

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
COUNCIL

Minutes of the Meeting held on 05 January 2021 at 7.00 pm

Present:-

Cllr D A Flagg – Chairman

Cllr L Fear – Vice-Chairman

Present: Cllr H Allen, Cllr L Allison, Cllr M Anderson, Cllr S C Anderson, Cllr M Andrews, Cllr J Bagwell, Cllr S Baron, Cllr S Bartlett, Cllr J Beesley, Cllr D Borthwick, Cllr P Broadhead, Cllr M F Brooke, Cllr N Brooks, Cllr D Brown, Cllr S Bull, Cllr R Burton, Cllr D Butler, Cllr D Butt, Cllr J J Butt, Cllr E Coope, Cllr M Cox, Cllr M Davies, Cllr N Decent, Cllr L Dedman, Cllr B Dion, Cllr B Dove, Cllr B Dunlop, Cllr M Earl, Cllr J Edwards, Cllr L-J Evans, Cllr G Farquhar, Cllr D Farr, Cllr A Filer, Cllr N C Geary, Cllr M Greene, Cllr N Greene, Cllr A Hadley, Cllr M Haines, Cllr P R A Hall, Cllr N Hedges, Cllr P Hilliard, Cllr M Howell, Cllr M Iyengar, Cllr C Johnson, Cllr T Johnson, Cllr A Jones, Cllr J Kelly, Cllr D Kelsey, Cllr R Lawton, Cllr M Le Poidevin, Cllr L Lewis, Cllr R Maidment, Cllr C Matthews, Cllr S McCormack, Cllr D Mellor, Cllr P Miles, Cllr S Moore, Cllr L Northover, Cllr T O'Neill, Cllr S Phillips, Cllr M Phipps, Cllr K Rampton, Cllr Dr F Rice, Cllr C Rigby, Cllr R Rocca, Cllr M Robson, Cllr V Slade, Cllr A M Stribley, Cllr T Trent, Cllr M White, Cllr L Williams and Cllr K Wilson

60. Apologies

Before starting the business on the agenda, the Chairman made a statement reminding Councillors of the procedures and expected behaviours at Council meetings.

No apologies were received for this meeting.

61. Declarations of Interests

The following declarations were made:-

- Councillor Mike Brooke declared a local interest in respect of item 7(a) (e) Recommendations from the Audit and Governance Committee 26 November 2020 as he was the Vice-Chairman of the Broadstone Neighbourhood Forum.
- Councillor Jackie Edwards declared an interest in respect of item 7(f) - Cabinet 16 December 2020 - Minute No. 271 - Bournemouth Christchurch and Poole Parking Standards Supplementary Planning Document as a family member who works for BCP Council prepared the report on this issue.

62. Confirmation of Minutes

With the permission of the Chairman Councillor Mark Anderson reported that he had written to the Right Honourable George Eustice, Secretary of

State for Environment, Food and Rural Affairs asking his department to accelerate research into alternatives to control TB in cattle following consideration of the motion on the Badger Cull at the Council on 8 December 2020.

The Minutes of the Ordinary Council meeting on 24 November 2020 and the adjourned meeting held on 8 December 2020 were confirmed.

63. Announcement and Introductions from the Chairman

The Chairman reported on the arrangements for the Covid-19 Member Briefing Session. He explained that the all Member briefing session on Covid-19 would now be held on 7 January 2021. Members had already received an invite for a briefing on the emerging new BCP Homelessness and Rough Sleeping Strategy and this would be dealt with from 5-6 pm followed by an update from 6-7pm on Covid-19. The Chairman reported that an updated invite would be circulated to all Councillors for the session covering both these topics.

64. Public Issues

The Chairman reported as follows:

A – Public Questions

In accordance with the Constitution the following public questions had been published on the website and a link circulated to all Councillors. Responses to these questions had also been published on the Council's website:

- Ben Smith – Pokesdown Station
- Chris Henderson - Dorset Pension Fund and fossil fuels
- Patrick Canavan – Freeport
- Pete Roberts – Transforming Travel
- Chrissie Morris Brady – Sewage and nitrates in Poole Harbour

B – Statements

There were no statements submitted for this Council meeting.

C – Petitions

There were no petitions submitted for this Council meeting.

65. Questions from Councillors

Question from Councillor L-J Evans

When Cabinet considered the Climate Action Report there was no mention of the Economic Impact Assessment and the Environmental Impact Assessment for the 2019 Bournemouth Air Festival. Why wasn't this included and a question added to the Public Consultation as to whether or not our residents want it to continue.

