

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 16 March 2020 at 2.00 pm

Present:-

Cllr M Haines – Vice-Chairman (in the Chair)

Present: Cllr M Anderson, Cllr S Bartlett, Cllr M F Brooke, Cllr M Earl,
Cllr G Farquhar, Cllr L Fear, Cllr R Lawton, Cllr R Maidment and
Cllr D Farr (in place of Cllr M Iyengar)

Also in attendance: Cllr A Hadley, Cllr M Phipps, Cllr Dr F Rice and Cllr V Slade

127. Apologies

Apologies for Absence were received from Cllr P Broadhead, Cllr M Greene, Cllr N Greene, Cllr M Iyengar and Cllr P Miles.

128. Substitute Members

Notification of the following substitute members for this meeting was received from the relevant political group leaders or their nominated representatives:

Cllr D Farr for Cllr M Iyengar

129. Declarations of Interests

There were no declarations of disclosable pecuniary interests or other interests in respect of any items on the agenda.

130. Action Sheet

The action sheet, which provided an update on recommendations and actions from the previous meetings, was noted.

131. Public Speaking

No notifications of statements, questions or petitions had been received

132. Chairman's Update

The Vice-Chairman (in the chair) explained that a report in relation to the Council's response to the Covid-19 outbreak was being produced for the benefit of Cabinet for its meeting on 18 March 2020 and that a verbal update would be provided to the Board at the 6pm meeting to give an overview the content.

The Vice-Chairman also explained that since the publication of the agenda, the item relating to Car Parking Charges Harmonisation had been withdrawn and Officers would instead be dealing with an inflationary rise in charges under officer delegation. The Car Parking Charges Harmonisation would instead be dealt with at a future meeting.

133. Forward Plan

The Overview and Scrutiny Specialist updated the Board in relation to the progress of the Estates and Accommodation Working Group that had been established by the Board at its previous meeting. The working Party had now met for the first time and had agreed the scope of its work and its methodology. A further meeting would likely place in April.

The Vice-Chairman advised that the dates included on the forward plan were subject to change depending on the progression of the Corona Virus outbreak, the situation of which was changing daily.

Following a suggestion from the Overview and Scrutiny Specialist, the Board agreed to delegate the addition of any additions/amendments to the Forward Plan to the Chair and Vice-Chair to allow agenda management during this uncertain time, although Board Members would be able to submit suggestions.

Cllr M Anderson requested that an update surrounding the lifts at Pokesdown Station be received at the Board's July meeting.

134. Scrutiny of Environment Related Cabinet Reports

Before the Board considered the following item, it was moved and seconded that:

“under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items 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.”

Voting – Unanimous

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

The Overview and Scrutiny Board were requested to consider the proposals to bring the recycling service across the historic Bournemouth area in-house. The Board were advised that the creation of BCP Council and the need for a single revised waste strategy meant that this was an

expedient time to review collection methodology across the conurbation and understand the financial implications of the options put forward.

RECOMMENDED that Cabinet approve Option 2, as set out in the report.

Voting: Unanimous

Note: Following the consideration of this confidential item, members of the public and press were invited back into the meeting.

135. Scrutiny of Transport and Infrastructure related Cabinet Reports

Car Parking Charges Harmonisation

Board Members and members of the public and press were reminded that this report would not be considered at this meeting and would be scheduled for a future meeting.

Streetworks Permitting Scheme

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

The Portfolio Holder explained that the proposals were put forward to ensure that the council complied with statutory requirements to have a mechanism for controlling streetworks on the highway in order to reduce congestion and disruption to residents when works were undertaken on the traffic network and would involve the council issuing permits and levying a charge to ensure that the administrative costs were covered. It was anticipated that a minimum of six staff would be needed to administer the scheme, although there was provision for a further three staff members, if required.

The Portfolio Holder explained that all companies that were involved with statutory undertakings had been consulted with and the scheme had been adjusted based on comments received.

The Portfolio Holder and Corporate Director for Regeneration and Economy responded to questions and comments from Board Members.

