	annual report process.	
<i>The executive should not try to exercise control over the work of the scrutiny committee. This could be direct, e.g. by purporting to ‘order’ scrutiny to look at, or not look at, certain issues, or indirect, e.g. through the use of the whip or as a tool of political patronage, and the committee itself should remember its statutory purpose when carrying out its work. All members and officers should consider the role the scrutiny committee plays to be that of a ‘critical friend’ not a de facto ‘opposition’. Scrutiny chairs have a particular role to play in establishing the profile and nature of their committee</i>	8a	O&S considers work requested by Cabinet or Council using the criteria written into the constitution - Criteria already exists in constitution and is used to assess requests.	Complete, monitor long-term.	WS1
	8b	New Councillor and refresher training to be provided to include – All Political Groups be reminded of the incompatibility of the whip with O&S, and the forms that this may take. The message was reinforced in training and the CEx has had written confirmation from every Group Leader that the party whip, or similar, will not be applied around the Overview and Scrutiny functions.	Complete. Monitor the need for refresher training.	MT1
	8c	O&S chairs to be opposition members, where practicable, to reduce risk of executive control being exercised over O&S – referral to Constitution Review Working Group for consideration of any appropriate Constitution changes to set out this good practice - prior to May 2024 O&S Chairs elections. Since May 2023 all O&S Committees have appointed a Chair, and in most cases, a Vice-Chair, from outside of the Administration. O&S Board has confirmed a wish to include this advice within the constitution. Package of work to review constitution to strengthen areas around O&S has not yet started and will be progressed as resources allow.	Spring 2024	CR1
	8d	Role descriptions to be developed for Councillors in leading roles to clarify expectation that scrutiny chairs establish informal committee pre-meetings, to assist the committee in working towards its aims and taking a cross-party approach to scrutiny.	Autumn 2023	RD1

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<b>Relevant Extract from:</b> <b>Statutory Guidance on O&amp;S (ID 1-53)</b> <b>Chief Executive’s Assurance Review (ID 54-58)</b> <b>DLUHC Assurance Review (ID 59 – 64)</b>	<b>ID</b>	<b>Action for BCP Council with updates</b> <b>(Latest updates December 2023 in blue text)</b>	<b>RAG and timescales</b>	<b>Code</b>
		Development of role descriptions has been delayed, however, some O&S Chairs have established pre-meetings successfully, and officers continue to encourage these. Completion of role descriptions likely to be delayed to Autumn 2024.		
	8e	O&S Chairing skills training to be delivered to include the benefit of pre-meetings, and management of political dynamics in scrutiny to avoid a de facto opposition approach. Chairing skills training provided in Summer 2023 induction. O&S leadership training provided via LGA workshops in Feb 2024. LGA leadership training to be offered to all new O&S chairs, as and when changes in positions occur.	Complete, monitor long-term.	MT2
<i>The chair of the scrutiny committee should determine the nature and extent of an executive member’s participation in a scrutiny committee meeting, and in any informal scrutiny task group meeting</i>	9a	Clarity of O&S powers in determining attendees and participation already written into constitution at O&S Procedure Rule 9.1	Complete	CR1
	9b	New Councillor and refresher training to be provided to include – Clarity of scrutiny’s powers in determining attendees and participation in O&S.	Complete. Monitor the need for refresher training.	MT1
	9c	Scrutiny committees to be asked to consider appropriate invitees when scoping a piece of work and to consider where more value may be added by an officer/ scrutiny session as opposed to a Cabinet member scrutiny Appropriate invitees are considered in the planning stage for all O&S work. Since May 2023 there has been a noticeable shift in emphasis within the Council, with officers being invited to contribute on specific issues at scrutiny as appropriate. The range of inquiry from councillors to both portfolio holders and officers is much improved and this will continue to be encouraged.	Complete, monitor long-term.	WS1

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<b>Managing disagreement</b>				
<i>Effective scrutiny involves looking at issues that can be politically contentious. It is therefore inevitable that, at times, an executive will disagree with the findings or recommendations of a scrutiny committee. It is the job of both the executive and scrutiny to work together to reduce the risk of this happening, and authorities should take steps to predict, identify and act on disagreement. One way in which this can be done is via an ‘executive-scrutiny protocol’ which can help define the relationship between the two and mitigate any differences of opinion before they manifest themselves in unhelpful and unproductive ways. The benefit of this approach is that it provides a framework for disagreement and debate, and a way to manage it when it happens. Often, the value of such a protocol lies in the dialogue that underpins its preparation. It is important that these protocols are reviewed on a regular basis.</i>	10	Executive members and O&S Chairs group to consider the value for BCP in preparing an executive – scrutiny protocol. <b>O&amp;S Chairs have discussed executive – scrutiny protocol and asked to review further information on the benefits.</b> Agreement in place for quarterly meetings between Leader, Chief Executive and O&S Chairs to share information and address any barriers to effective scrutiny. To be scheduled following Chairmanship elections of Summer 2024. The value of preparing an executive – scrutiny protocol to be raised through this group.	Winter 2023	C1/ CM1
<i>Scrutiny committees do have the power to ‘call in’ decisions, i.e. ask the executive to reconsider them before they are implemented, but should not view it as a substitute for early involvement in the decision-making process or as a party-political tool.</i>	11	Use of call-in be monitored and reflected within annual report to Council. <b>Call-in use analysed and included in 2024 annual report.</b>	Complete, monitor annually through annual report process.	AR1
<b>Ensuring impartial advice from officers</b>				
<i>Authorities, particularly senior officers, should ensure all officers are free to provide impartial advice to scrutiny committees. This is fundamental to effective scrutiny. Of particular importance is the role played by ‘statutory officers’ – the monitoring officer, the section 151 officer and the head of paid service, and where relevant the statutory scrutiny officer. These individuals have a</i>	12	Officer refresher training to be provided to include – The importance of impartial advice to O&S <b>Planned for Summer / Autumn 2024.</b>	Winter 2023	OT1

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<p><b>Statutory Guidance on O&amp;S (ID 1-53)</b>  <b>Chief Executive’s Assurance Review (ID 54-58)</b>  <b>DLUHC Assurance Review (ID 59 – 64)</b></p> <p><i>particular role in ensuring that timely, relevant and high-quality advice is provided to scrutiny.</i></p>				
<p><b>Communicating scrutiny’s role and purpose to the wider authority</b></p>				
<p><i>The scrutiny function can often lack support and recognition within an authority because there is a lack of awareness among both members and officers about the specific role it plays, which individuals are involved and its relevance to the authority’s wider work. Authorities should, therefore, take steps to ensure all members and officers are made aware of the role the scrutiny committee plays in the organisation, its value and the outcomes it can deliver, the powers it has, its membership and, if appropriate, the identity of those providing officer support.</i></p>	13	<p>Officer refresher training to be provided to include –                      The identity of those providing officer support to O&amp;S.                      Planned for Summer / Autumn 2024.</p>	Winter 2023	OT1
<p><b>Maintaining the interest of full Council in the work of the scrutiny committee</b></p>				
<p><i>Part of communicating scrutiny’s role and purpose to the wider authority should happen through the formal, public role of full Council – particularly given that scrutiny will undertake valuable work to highlight challenging issues that an authority will be facing and subjects that will be a focus of full Council’s work. Authorities should therefore take steps to ensure full Council is informed of the work the scrutiny committee is doing.</i></p>	14a	<p>Report annually to Council on the work of scrutiny, and progress on actions to improve scrutiny.                      Annual report to be received by committees in Sep/ Oct 2024 (delayed owing to pre-election period).</p>	Complete, repeat annually.	AR1
<p><i>One way in which this can be done is by reports and recommendations being submitted to full Council rather than solely to the executive. Scrutiny should decide when it would be appropriate to submit reports for wider debate in this way, taking into account the relevance of reports to full Council business, as well as full Council’s capacity to consider and respond in a timely manner. Such reports would supplement the annual report to full Council on scrutiny’s activities and raise awareness of ongoing work.</i></p>	14b	<p>New Councillor and refresher training to be provided to include –                      The appropriate route for recommendations to full Council or Cabinet</p>	Complete. Monitor the need for refresher training.	MT1
	14c	<p>Consideration be given to any amendments required to constitution to clarify reporting routes from O&amp;S - referral to Constitution Review Working Group for consideration.                      Package of work to review constitution to strengthen areas around O&amp;S has not yet started and will be progressed as resources allow.</p>	Spring 2024	CR1