Response from Cllr Mike Greene, Cabinet Member for Transport and Sustainability

The paper considered by Cabinet was about reinforcing this Council's twin objectives to make its own activities Carbon-neutral by 2030 and to help ensure the whole BCP Area is Carbon-neutral by 2050 at the latest. As such it would not contain Economic or Environmental Impact Assessments of individual events. Nor were any asked for during the extensive discussions about the paper held by the Overview and Scrutiny Board.

The paper also explains how Carbon emissions are grouped into three classes or "Scopes". Those associated with the Air Festival are mostly contained within Scope 3, which we expect to be studied in future years.

The Bournemouth Air Festival is enjoyed by more than a million people over four days and has brought £30 million of business annually to BCP.

In light of what has happened during COVID, I believe it would be misleading to include a question which suggests we would consider removing our local tourism industry's star attraction at this time.

As a supplementary question Councillor Evans asked the Portfolio Holder why the public was not allowed to give their views on this issue. Councillor Greene reported that of course the public were able to have an opinion on this. He explained the difference in approach taken by the current administration in the fight against climate change by taking residents with them.

Question from Councillor Mark Howell

Extensive consultation by ward councillors regarding the active travel measures introduced in Poole Old Town over the summer has revealed that one of the major concerns of local businesses is the poor cleanliness levels and safety issues associated with local multi-storey car parks, particularly Quay Visitors. Customers have expressed their concerns about these issues and said that they would deter them from returning to the area. A senior council officer has confirmed that council employees responsible for maintaining and cleaning the car parks feel unsafe when carrying out their duties due to the presence of people using the car parks to sleep, take drugs or carry on other activities that are not appropriate for a car park. Do the community safety and transport portfolio holders accept that these concerns are valid and what do they propose to do to upgrade the Quay Visitors and Hill Street car parks to a standard appropriate for a premium tourist area, which I hope they agree Poole Old Town should be marketed as by the Council.

Response from Councillor May Haines, Portfolio Holder for Community Safety

The Council is aware that homeless people do use the MSCPs for shelter and use it as an opportunity for the outreach services to be able to engage with the homeless, assess all their needs including health, and try to find permanent solutions moving them into housing rather than to keep treating the symptom. This approach continues with closer partnership working.

The Civil Enforcement Officers (CEOs) undertake morning inspections of all Poole MSCPs and ask any rough sleepers still in situ to collect their

belongings and leave the car parks, any that become abusive or refuse to move are reported to the police. We have worked with the police for many years and find them supportive but appreciate that their response times will depend on the number of available officers, and higher priority incidents.

Patrols are then undertaken during the day to try and deter and remove persons begging in the car parks and any other groups causing a nuisance or anti-social behaviour reporting instances to the car park control room who log each reported occurrence and report to the police as required.

Although all activities undertaken by the enforcement team have been risk assessed by trained competent members of the supervisory team it should be acknowledged that dealing with these types of situations and behaviour can impact on our own staff's mental health and wellbeing and we as an employer have a responsibility, in addition to the support services available, to provide training to give them the skills to undertake their duties safely as detailed below.

- Ongoing - all staff undertake conflict management training, providing them with the skills they need to recognise the early signs of aggression, how to defuse the situation and consider their own health and safety.
- 2014 EDAS Essential Drugs and Alcohol Services facilitate drug awareness training for all CEOs.
- 2016 All Poole CEOs undertake Emergency First Aid course.
- 2017 Whilst responding to a report of anti-social behaviour in Quay Visitors MSCP a member of the supervisor team discovered one of the known drug users unresponsive in the stairwell called an ambulance and continued to perform CPR until the first responders arrived saving the person's life.
- 2019 As drug use and homeless people can often have complicated conditions that impact on their mental health, all Poole CEOs attend a one day course facilitated by the NHS on Mental Health awareness, to help them understand some of the behaviours and needs of the people they encounter in the car parks.
- 2019 Supervisors and Engineers have been trained and equipped to deal with the removal of sharps and their disposal.
- 2020 Introduction of body worn CCTV cameras to deter aggressive behaviour towards lone workers and record evidence for use in potential prosecutions.

Parking Services understand that homelessness and antisocial behaviour are complicated issues, affecting many areas of the community and as such have always sought to develop partnerships with internal colleagues such as Safer Communities, Street Scene, Social Services and external organisations such as the Police, Dolphin Centre, St Mungo's outreach workers and the NHS, that has led to joint operations and initiatives as detailed below.

- 2007 Parking Services introduce a new procedure for the removal of goods from car parks to allow us to legally remove belongings left by homeless sleepers using TORT law specifically, the Interference

With Goods Act 1977 Section 12 enabling us to keep fire exits and stairwells clear and improving the appearance of the car park.