The Portfolio Holder was asked about the maximum charge being applicable to all roads, which did not seem necessary when taking small residential roads or cul-de-sacs into account. It was explained that there was a historic road layout problem across the conurbation, caused in part by Poole and Bournemouth having been in different counties until the mid-1970's, meaning that the road network did not "join up". There was a recognition that the conurbations network was at capacity and therefore any closure or disruption on one part of the network would have an affect on other routes. The scheme was designed to be inclusive and the Council was required to adopt such a scheme.

The Portfolio Holder was asked about how the scheme would provide an opportunity to improve the current situation, which often found a section of highway being dug up multiple times to undertake different works. It was explained that this scheme would be giving a discount to utility companies that undertook works together, a lead company would take responsibility but would receive a 30% discount as an encouragement to work together with the aim of causing less disruption, although it was acknowledged that this may, on occasion, complicate matters. The flip-side to any complication that it would cause contractors is that the Council would have more control over works, have a greater knowledge of who was responsible and therefore it would be easier to enforce any further remedial works that need to take place in the event that initial remedial works were not up to standard.

The Portfolio Holder was asked about the inspection of roads once works had been undertaken, details of fines that would be issued if works were not completed to standard and discounts for contractors working outside of peak times. It was explained that the report did discuss sensitive routes and highlighted that depending on the nature of the work to be undertaken, it would often not be possible for work to be undertaken outside of peak hours, particularly if located within a residential area. The costs had not been provided as part of this report and therefore the Portfolio Holder would ensure that this information was made available to Board Members after the meeting. The Streetscene team regularly undertook inspections of roads to note and action any defects. It was important that Ward Councillors worked with the streetscene team to allow them to pick up on any defects.

The Portfolio Holder was asked about any provision in the permit scheme that allowed any recourse for the Council to approach a contractor after a certain period of time, should the initial remedial works deteriorate in an unsatisfactory manner. It was explained that this was something that would need to be investigated depending on the nature of the problem.

The Portfolio Holder was asked about the scale of fees that would be applicable and if there was a copy of this available. It was explained that this was not to hand, but could be provided to Board Members after the meeting. It was also explained that the chargeable fee would be dependent on the scale and nature of the works to be carried out.

Cllr G Farquar proposed a motion to add a recommendation (c) to Cabinet which would require works to be inspected immediately after completion and then inspected again, twelve weeks later.

Cllr M Anderson stated that he was broadly supportive of the addition of this recommendation, but that it should be less prescriptive to enable greater flexibility.

The Portfolio Holder was asked whether there would be a need to reconsult with utility companies if the recommendation was accepted by both the Board and Cabinet. It was explained that it would depend on whether or not

there were any significant cost implications as a result of the addition of the recommendation – an answer would be provided at the Cabinet Meeting due to be held on 18 March.

The Portfolio Holder was asked about the scale of fees again and he therefore reiterated his earlier promise that these would be provided to Board Members and that it would be reviewed on an annual basis.

The Chairman thanked Members for their contributions to the discussion and having noted that there was appetite for an additional recommendation for cabinet, asked Board Members if they were content to support this.

Cllr M Anderson stated that he would support Cllr G Farquhar's recommendation on the condition that it was less prescriptive in terms of the originally proposed timescale.

In light of this, The Chairman requested that the Overview and Scrutiny Specialist formed a wording that Members were content to support and it was therefore moved and seconded that the following wording be added to the Cabinet recommendation as recommendation (c):

“the street works permitting scheme be modified to include a clause that requires that any works undertaken are subject to follow up inspection and a requirement to make good the road surface or footway to a sufficient standard, in order to ensure that this standard remains in place for an agreed period of time.”