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<b>Communicating scrutiny’s role to the public</b>				
<p><i>Authorities should ensure scrutiny has a profile in the wider community. Consideration should be given to how and when to engage the authority’s communications officers, and any other relevant channels, to understand how to get that message across. This will usually require engagement early on in the work programming process</i></p>	15a	<p>Consideration be given to the promotion of outcomes via Communications Team at the scoping stage of O&amp;S work. <b>Some O&amp;S activity relating to high profile decisions is already promoted by the Communications Team. Greater use could be made of promotion opportunities to raise the profile of O&amp;S work. Resources have not been available for a comprehensive approach to this through annual work programming. Consideration of this will instead be encouraged on an ongoing basis at the scoping stage for all O&amp;S work, as resources allow.</b></p>	In annual work programming for O&S Committees – Autumn 2023	COM1
	15b	O&S webpage development - See action 3d above. <b>Not started</b>	Autumn 2024	WP1
<b>Ensuring scrutiny members are supported in having an independent mindset</b>				
<p><i>Formal committee meetings provide a vital opportunity for scrutiny members to question the executive and officers. Inevitably, some committee members will come from the same political party as a member they are scrutinising and might well have a long-standing personal, or familial, relationship with them.</i></p> <p><i>Scrutiny members should bear in mind, however, that adopting an independent mind-set is fundamental to carrying out their work effectively. In practice, this is likely to require scrutiny chairs working proactively to identify any potentially contentious issues and plan how to manage them.</i></p>	16a	<p>New Councillor and refresher training to be provided to include – The importance of an independent mind-set to O&amp;S</p>	Complete. Monitor the need for refresher training.	MT1
	16b	<p>O&amp;S Chairs are supported by Officers to identify and plan for contentious issues through Chairs briefings. <b>Chairs are well supported by officers in regular briefings to scope and plan the level of interest anticipated in O&amp;S work and any necessary adjustments. Briefings were held for all meetings in 23/24 municipal year and will be planned for all meetings in 24/25.</b></p>	Complete, monitor long-term	WS1

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	16c	Establish calendar of meeting dates for O&S chairs to include-monitoring the independence of O&S Calendar of meetings planned for 2024	Complete	CM1
<b>Resourcing scrutiny</b>				
<p><i>The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority.</i></p> <p><i>Ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective scrutiny function requires them to allocate resources to it.</i></p> <p><i>When deciding on the level of resource to allocate to the scrutiny function, the factors an authority should consider include:</i></p> <ul style="list-style-type: none"> <li>• <i>Scrutiny’s legal powers and responsibilities;</i></li> <li>• <i>The particular role and remit scrutiny will play in the authority;</i></li> <li>• <i>The training requirements of scrutiny members and support officers, particularly the support needed to ask effective questions of the executive and other key partners, and make effective recommendations;</i></li> <li>• <i>The need for ad hoc external support where expertise does not exist in the council;</i></li> <li>• <i>Effectively-resourced scrutiny has been shown to add value to the work of authorities, improving their ability to meet the needs of local people; and</i></li> <li>• <i>Effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions</i></li> </ul>	17	<p>Consideration be given to the level of officer resource available to support scrutiny and that this is appropriate to ensure effective outputs that add value to the organisation – discussion with O&amp;S chairs group, with views to be passed to Corporate Management Team.</p> <p>Resources to support O&amp;S are stretched. The Democratic Services team provides direct officer support to the O&amp;S function. There has been no increase in officer resource to support the increase in O&amp;S meeting numbers agreed by Council in September 2023. The Democratic Services structure was designed to support the service approved by the Shadow Authority which anticipated 22 O&amp;S meetings per year with a larger Democratic Services team to support this.</p> <p>Since the establishment of BCP Council, the officer support available to O&amp;S has not been adequate for the level of O&amp;S meetings held by the council, which, through many changes to the O&amp;S committee structure, have predominantly been above the level anticipated by the Shadow Authority. In 2021 the service budget was reduced by 14.9% to support the corporate budget pressures. Following the most recent changes to the O&amp;S structure the service is now considered to be operating above maximum capacity. Taking into account the increased meetings and reduction in manpower resources, the ratio of meetings per equivalent officer FTE to provide</p>	Resource monitoring completed in 23/24.  To be continued on same basis, ongoing.	R1/ CMT1

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		<p>support has increased by over 28%. This is excluding any additional special meetings called by committees. This has an impact on the level of support that can be provided to the O&amp;S function and the resulting outputs.</p> <p>Resourcing implications set out above were highlighted to CMB and Council in September 2023 when a decision was taken to increase the overall number of O&amp;S meetings. A bid for additional staff to support the increase in O&amp;S meeting numbers was not approved.</p> <p>Resource pressures caused delay to strategic actions in 2023, such as work programming, and limited the amount of support that could be provided to scoping and supporting effective scrutiny. The highest level of substantive recommendations generated by an O&amp;S committee in 2023/24 was 33%. The lowest level was 0%. These levels should be higher to demonstrate that value is being added by the O&amp;S function.</p> <p>There will continue to be a risk that scrutiny cannot be supported to plan effective work with meaningful outputs without sufficient resources. The level of resources available to support O&amp;S will continue to be monitored through the O&amp;S Chairs group, O&amp;S Board and the annual reporting process to Council.</p>		
<i>Authorities should also recognise that support for scrutiny committees, task groups and other activities is not solely about budgets and provision of officer time, although these are clearly extremely important elements. Effective support is also about the</i>	18a	New Councillor and refresher training to be provided to include – Use of resource, and effective wider authority engagement in O&S	Complete. Monitor the need for refresher training.	MT1

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<i>ways in which the wider authority engages with those who carry out the scrutiny function (both members and officers).</i>	18b	Officer refresher training to be provided to include – Use of resource, and effective wider authority engagement in O&S Planned for Summer / Autumn 2024.	Winter 2023	OT1
	18c	As required by the constitution, all requests for O&S committees to undertake work are considered by Committees against the current resource levels available to support the request All committees are asked to take account of resources when considering requests for work, especially commissioned work such as working groups and additional meetings. 2 working groups were held during 23/24 and 3 additional meetings called. It was fortunate that not all committees commissioned working groups during this time as overall resource to support the function was limited by the increase in committee meetings, agreed by council in September 2023.  O&S Board and Environment & Place O&S Committee in particular have adapted practices to work within resources available with more manageable committee agendas, meeting duration and greater level of member led work taking place outside of committee.  All committees would benefit from retaining clear capacity within their annual work programmes to ensure space exists to respond to arising issues throughout the year without exceeding resource.  Mechanisms are in place to monitor resource availability, including through this action plan, and on a regular basis through Chairs and Vice Chairs meetings. Officers will continue to provide guidance to support an O&S function that is as effective as possible within the resources available.	Complete in 23/24 – continue to monitor long-term.	R1

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	18d	Establish calendar of meeting dates for O&S chairs to include-monitoring the total level of resource available across the O&S function Calendar of meetings planned for 2024.	Complete	CM1
<b>Statutory scrutiny officers</b>				
Combined authorities, upper and single tier authorities are required to designate a statutory scrutiny officer, someone whose role is to:  • promote the role of the authority’s scrutiny committee; • provide support to the scrutiny committee and its members; and • provide support and guidance to members and officers relating to the functions of the scrutiny committee.	19a	Statutory scrutiny officer is appointed and sits within the Democratic Services Team.	Complete	R1
	19b	The Statutory Scrutiny Officer role is set out in the constitution to aid authority wide understanding - referral to Constitution Review Working Group for consideration. Package of work to review constitution to strengthen areas around O&S has not yet started and will be progressed as resources allow.	Winter 2023	CR1
	19c	New Councillor and refresher training to be provided to include – The role of the statutory scrutiny officer, to increase visibility	Complete. Monitor the need for refresher training.	MT1
	19d	Officer refresher training to be provided to include – The role of the statutory scrutiny officer, to increase visibility. Planned for Summer / Autumn 2024.	Winter 2023	OT1
	19e	Consider the interface of the statutory scrutiny officer role with Corporate Management Team to ensure that planning for engagement with scrutiny can be considered for significant forthcoming decisions.	Complete	CMT1

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		Statutory Scrutiny Officer met with CMB in November 2023 and agreed quarterly reporting of O&S Forward Plans through CMB, and encouraged directorates to consider potential O&S engagement in all significant forthcoming decisions. Quarterly meetings of Council Leader, Chief Executive, Statutory Scrutiny Officer and O&S Chairs has been agreed by all parties. This will also assist with planning for scrutiny engagement in significant forthcoming decisions.		
<b>Officer resource models</b> <i>Authorities should ensure that, whatever model they employ, officers tasked with providing scrutiny support are able to provide impartial advice. This might require consideration of the need to build safeguards into the way that support is provided. The nature of these safeguards will differ according to the specific role scrutiny plays in the organisation.</i>	20	Officer refresher training to be provided to include – The importance of impartial advice to O&S. Planned for Summer / Autumn 2024.	Winter 2023	OT1
<b>Selecting Committee Members</b> <i>Selecting the right members to serve on scrutiny committees is essential if those committees are to function effectively. Where a committee is made up of members who have the necessary skills and commitment, it is far more likely to be taken seriously by the wider authority.</i>  <i>When selecting individual members to serve on scrutiny committees, an authority should consider a member’s experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve.</i>	21a	New Councillor and refresher training to be provided to include – Appropriate selection of committee members, in order that this can be taken account of by political groups when establishing their committee representation.	Complete. Monitor the need for refresher training.	MT1

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<p><i>Authorities should not take into account a member’s perceived level of support for or opposition to a particular political party (notwithstanding the wider legal requirement for proportionality)</i></p> <p><i>Members invariably have different skill-sets. What an authority must consider when forming a committee is that, as a group, it possesses the requisite expertise, commitment and ability to act impartially to fulfil its functions.</i></p>	21b	<p>A programme of ongoing scrutiny skills training to be developed for delivery to O&amp;S Councillors throughout municipal year 2023/24.</p> <p>Following induction training, a range of development opportunities have been provided to councillors through the LGA, the South West Scrutiny Network and the Centre for Governance and Scrutiny. This has included skills development around work planning, finance scrutiny, chairing, O&amp;S leadership and scrutinising data &amp; performance. Arising opportunities free training through scrutiny networks will continue to be promoted to O&amp;S councillors and additional bespoke training planned according to need and budget availability.</p> <p>O&amp;S Chairs meetings retain training as a standard item on agendas, to review arising training needs.</p>	Complete, monitor long-term	MT3
<p><i>Authorities are reminded that members of the executive cannot be members of a scrutiny committee. Authorities should take care to ensure that, as a minimum, members holding less formal executive positions, e.g. as Cabinet assistants, do not sit on scrutinising committees looking at portfolios to which those roles relate.</i></p> <p><i>Authorities should articulate in their constitutions how conflicts of interest, including familial links between executive and scrutiny responsibilities should be managed, including where members stand down from the executive and move to a scrutiny role, and vice-versa.</i></p>	22a	<p>Review Constitution rules for clarity on the principle of Executive lead members sitting on O&amp;S referral to Constitution Review Working Group for consideration.</p> <p>Constitution identifies that Executive lead members cannot sit on O&amp;S.</p>	Complete	CR1
	22b	<p>Review constitution to consider providing further clarity on how to manage conflicts of interest, including when Councillors move between roles - referral to Constitution Review Working Group for consideration.</p> <p>Package of work to review constitution to strengthen areas around O&amp;S has not yet started and will be progressed as resources allow.</p>	Winter 2023	CR1

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<b>Selecting a chair</b>				
<i>The Chair plays a leadership role on a scrutiny committee as they are largely responsible for establishing its profile, influence and ways of working.</i>  <i>The attributes authorities should and should not take into account when selecting individual committee members also apply to the selection of the Chair, but the Chair should also possess the ability to lead and build a sense of teamwork and consensus among committee members.</i>	23a	New Councillor and refresher training to be provided to include – Appropriate selection of committee chairs, in order that this can be taken account of by political groups when establishing their proposed chair nominees	Complete. Monitor the need for refresher training.	MT1
	23b	O&S Charing skills training to be delivered to include - leadership skills. Charing skills training provided in Summer 2023 induction. O&S leadership training provided via LGA workshops in Feb 2024. LGA leadership training to be offered to all new O&S chairs, as and when changes in positions occur.	Complete, monitor long-term	MT2
<i>Given their pre-eminent role on the scrutiny committee, it is strongly recommended that the Chair not preside over scrutiny of their relatives</i>	24	Review constitution to consider providing further clarity on the Chair not presiding over scrutiny of relatives- referral to Constitution Review Working Group for consideration. Package of work to review constitution to strengthen areas around O&S has not yet started and will be progressed as resources allow.	Winter 2023	CR1
<i>The method for selecting a Chair is for each authority to decide for itself, however every authority should consider taking a vote by secret ballot.</i>	25a	Secret ballot method vote for Chair and Vice Chair is already in place within constitution at Meeting Procedure Rule 19.	Complete	CR1
	25b	See 8c above ‘opposition chairs’	See relevant action above.	CR1
<b>The role of the chair</b>				
<i>Chairs should pay special attention to the need to guard the committee’s independence. Importantly, however, they should take</i>	26	O&S Charing skills training to be delivered to include – independence of O&S, and the need to avoid de facto opposition role.	Complete, monitor long-term	MT2

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<i>care to avoid the committee being, and being viewed as, a de facto opposition to the executive.</i>		Chairing skills training provided in Summer 2023 induction. O&S leadership training provided via LGA workshops in Feb 2024. LGA leadership training to be offered to all new O&S chairs, as and when changes in positions occur.		
<b>Training for committee members</b>  <i>Authorities should ensure committee members are offered induction when they take up their role and ongoing training so they can carry out their responsibilities effectively. Authorities should pay attention to the need to ensure committee members are aware of their legal powers, and how to prepare for and ask relevant questions at scrutiny sessions.</i>  <i>When deciding on training requirements for committee members, authorities should consider taking advantage of opportunities offered by external providers in the sector.</i>	27a	See action 2a above - new Councillor and refresher training on statutory powers of O&S	See relevant action above.	MT1
	27b	A programme of ongoing scrutiny skills training to be developed for delivery to O&S Councillors throughout municipal year 2023/24, to include – questioning skills training. Some questioning skills training was incorporated into O&S induction training. O&S Chairs meetings retain training as a standard item on agendas, to review arising training needs. Currently, Chairs have not indicated a pressing need for additional questioning skills training. Arising opportunities for free training through scrutiny networks will continue to be promoted to O&S councillors and additional bespoke training planned according to need and budget availability.	Complete, monitor long-term	MT3
	27c	Training to be delivered by external facilitators as appropriate and according to budget available. A mix of in-house support and external facilitators have been used in training and development to date to provide additional O&S expertise and insight to specific training areas as appropriate. This approach will continue to be used according to need and budget availability.	Complete, monitor long-term.	MT3

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<i>While members and their support officers will often have significant local insight and an understanding of local people and their needs, the provision of outside expertise can be invaluable. There are two principal ways to procure this:</i> <ul style="list-style-type: none"> <li>• <i>Co-option – formal co-option is provided for in legislation.</i></li> </ul> <i>Authorities must establish a co-option scheme to determine how individuals will be co-opted onto committees; and</i> <ul style="list-style-type: none"> <li>• <i>Technical advisers – depending on the subject matter, independent local experts might exist who can provide advice and assistance in evaluating evidence</i></li> </ul>	28a	Facility to use external experts by O&S is already set out in constitution at Article 6, Rule 6.6.	Complete	CR1
	28b	Consideration be given to the appropriate use of external experts at the scoping stage of O&S work. Greater use of subject experts and community insight have been included in O&S since May 2023. Examples include a subject expert on the Safety Valve programme, developer input to Local Plan discussions and regular Healthwatch contributions at HASC O&S Committee. The terms of reference of the Environment & Place O&S Committee was amended by Council in September 2023, to include additional insight on sustainability matters in the form of two non-voting member independent members. Recruitment to these positions is in process. Use of community insight and evidence could be developed further still and officers will continue to encourage at the scoping stage of forthcoming work.	Complete, monitor long-term.	WS1
<b>Powers to Access Information</b>				
<i>A scrutiny committee needs access to relevant information the authority holds, and to receive it in good time, if it is to do its job effectively.</i>  <i>This need is recognised in law, with members of scrutiny committees enjoying powers to access information. In particular, regulations give enhanced powers to a scrutiny member to access exempt or confidential information. This is in addition to existing rights for councillors to have access to information to perform their</i>	29a	Enhanced rights of O&S in relation to access to information are already set out in Constitution at Access to Information Procedure Rule 24.	Complete	CR1