As Members were supportive of the additional recommendation, the chairman moved to the vote on the substantive item, having inserted Recommendation (c) and it was:

RECOMMENDED that

- (a) Cabinet approve the conditions to be applied to the BCP Council Street Works Permit Scheme, as described in the attached document, Appendix 2.**
- (b) Cabinet delegate authority to the Director of Legal and Democratic Services to make the necessary Legal Order to bring the permit scheme into operation.**
- (c) the street works permitting scheme be modified to include a clause that requires that any works undertaken are subject to follow up inspection and a requirement to make good the road surface or footway to a sufficient standard, in order to ensure that this standard remains in place for an agreed period of time.**

Voting: Unanimous

136. Scrutiny of Planning Related Cabinet Reports

Heathlands SPD

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

The Portfolio Holder explained that the Supplementary Planning Document had been out to consultation in February and it was essential that the council maintained a planning framework for mitigating the impact of development on the Dorset Heathlands from within a 5km range and that the existing document was due to expire on 31 March 2020, which therefore meant that this document needed to be adopted and ready to come into force from 1 April 2020. She further explained that the document had been prepared jointly with Dorset Council and would be applicable for a five-year period.

The Document focussed on two main strategies, one in relation to SAMMs (Strategic Access Management and Monitoring) and the other in relation to HIPs (Heathland Infrastructure Projects). It was estimated that this document would assist the council in generating approximately £1.42M. The strategies would enable both councils to grant planning permissions for new homes within the 5km buffer, hence its importance.

The Portfolio Holder and Corporate Director for Regeneration and Economy responded to questions and comments from Board Members.

The Corporate Director explained that there would be a need to be flexible when looking at C2 use applications and each application would need to be taken on its merits. There had been no changes in regard to how this aspect would work from the existing document that was currently in force. There was a general awareness.

The Portfolio Holder responded to a comment in relation to enforcement issues. She explained that she was aware that these had been some enforcement issues in areas surrounding heathland and these needed to be addressed by the Planning Enforcement Team. Feedback received in relation to climate action plan stated that these amendments were minor in nature and improved the clarity of the SPD. Further comments made in relation to aspiring to extend the heathland would be taken on board, but it was not anticipated actually doing this would be an easy task.

The Portfolio Holder was asked a question about the reasoning for a cap on fees. It was explained that having a cap in place enabled developers to have a certainty as to what they would need to pay for issues to be mitigated.

The Portfolio Holder was asked a question about differing of opinions between experts and how this might affect outcomes. It was explained that whenever applications came forward, there was a list of statutory

consultees that had to be consulted with and that Natural England was one of these, much weight was given to the Natural England point of view when determining a planning application

The Portfolio Holder was asked about the delayed response from Meyrick Estates. It was explained that the response had initially been sent to an email address that was no longer in use and by the time it came to light that this had happened, the consultation period had closed, but it was felt that as it had been sent on time, it should be included.

The Chairman thanked Members for their contributions to the discussion and had noted that there had potentially been two recommendations put forward.

Cllr S Bartlett stated that he did not feel that the issues raised as part of the discussion were suitable to include as additional recommendations. He added that all planning applications needed to comply with SPDs and that the issues raised would be better dealt with in a local plan, particularly the issue related to amenity space. He concluded by stating that the document before members was a definitive planning document to be used to make planning decisions and whilst he understood the spirit behind the issues that had been raised, this document was not the appropriate place for them to be included within.

The Portfolio Holder added that this was a joint document with Dorset Council and any amendments would need to be approved by them too.

The Chairman thanked Cllr S Bartlett and the Portfolio Holder for their comments and explained to the Board that she would take the comments forward to Cabinet to take on board.

RECOMMENDED that:

- (a) Cabinet recommends that Council adopts the Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document; and**
- (b) any minor changes to the consultation document are delegated to the Director of Growth and Infrastructure in liaison with the Portfolio Holder for Strategic Planning.**

Voting: Unanimous

137. Future Meeting Dates 2019/20

The meeting date was noted – venue to be confirmed

138. Future Meeting Dates 2020/21

Venues had now been assigned to each meeting and would rotate as per current arrangements, this could change as time progresses.

The meeting ended at 3.38 pm

CHAIRMAN