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<p><i>duties, including common law rights to request information and rights to request information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.</i></p> <p><i>When considering what information scrutiny needs in order to carry out its work, scrutiny members and the executive should consider scrutiny’s role and the legal rights that committees and their individual members have, as well as their need to receive timely and accurate information to carry out their duties effectively.</i></p>	29b	New Councillor and refresher training to be provided to include – enhanced rights of O&S in relation to access to information	Complete. Monitor the need for refresher training.	MT1
<p><i>Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management and risk. Where this information exists, and scrutiny members are given support to understand it, the potential for what officers might consider unfocused and unproductive requests is reduced as members will be able to frame their requests from a more informed position.</i></p>	30a	Develop a library of O&S oversight information, provided in an online format for Councillors to access independently, to include - Performance, Management, Finance, Risk, Complaints, Business Cases and Ombudsman information. This will assist in ‘horizon scanning’ to enhance the effectiveness of O&S work planning. Some committees maintain oversight of key information on a regular basis, but this is determined by committee and not currently available to committees in a standard accessible format. HASC O&S has developed a data toolkit, which gathers oversight information in a digestible format for O&S members. This has been welcomed by O&S members as an effective way to provide horizon scanning information to members allowing ‘self-serve’ and minimising impact on wider committee resources. This approach to be rolled out to all committees as resources allow.	Spring/ Summer 24	L1

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<b>Relevant Extract from:</b> <b>Statutory Guidance on O&amp;S (ID 1-53)</b> <b>Chief Executive’s Assurance Review (ID 54-58)</b> <b>DLUHC Assurance Review (ID 59 – 64)</b>	<b>ID</b>	<b>Action for BCP Council with updates</b> <b>(Latest updates December 2023 in blue text)</b>	<b>RAG and timescales</b>	<b>Code</b>
	30b	A programme of ongoing scrutiny skills training to be developed for delivery to O&S Councillors throughout municipal year 2023/24, to include – Interpretation performance, management and risk information, and its application to O&S work programming. LGA training opportunities in February and March 2024 on ‘Data and Managing Council Performance’ was promoted to all councillors. Arising opportunities free training through scrutiny networks will continue to be promoted to O&S councillors and additional bespoke training planned according to need and budget availability.	Complete, monitor long-term	MT3
<p><i>Officers should speak to scrutiny members to ensure they understand the reasons why information is needed, thereby making the authority better able to provide information that is relevant and timely, as well as ensuring that the authority complies with legal requirements.</i></p> <p><i>Regulations already stipulate a timeframe for executives to comply with requests from a scrutiny member. When agreeing to such requests, authorities should:</i></p> <ul style="list-style-type: none"> <li>• <i>consider whether seeking clarification from the information requester could help better target the request; and</i></li> <li>• <i>Ensure the information is supplied in a format appropriate to the recipient’s needs.</i></li> </ul>	31	Support scrutiny committees to be clear in identifying information needs and to scope larger pieces of work effectively so that information expectations can be met by officers and executive members.  – In annual work programming for O&S Committees and ongoing, during work programming discussions at each meeting. During 23/24, where matters were scrutinised that were not already the subject of a report (eg. Cabinet report), scoping meetings were arranged between Chairs and report authors to clarify requirements. O&S Chairs engaged committee members to seek input into this. This process has been strengthened by the development of a Key Lines of Enquiry proforma, for completion for all new scrutiny items. This captures key questions and data requests and is being rolled out to all committees, providing a clearer audit trail for both committees and information providers.  HASC O&S completed a working group on data and produced a Data Toolkit to capture its findings. This includes clear	Complete – monitor long-term	WS1

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		guidance on a standard data request for HASC O&S committee reports - a process that can be mirrored by the other committees.		
<i>While each request for information should be judged on its individual merits, authorities should adopt a default position of sharing the information they hold, on request, with scrutiny committee members.</i>	32	Officer refresher training to be provided to include – Default position of sharing information with O&S Planned for Summer / Autumn 2024.	Winter 2023	OT1
<i>The law recognises that there might be instances where it is legitimate for an authority to withhold information and places a requirement on the executive to provide the scrutiny committee with a written statement setting out its reasons for that decision. However, members of the executive and senior officers should take particular care to avoid refusing requests, or limiting the information they provide, for reasons of party political or reputational expediency. Before an authority takes a decision not to share information it holds, it should give serious consideration to whether that information could be shared in closed session</i>	33a	Situations where information may be withheld from O&S, and actions to communicate this, are already set out in the Constitution at Access to Information Procedure Rule 24.	Complete	CR1
	33b	New Councillor and refresher training to be provided to include – Default position of sharing information with O&S, and situations where information may be withheld.	Complete. Monitor the need for refresher training.	MT1
	33c	Officer refresher training to be provided to include – Default position of sharing information with O&S, and situations where information may be withheld. Planned for Summer / Autumn 2024.	Winter 2023	OT1
<i>Committees should be aware of their legal power to require members of the executive and officers to attend before them to answer questions. It is the duty of members and officers to comply with such requests.</i>	34a	Requirement for Cabinet members and officers to attend O&S when requested is already set out in constitution at O&S Procedure Rule 9.	Complete	CR1
	34b	Identification of attendees and formal requests to Cabinet and officers to attend is required by the constitution and an embedded practice.	Complete, monitor long-term.	WS1
	34c	Portfolio Holders attend O&S meetings in response to requests, or send deputies. Attendance of Portfolio Holders at O&S when requested is now well established and will continue to be encouraged.	Complete, monitor long-term.	C1

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	34d	New Councillor and refresher training to be provided to include – Requirement of Cabinet members and officers to attend scrutiny when requested	Complete. Monitor the need for refresher training.	MT1
	34e	Officer refresher training to be provided to include – Requirement of Cabinet members and officers to attend scrutiny when requested. Planned for Summer / Autumn 2024.	Winter 2023	OT1
	<b>Seeking information from external organisations</b>			
<i>Scrutiny members should also consider the need to supplement any authority-held information they receive with information and intelligence that might be available from other sources, and should note in particular their statutory powers to access information from certain external organisations</i>	35	Develop a library of O&S oversight information, provided in an online format for Councillors to access independently, to include - Information from external organisations, as appropriate, to support individual work items and annual work programming Some committees maintain oversight of key information on a regular basis, but this is determined by committee and not currently available to committees in a standard accessible format. HASC O&S has developed a data toolkit, which gathers oversight information in a digestible format for O&S members. This has been welcomed by O&S members as an effective way to provide horizon scanning information to members allowing ‘self-serve’ and minimising impact on wider committee resources. This approach to be rolled out to all committees as resources allow.	Spring/ Summer 24	L1
<i>When asking an external organisation to provide documentation or appear before it, and where that organisation is not legally obliged to do either, scrutiny committees should consider the following:</i>	36a	Guidelines for scrutinising external organisations is already included within the Council’s Constitution at O&S Procedure Rule 10.	Complete	CR1

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<p><i>a) The need to explain the purpose of scrutiny – the organisation being approached might have little or no awareness of the committee’s work, or of an authority’s scrutiny function more generally, and so might be reluctant to comply with any request;</i></p> <p><i>b)The benefits of an informal approach – individuals from external organisations can have fixed perceptions of what an evidence session entails and may be unwilling to subject themselves to detailed public scrutiny if they believe it could reflect badly on them or their employer. Making an informal approach can help reassure an organisation of the aims of the committee, the type of information being sought and the manner in which the evidence session would be conducted;</i></p> <p><i>c) How to encourage compliance with the request – scrutiny committees will want to frame their approach on a case by case basis. For contentious issues, committees might want to emphasise the opportunity their request gives the organisation to ‘set the record straight’ in a public setting; and</i></p> <p><i>d) Who to approach – a committee might instinctively want to ask the Chief Executive or Managing Director of an organisation to appear at an evidence session, however it could be more beneficial to engage front-line staff when seeking operational-level detail rather than senior executives who might only be able to talk in more general terms. When making a request to a specific individual, the committee should consider the type of information it is seeking, the nature of the organisation in question and the authority’s pre-existing relationship with it.</i></p>	<p>36b</p>	<p>Develop a user-friendly protocol to assist committees with approaching, preparing for and scrutinising external organisations.  <span style="color: blue;">Not started. To be progressed as resources allow.</span></p>	<p style="background-color: yellow;">Summer 2024</p>	<p>P1</p>

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<b>Following ‘the Council Pound’</b>				
<p><i>Scrutiny committees will often have a keen interest in ‘following the council pound’, i.e. scrutinising organisations that receive public funding to deliver goods and services.</i></p> <p><i>Authorities should recognise the legitimacy of this interest and, where relevant, consider the need to provide assistance to scrutiny members and their support staff to obtain information from organisations the council has contracted to deliver services. In particular, when agreeing contracts with these bodies, authorities should consider whether it would be appropriate to include a requirement for them to supply information to or appear before scrutiny committees</i></p>	<p>37</p>	<p>Officer refresher training to be provided to include – Support to scrutiny committees in respect of scrutinising organisations that receive public funding to deliver goods and services</p> <p>Planned for Summer / Autumn 2024.</p>	<p>Winter 2023</p>	<p>OT1</p>
<b>Planning Work</b>				
<p><i>Effective scrutiny should have a defined impact on the ground, with the committee making recommendations that will make a tangible difference to the work of the authority. To have this kind of impact, scrutiny committees need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year.</i></p>	<p>38a</p>	<p>O&amp;S committees agree a work programme annually drawing ideas from relevant sources, that enables reports to be prepared and brought to the committee in a timely way.</p> <p>All O&amp;S committees completed annual work programming in 2023/24, basing suggestions on a variety of relevant sources. To be repeated annually.</p>	<p>Complete, monitor long-term.</p>	<p>WS1</p>
	<p>38b</p>	<p>Work programmes are based on realistic assessment of resources available to O&amp;S, also retaining capacity for some arising issues to be accommodated.</p> <p>All committees are asked to take account of resources when considering requests for work, especially commissioned work such as working groups and additional meetings. 2 working groups were held during 23/24 and 3 additional meetings called. It was fortunate that not all committees commissioned working groups during this time as overall resource to support</p>	<p>Complete to varying levels of effectiveness in 23/24.</p> <p>Stronger approach to this to be encouraged in 24/25,</p>	<p>R1</p>

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		<p>the function was limited by the increase in committee meetings, agreed by council in September 2023.</p> <p>O&amp;S Board and Environment &amp; Place O&amp;S Committee in particular have adapted practices to work within resources available with more manageable committee agendas, meeting duration and greater level of member led work taking place outside of committee.</p> <p>All committees would benefit from retaining clear capacity within their annual work programmes to ensure space exists to respond to arising issues without exceeding resource.</p> <p>Mechanisms are in place to monitor resource availability, including through this action plan, and on a regular basis through Chairs and Vice Chairs meetings. Officers will continue to provide guidance to support an O&amp;S function that is as effective as possible within the resources available.</p>	with ongoing monitoring.	
	38c	New Councillor and refresher training to be provided to include – Effective O&S Work programming and best use of resources	Complete. Monitor the need for refresher training.	MT1
	38d	Feedback is gathered on O&S outputs and a tool developed to measure the success of O&S. Not started. To be progressed as resources allow.	Summer 2024	P1
<i>Authorities with multiple scrutiny committees sometimes have a separate work programme for each committee. Where this happens, consideration should be given to how to co-ordinate the various committees’ work to make best use of the total resources available.</i>	39a	Each O&S committee may establish separate work plans, with responsibility for monitoring use of resource across all work plans sitting with O&S Board, supported by O&S Chairs. This is set out in the Constitution.	Complete	CR1

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	39b	Establish calendar of meeting dates for O&S chairs to include collective leadership monitoring of O&S resource <i>Calendar of meetings planned for 2024</i>	Autumn 2023	CM1
<b>Being clear about scrutiny’s role</b>				
<p><i>Scrutiny works best when it has a clear role and function. This provides focus and direction. While scrutiny has the power to look at anything which affects ‘the area, or the area’s inhabitants’, authorities will often find it difficult to support a scrutiny function that carries out generalised oversight across the wide range of issues experienced by local people, particularly in the context of partnership working. Prioritisation is necessary, which means that there might be things that, despite being important, scrutiny will not be able to look at.</i></p> <p><i>Different overall roles could include having a focus on risk, the authority’s finances, or on the way the authority works with its partners.</i></p> <p><i>Applying this focus does not mean that certain subjects are ‘off limits’. It is more about looking at topics and deciding whether their relative importance justifies the positive impact scrutiny’s further involvement could bring.</i></p>	40	See actions 4a, b and c above – O&S ‘focus’, working methods and terms of reference.	See relevant actions above	WS1/ WM1/ TOR1
<p><i>When thinking about scrutiny’s focus, members should be supported by key senior officers. The statutory scrutiny officer, if an authority has one, will need to take a leading role in supporting members to clarify the role and function of scrutiny, and championing that role once agreed.</i></p>	41a	Senior officers and the statutory scrutiny officer support committees in selecting priorities that are of relevance and can add value to the organisation.  – In annual work programming for O&S Committees and ongoing, during work programming discussions at each meeting. <i>Committees are well supported by senior officers in their selection of topics on a meeting-by-meeting basis with potential</i>	Complete, monitor long-term	WS1

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		<p>areas for value-added scrutiny identified by officers through service based training at first meetings of all committees and in annual work programming.</p> <p>The O&amp;S Board and Environment &amp; Place O&amp;S Committee engaged in action/ learning workshops to plan their work programmes in 2023/24. These were led by CfGS and based on good practice. Both committees developed a lens and framework in liaison with the statutory scrutiny officer, which clearly identifies their role and mechanisms for engaging with the wider organisation on policy development and decisions. This will assist with communicating and championing the role of scrutiny to stakeholders. This approach to be used by all committees in future work programming.</p> <p>All committees would benefit from regularly assessing the value that has been added by their work, to inform future work planning.</p>		
	41b	<p>Statutory scrutiny officer to ensure that scrutiny priorities are promoted to Executive members and the wider officer corps via Corporate Management Board and information sharing with Cabinet members.</p> <p>All annual work programmes have been developed and are shared with each O&amp;S committee agenda.</p> <p>Mechanisms are in place for promoting scrutiny priorities within the organisation:</p> <p>CMB has agreed to receive all O&amp;S work programmes on a quarterly basis.</p> <p>The Leader and Chief Executive of the council have agreed to hold quarterly meetings with all O&amp;S chairs to promote effective information sharing between O&amp;S and executive to provide a mechanism for overcoming any barriers to effective working between the two.</p>	Complete, monitor long-term.	WS1



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<p><i>o Public sector partners (like the NHS and community safety partners, over which scrutiny has specific legal powers);</i></p> <p><i>o Voluntary sector partners;</i></p> <p><i>o Contractors and commissioning partners (including partners in joint ventures and authority-owned companies);</i></p> <p><i>o In parished areas, town, community and parish councils;</i></p> <p><i>o Neighbouring principal councils (both in two-tier and unitary areas);</i></p> <p><i>o Cross-authority bodies and organisations, such as Local Enterprise Partnerships; and</i></p> <p><i>o Others with a stake and interest in the local area – large local employers, for example.</i></p> <ul style="list-style-type: none"> <li>• <i>The executive –</i></li> </ul> <p><i>a principal partner in discussions on the work programme should be the executive (and senior officers). The executive should not direct scrutiny’s work, but conversations will help scrutiny members better understand how their work can be designed to align with the best opportunities to influence the authority’s wider work.</i></p>		<p>All Portfolio Holders were asked to contribute O&amp;S annual work planning by providing information on forthcoming priorities to enable O&amp;S to plan work that can align and add value. Responses to this request varied and would benefit from becoming a more widely promoted and embedded practice in the next round of annual work programming.</p>	<p>in next round of annual work-programming.</p>	
	42f	<p>See 7b above:</p> <p>The Cabinet Forward Plan is regularly updated with sufficient notice of forthcoming priorities to enable O&amp;S to engage effectively at an early stage in policy shaping</p>	<p>See relevant action above.</p>	C1
	42g	<p>See 7d above:</p> <p>Role descriptions to be developed for Councillors in leading O&amp;S roles to clarify expectation that scrutiny chairs establish informal working arrangements with relevant Portfolio Holders to ensure scrutiny can be informed of Cabinet priorities in a timely way.</p>	<p>See relevant action above.</p>	RD1
<p><b>Information sources</b></p>				
<p><i>Scrutiny will need access to relevant information to inform its work programme. The type of information will depend on the specific role and function scrutiny plays within the authority, but might include:</i></p> <ul style="list-style-type: none"> <li>• <i>Performance information from across the authority and its partners;</i></li> <li>• <i>Finance and risk information from across the authority and its partners;</i></li> </ul>	43a	<p>See 30a above:</p> <p>Develop a library of O&amp;S oversight information, provided in an online format for Councillors to access independently, to include -</p> <p>Performance, Management, Finance, Risk, Complaints, Business Cases and Ombudsman information.</p> <p>This will assist in ‘horizon scanning’ to enhance the effectiveness of O&amp;S work planning.</p>	<p>See relevant action above.</p>	L1

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<ul style="list-style-type: none"> <li>• <i>Corporate complaints information, and aggregated information from political groups about the subject matter of members’ surgeries;</i></li> <li>• <i>Business cases and options appraisals (and other planning information) for forthcoming major decisions. This information will be of particular use for pre -decision scrutiny; and</i></li> <li>• <i>Reports and recommendations issued by relevant ombudsmen, especially the Local Government and Social Care Ombudsman.</i></li> </ul> <p><i>As committees can meet in closed session, commercial confidentiality should not preclude the sharing of information. Authorities should note, however, that the default for meetings should be that they are held in public</i></p>	43b	<p>Presumption is made that library of information for O&amp;S Councillors is public, with non- public information shared in appropriate alternative environment to ensure Councillors can remain informed.</p> <p>The presumption for information shared with O&amp;S to be public is already an embedded practice, with appropriate consideration given on an arising basis to O&amp;S requests for non-public information.</p>	Complete, monitor long-term.	L1
<p><i>Scrutiny members should consider keeping this information under regular review. It is likely to be easier to do this outside committee, rather than bringing such information to committee ‘to note’, or to provide an update, as a matter of course.</i></p>	44	<p>Support committees to work in more diverse ways to maintain oversight of key information, including circulating information outside of meetings and the use of rapporteurs or champions for particular topics. This will free up committee resource for value added scrutiny.</p> <p>O&amp;S Committees have received targeted training and support throughout the year to assist in this aim. O&amp;S Board have made use of the member-led rapporteur model in work on Blue Badge waiting times. Other committees have agreed information which can be circulated outside of meetings to free up committee time and/or have held informal briefings for information only items. This approach could be significantly strengthened further across all committees.</p> <p>Analysis of 23/24 work outputs across all committees show an overbalance of monitoring/update reports, with this taking up the majority of work for 4 out of 5 committees operating in this period. This is taking up time that could be used for other value-added scrutiny.</p>	In annual work programming for O&S Committees – Autumn 2023	WM1

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		<p>Greater use could be made of other methods, such as rapporteurs, to maintain overview of information otherwise reported into committee. This approach will continue to be encouraged across all committees.</p> <p>Being more greatly aligned to a performance and oversight role, Children’s Services and HASC O&amp;S Committees would particularly benefit from an ongoing rigorous approach to committee agenda planning, to ensure that all information sharing items are received in other ways. Officers will continue to support this approach.</p>		
<b>Shortlisting topics</b>				
<p><i>Approaches to shortlisting topics should reflect scrutiny’s overall role in the authority. This will require the development of bespoke, local solutions, however when considering whether an item should be included in the work programme, the kind of questions a scrutiny committee should consider might include:</i></p> <ul style="list-style-type: none"> <li>• <i>Do we understand the benefits scrutiny would bring to this issue?</i></li> <li>• <i>How could we best carry out work on this subject?</i></li> <li>• <i>What would be the best outcome of this work?</i></li> <li>• <i>How would this work engage with the activity of the executive and other decision-makers, including partners?</i></li> </ul>	45a	<p>Extend the use of the ‘scrutiny request form’ already in place for commissioned items, to encourage consideration of the value to be added by all reports, such as scrutiny’s consideration of Cabinet pre-decision items and officer proposed items.</p> <p>– In annual work programming for O&amp;S Committees and ongoing, during work programming discussions at each meeting.</p> <p>The use of the ‘scrutiny request form’ is embedded for councillor requests. It is not currently used for requests to consider other items such as Cabinet items or officer proposed items. O&amp;S Chairs have confirmed that they do not feel a documented process for officer or cabinet requests is necessary.</p> <p>Careful consideration of the likely benefits of all intended work prior to commencement, regardless of origin, will continue to be encouraged by officers that support O&amp;S.</p>	Complete, monitor long-term.	WS1

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<b>Relevant Extract from:</b>  <b>Statutory Guidance on O&amp;S (ID 1-53)</b> <b>Chief Executive’s Assurance Review (ID 54-58)</b> <b>DLUHC Assurance Review (ID 59 – 64)</b>	<b>ID</b>	<b>Action for BCP Council with updates</b>  <b>(Latest updates December 2023 in blue text)</b>	<b>RAG and timescales</b>	<b>Code</b>
<p><i>Some authorities use scoring systems to evaluate and rank work programme proposals. If these are used to provoke discussion and debate, based on evidence, about what priorities should be, they can be a useful tool. Others take a looser approach. Whichever method is adopted, a committee should be able to justify how and why a decision has been taken to include certain issues and not others.</i></p> <p><i>Scrutiny members should accept that shortlisting can be difficult; scrutiny committees have finite resources and deciding how these are best allocated is tough. They should understand that, if work programming is robust and effective, there might well be issues that they want to look at that nonetheless are not selected.</i></p>	45b	Review ‘scrutiny request form’ and update as appropriate to incorporate all suggested areas referenced in O&S guidance. Not started. To be progressed as resources allow.	Autumn 2023	P1
	45c	See 18c above:  As required by the constitution, all requests for O&S work are considered by Committees against the current resource levels available to support the request	See relevant action above.	R1
<b>Carrying out work</b>				
<p><b>Selected topics can be scrutinised in several ways, including:</b></p> <p><b>a) As a single item on a committee agenda – this often presents a limited opportunity for effective scrutiny, but may be appropriate for some issues or where the committee wants to maintain a formal watching brief over a given issue;</b></p> <p><b>b) At a single meeting – which could be a committee meeting or something less formal. This can provide an opportunity to have a single public meeting about a given subject, or to have a meeting at which evidence is taken from a number of witnesses;</b></p> <p><b>c) At a task and finish review of two or three meetings – short, sharp scrutiny review are likely to be most effective even for complex topics. Properly focused, they ensure members can swiftly reach conclusions and make recommendations, perhaps over the course of a couple of months or less;</b></p>	46a	Methods of carrying out O&S work are set out within the Constitution at Article 6, Rule 6.9.	Complete	CR1
	46b	Support committees to actively consider diverse ways of working other than committee reports to secure most effective outputs. O&S ways of working were considered through O&S work planning activity for all committees. Officers also encourage consideration of diverse ways of working on an ongoing basis as work programmes are revised.	Complete, monitor long-term	WM1
	46c	Review and develop task and finish/ working group scoping document, protocol and joint working group protocol Not started. To be progressed as resources allow.	Summer 2024	P1

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<p>d) <i>Via a longer-term task and finish review – the ‘traditional’ task and finish model – with perhaps six or seven meetings spread over a number of months – is still appropriate when scrutiny needs to dig into a complex topic in significant detail. However, the resource implications of such work, and its length, can make it unattractive for all but the most complex matters; and</i></p> <p>e) <i>By establishing a ‘standing panel’ – this falls short of establishing a whole new committee but may reflect a necessity to keep a watching brief over a critical local issue, especially where members feel they need to convene regularly to carry out that oversight. Again, the resource implications of this approach means that it will be rarely used.</i></p>				
<b>Evidence sessions</b>				
<p><i>Evidence sessions are a key way in which scrutiny committees inform their work. They might happen at formal committee, in less formal ‘task and finish’ groups or at standalone sessions.</i></p> <p><i>Good preparation is a vital part of conducting effective evidence sessions. Members should have a clear idea of what the committee hopes to get out of each session and appreciate that success will depend on their ability to work together on the day.</i></p>	<p>47</p>	<p>Consider the appropriateness of conducting evidence sessions to scrutinise particular topics when planning annual work programmes. These will need proactive planning to ensure that sufficient resource can be made available to support effective sessions.</p> <p><i>Some committees invited evidence into scrutiny from additional sources during 23/24 but evidence sessions were not widely used. Initial plans are in place for a joint O&amp;S housing related inquiry day to take evidence from a variety of sources, during 24/25.</i></p> <p><i>Planning and conducting evidence sessions is resource intensive and support is limited to support this owing to the high volume of committee meetings planned for O&amp;S and associated core work. The approach will therefore continue to be promoted as an effective form of scrutiny to be taken up as resources allow.</i></p>	<p>Action will progress as resources allow.</p>	<p>WM1</p>

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<b><i>How to plan</i></b>  <i>Effective planning does not necessarily involve a large number of pre-meetings, the development of complex scopes or the drafting of questioning plans. It is more often about setting overall objectives and then considering what type of questions (and the way in which they are asked) can best elicit the information the committee is seeking. This applies as much to individual agenda items as it does for longer evidence sessions – there should always be consideration in advance of what scrutiny is trying to get out of a particular evidence session.</i>	48	New Councillor and refresher training to be provided to include – Evidence led approach to O&S, and how to conduct an effective evidence session	Complete. Monitor the need for refresher training.	MT1
<i>Chairs play a vital role in leading discussions on objective-setting and ensuring all members are aware of the specific role each will play during the evidence session.</i>  <i>As far as possible there should be consensus among scrutiny members about the objective of an evidence session before it starts. It is important to recognise that members have different perspectives on certain issues, and so might not share the objectives for a session that are ultimately adopted. Where this happens, the Chair will need to be aware of this divergence of views and bear it in mind when planning the evidence session.</i>	49	O&S Chairing skills training to be delivered to include how to plan for and lead evidence sessions, establish aims and manage different objectives from committee members Chairing skills training provided in Summer 2023 induction. O&S leadership training provided via LGA workshops in Feb 2024. LGA leadership training to be offered to all new O&S chairs, as and when changes in positions occur.	Complete, monitor long-term.	MT2
<i>Effective planning should mean that at the end of a session it is relatively straightforward for the chair to draw together themes and highlight the key findings. It is unlikely that the committee will be able to develop and agree recommendations immediately, but, unless the session is part of a wider inquiry, enough evidence should have been gathered to allow the chair to set a clear direction.</i>	50	O&S Chairing skills training to be delivered to include how to draw together themes and highlight key findings at the end of evidence sessions – this approach to be extended to all O&S work items to ensure Chairs can provide transparent summary of discussions. Chairing skills training provided in Summer 2023 induction. O&S leadership training provided via LGA workshops in Feb 2024. LGA leadership training to be offered to all new O&S chairs, as and when changes in positions occur.	Complete, monitor long-term	MT2



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<i>Committees should bear in mind that often six to eight recommendations are sufficient to enable the authority to focus its response, although there may be specific circumstances in which more might be appropriate.</i>				
<i>Sharing draft recommendations with executive members should not provide an opportunity for them to revise or block recommendations before they are made. It should, however, provide an opportunity for errors to be identified and corrected, and for a more general sense-check</i>	53	New Councillor and refresher training to be provided to include – The role of executive member consultation during draft reporting stages.	Complete. Monitor the need for refresher training.	MT1
<b>Chief Executive’s Assurance Review, June 2023 – recommendations and comments relating to O&amp;S</b>				
<i>In a No Overall Control council it is useful to ensure there is an opportunity to elect a Chair from outside of the administration to each Overview and Scrutiny Committee, to ensure appropriate scrutiny and holding the Executive to account.</i>	54a	Since May 2023 all O&S Committees have appointed a Chair, and in most cases, a Vice-Chair from outside of the Administration.	Complete – monitor long term.	CL1
<i>Opposition councillors have recently been given a majority of positions on the principal Overview and Scrutiny committees as a result of changes in the political balance calculations. Opposition councillors appear to be content to keep Conservative councillors as Chairs for the Committees where they are already in place, for the remainder of this Council term.</i>	54b	Action relating to potential constitutional changes to clarify the good practice of opposition chairs outlined at 8c above.	See relevant action above.	CR1
<i>Overview and scrutiny committees are to be encouraged to take evidence and contributions from officers as well as portfolio holders, to ensure a more informed basis to O&amp;S recommendations.</i>  <i>There is still a marked reluctance amongst the broader overview and scrutiny committees to ask questions directly of officers and</i>	55	Multiple actions relating to O&S powers to question, skills training, and planning of evidence sessions are outlined above. These will all assist with encouraging evidence and contributions from officers as well as portfolio holders, to increase the effectiveness of scrutiny sessions. See 9a, 9b, 9c, 27b and 48 above.	See relevant actions above	See relevant actions above

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<p><i>there are regular comments that leading councillors do not give clear answers to questions, but other councillors do not seek that clarity from officers, which they could.</i></p> <p><i>Since June there has been a noticeable shift in emphasis within the Council, with officers being invited to contribute on specific issues in Cabinet and this need needs to be extended to O&amp;S committees</i></p> <p><i>Continue to encourage full participation and clarity of answers in all meetings, and incorporate into training for Overview and Scrutiny committee members.</i></p>				
<p><i>Overview and scrutiny committees should continue to increase their focus on policy development and engagement rather than pre-Cabinet scrutiny.</i></p>	56a	<p>Update text lifted from Assurance Review Action Plan:</p> <p>Prior to the May 2023 elections there was little movement in the focus of the two new Overview and Scrutiny committees (Place and Corporate &amp; Community) that replaced O&amp;S Board, with an ongoing focus on pre-Cabinet scrutiny. At the end of 23/24 this had changed to a maximum level of 53% of items being within the pre-decision scrutiny category for O&amp;S Board, with all other committees at a lower level.</p> <p>Since the elections the administration sought to restructure Overview and Scrutiny, to establish a closer link to the Cabinet cycle for one O&amp;S Committee but keeping the other 3 committees removed from the Cabinet cycle. This was implemented in September 2023.</p> <p>The policy development role for O&amp;S was incorporated into training for Overview and Scrutiny committee members, to foster a wider role for Overview and Scrutiny committees, underpinned by officer encouragement. O&amp;S forward plans now show a more balanced mix of work, an example of this is a</p>	Complete, monitor long-term.	WS1

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		<p>recent O&amp;S investigation into blue badge waiting times with a view to establishing necessary policy changes.</p> <p>Officers should encourage, raise awareness and provide training on an ongoing basis to ensure that the O&amp;S function focuses on a balance of work including policy development. CMB has agreed to regularly receive O&amp;S work plans to provide opportunity to encourage policy development, and the Scrutiny Officer encourages regular communication with O&amp;S chairs to assist in identifying these opportunities.</p> <p>The changes to the O&amp;S structure introduced ability for the Environment and Place O&amp;S Committee to appoint two independent members establishing an opportunity to scrutinise from a fresh perspective.</p> <p>To give a wider set of input the O&amp;S Board has also taken evidence from other organisations, including two representatives of the private development industry when considering the draft Local Plan.</p> <p>Three workshops were held with CfGS support to develop work programming approaches to include more proactive scrutiny work. The E&amp;P O&amp;S Committee and O&amp;S Board have developed a framework for how they will approach and include a balance of pre-decision, proactive and reactive scrutiny into their work plans.</p>		
	56b	<p>Ongoing support to promote a balance of O&amp;S work is identified through multiple actions above.</p> <p>Encouraging an effective balance of scrutiny work involves many factors including effective engagement with Cabinet and senior officers to ensure O&amp;S understanding of forthcoming</p>	See relevant actions above	See relevant actions above

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		<p>priorities; training; work planning actions and monitoring and reporting on scrutiny outputs to ensure Council ownership of the balance of O&amp;S work.</p> <p>These actions will embed a practice of selecting topics which generate meaningful outcomes and balance policy engagement with pre-Cabinet scrutiny.</p> <p>See actions 1c, 4b,7b,7c,7d, 14a, 38c, 38d, 41, 42e, 43a, 45a above.</p>		
<p><i>Overview and scrutiny committees should consider putting more focus into corporate performance reporting, challenging the executive to ensure that improvement plans are having an effect and improving the services that are missing their targets.</i></p> <p><i>There is an opportunity to strengthen the focus of O&amp;S on performance management, through the overview and scrutiny committees.</i></p> <p><i>Incorporate into training for Overview and Scrutiny committee members and monitor agendas, encouraging Overview and Scrutiny Committees to focus on performance management information.</i></p>	57	See 30a and 30b above relating to the provision of performance management information and associated training.	See relevant actions above	See relevant actions above
<p><i>Need to ensure the party whip is not applied to O&amp;S functions. This message needs to be reinforced and the situation monitored.</i></p> <p><i>There has been no recent evidence of the party whip being applied to O&amp;S functions, but this needs to be monitored. A positive statement will be sought from Group Leaders.</i></p>	58	Actions relating to training, chairing and monitoring the independence of O&S are set out above. See 8b, 8d,8e, 16a and 16c and 26 above.	See relevant actions above	See relevant actions above

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DLUHC External Assurance Review of BCP Council, August 2023 – recommendations and comments relating to O&S				
<i>The Council reviews the Transformation programme and agrees a realistic and deliverable programme by October 2023. The Council sets up effective mechanisms for Member oversight and monitoring of the delivery of the programme by June 2023</i>	59	O&S to consider and establish its role in this member oversight and monitoring. A mechanism for O&S oversight has been established. The O&S Board Chair and Vice Chair are members of the cross-party councillor working group now established to monitor the Transformation Programme. This provides a mechanism for O&S to maintain oversight of assurances or concerns relating to the programme with red flags able to be raised to committee by exception. When available, Cabinet reports monitoring the Transformation Programme are also received by the O&S Board.	Complete, monitor long-term.	WS1
<i>The Council establishes a sound budget setting process and begins preparations for the 2024/25 budget as soon as possible after the local government elections and has proposals drafted for a sustainable MTFP and three-year budget by the end of September 2023</i>	60	O&S to consider and establish its role in the budget setting process The O&S Board monitors any areas of risk and concern within the MTFP through regular reporting at committee. The 2024/25 budget was considered by the O&S Board in January 2024 with invitation to other O&S Chairs to contribute on budget matters relating to services within their committee remit.  Early plans are in place for a more active role for O&S in the budget setting process for 2025/26, with input through the year as the budget develops. This is in line with refreshed guidance on good practice from the Centre for Governance and Scrutiny. This has been discussed with O&S Chairs, relevant portfolio holders and senior officers and there is good support to this approach. This will be advanced throughout 2024/25, as permitted by resources available.	In annual work programming for O&S Committees – Autumn 2023	WS1

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<i>The Council, with the active leadership of the respective group leaders, uses the opportunity of a new Council to reset the Member / Member and Member / officer culture and relationships. The new Council must use the support offered by the LGA and set up a comprehensive programme of Member induction and an ongoing programme of Member training. The induction programme should be in place by June 2023 and the ongoing programme by July 2023</i>	61a	New Councillor and refresher training to be provided. Complete. See all actions coded MT1 above.	See relevant actions above.	MT1
	61b	See 21b above - A programme of ongoing scrutiny skills training to be developed for delivery to O&S Councillors throughout municipal year 2023/24.	See relevant action above.	MT3
	61c	See 23b above – O&S Chairing and leadership skills support to be provided.	See relevant action above.	MT2
	61d	LGA training opportunities to be taken up. The LGA has been widely engaged to provide support to O&S since May 2023. This includes Leadership Academy training, in-house delivery of support for O&S work programming and promotion of LGA online training courses to councillors.	Complete. Continue to take up opportunities on an ongoing basis.	WS1
<i>The Council puts in place a regular annual cycle for the business plans, mid-year reviews and year end reviews of all its companies to be reported to the appropriate scrutiny and decision-making bodies. This should be in place by June 2023 to begin the 2024/25 process</i>	62	O&S to consider and establish its role in this review process. This has not yet been established. To be revisited with O&S Board Chair.	In annual work programming for O&S Committees – Autumn 2023	WS1
<i>The Council has four scrutiny committees – Corporate and Community; Children’s Services; Health and Adult Social Care, and Place. Scrutiny has focused rather heavily on pre scrutiny of Cabinet decisions rather than having a broader focus or looking at policy development. I was told by a range of people that politics has got in the way of effective scrutiny. When scrutiny has looked at wider issues the feedback has been more positive – I was told of</i>	63	See 56a and 56b above.	See relevant actions above	See relevant actions above

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<p><i>a good example of scrutiny inviting the Police and Crime Commissioner and neighbourhood watch representatives to a scrutiny committee. The Centre for Governance and Scrutiny summarise scrutiny’s role as providing a space to bring critical friend challenge and support to decision making; providing a way of challenging and supporting partner organisations; bringing issues that matter to local people and the local community into decision making; and surface issues that the Council should be engaging with but which are not yet part of formal decision making.</i></p> <p><i>From what I have seen there is an opportunity at BCP – as there is with many other councils – to develop the scrutiny role along the lines above rather than simply to focus on pre-cabinet scrutiny. There is an opportunity with a new Council to ensure that Councillors have training and support to enable them to develop their role in overview and scrutiny. This should be built into the Member induction and ongoing training programme.</i></p>				
<p><i>The DfE Advisor has commented that the Scrutiny Committee [Children’s Services O&amp;S] and particularly its Chair (prior to the elections) have been engaged in a proper and appropriate way. The Chair of scrutiny prior to the elections has now been appointed as the Cabinet Member and therefore the Statutory Lead Member for Children’s Services. Given the position of children’s services the change in both the Cabinet Member and Scrutiny Chair roles will need careful management and both Members will need focussed support to discharge these key roles.</i></p>	64a	<p>Work programming support provided summer 2023. Further support to be provided to complete annual work programming. <i>All Children’s Services O&amp;S work planning now complete.</i></p>	<p>Complete in 23/24. To be repeated annually on ongoing basis.</p>	CS1
	64b	<p>Focussed support provided by service area lead to identify and provide relevant performance information to support the committee in its role. <i>Service area lead for performance and governance has provided support to Children’s O&amp;S Chair and committee. This is well established and provided on an ongoing basis.</i></p> <p><i>Offer of regular meetings between Director of Children’s Services to the Chair of Children’s O&amp;S Committee was made.</i></p>	<p>Offer of support completed in 23/24 – will continue to be offered with take-up monitored on an</p>	CS1

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			ongoing basis.	
	64c	Ongoing training plan for the Committee in development. The committee held a training and development session to support work programme priorities and officers have supported ongoing information based training needs as arising. Offer of LGA training and support to full committee has been refreshed in summer 2024 and will be promoted to the committee by officers.  A programme of briefing slots will be planned in for 2024/25 to be used as required. Along with other scrutiny network training opportunities, this should be drawn together in a documented package of development to ensure all necessary areas are covered.	Autumn 2023	CS1
	64d	Establish links with O&S Chairs in other authorities that have experience of similar improvement journey. Links established and provided to the Chair summer 2023.	Complete, monitor take-up of opportunities ongoing.	CS1
	64e	LGA development opportunities promoted to Chair. LGA hosted Children’s Services Leadership training provided to Chair in Autumn 2023. This is in addition to the Chairing and leadership skills training identified at 61c and 61d above. Attendance at the National Children and Adult Services Conference was also supported in Autumn 2023 to provide learning and networking opportunities to chair.  Offer of LGA training and support to full committee, including mentoring support for chair, has been refreshed in summer 2024 and will be promoted to the committee by officers.	Complete. Development opportunities will continue to be promoted and take-up monitored on ongoing basis.	CS1



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