- 2015 Worked with Safer Communities team undertaking joint visits to issue warning letters to persons repeatedly not complying with requests.
- 2015 Meeting with the Dolphin Centre management to develop a more productive and supportive response to each other's common issues.
- 2017 Operation Doorway a joint operation involving Dorset Police, the immigration Service, Safer Communities and Parking Services.
- 2017 Following on from a case meeting we met with St Mungo's outreach team to discuss car park issues and how they might be able to assist.
- 2018 **MASH** (BCP Multi Agency Safeguarding Hub) approached Parking Services to assist with locating vulnerable people including a pregnant heroin addict known to sometimes be a rough sleeper in our car parks whose baby was due and had gone missing.
- 2020 Agreement with Legal and general to allow their cleaning and security to assist in Shoppers 1&2 and Dolphin car park stairwells.
- 2020 Community Safety Accreditation Scheme has been introduced in Poole. Parking Services have been working with them to address issue of begging and antisocial behaviour including drug abuse in MSCP.

The car park cleansing team are employed and managed by Environmental Services to date we have not had any reports of concerns raised for their staff's safety and would expect ES to have risk assessed their teams duties.

To make the car parks inaccessible to pedestrians and vehicles overnight could be achieved but would cost a significant amount to install and maintain. With regard to future large-scale decisions regarding the physical nature of the Car Parks, it would be expected that these decisions would come out of strategic workstreams as part of Poole Town Centre Generation work and take account of all needs relating to them.

We are committed as a Council to creating a cleaner area that we are proud of.

Councillor Howell indicated that he was surprised that the Council was using the MSCPs as a holding area for rough sleepers. He referred to the comment that Cllr Haines had made that improving and securing the car parks was expensive and asked if the detail of the analysis and the costs could be released to Councillors so they could make their own judgement. Councillor Haines emphasised that the comment that car parks were being used as holding areas for rough sleepers was incorrect, but it was known that rough sleepers used multistorey car parks. The Portfolio Holder confirmed that she would work with officers to obtain the information requested on the costs and analysis of improving car parks and circulated to all Councillors. (Note this information has now been circulated to all Councillors).

Question from Councillor George Farquhar

What time frame should any Member expect to receive a reply (or acknowledgment) to a question made of Cabinet Plus Executive members in their Portfolio roles?

Response from Councillor Drew Mellor, Leader of the Council

There are many different ways replies can be given to correspondence, so I don't think it is for me to prescribe a timeframe. Respectful due consideration should however certainly be given to all correspondence.

Councillor Farquhar asked what would be determined as respectful time to respond and referred to a response provided by the previous Leader and the expectation of swift responses. Councillor Mellor referred to his above response.

Question from Councillor Andy Hadley

BCP Council has expressed a desire and an intent to be a "Smart place, creating digital solutions to improve the lives of our residents, the vibrancy of our communities and the prospects of our local businesses".

I understand that our traffic-light partner holds huge volumes of data about how our junctions are being used, and this should provide accurate and historic flows of traffic across their sensors, including traffic volumes, red light jumping, pedestrian requests to cross, and perhaps even the instances of pedestrians giving up and crossing in gaps. Reliably for detecting bikes is I understand more difficult, and the manual traffic counts are infrequent and costly.

Given the impact of Covid-19 on travel, it seems inappropriate to continue to use historic models that may now prove just history if our working and living mobility is permanently changed. Can the relevant portfolio-holder(s) please advise:

- a) Rather than relying on historic traffic modelling, how we can maximise use of this rich source of information to monitor and predict traffic flows?
- b) Is this information being routinely collated with Air Quality, health indicators and other available datasets, and mapped?
- c) How can we ensure that the existing and innovative Smart Place information is presented and available for public access, both to assure transparency, and to encourage innovation and analysis by schools, university students, interested members of the public and businesses?

Response from Councillor Mike Greene, Portfolio Holder for Transport and Sustainability

The Covid crisis, with intermittent lockdowns and changing work patterns, has inevitably meant traffic flow on the BCP network has not been following normal patterns. At times it has been up to 70% lower than usual although in the period before Christmas traffic volumes increased to close to pre-Covid levels in some areas. This wide range backs up my personal belief

that it is too early to jump to conclusions about how dramatic any permanent shift to lower traffic demand will be.

Much data does indeed exist through automatic onsite monitoring using fixed and mobile traffic counters, but as Cllr Hadley suggests, this can be supplemented. For example, bluetooth technology has been installed on some traffic signals and this can be used to measure journey times. Connected urban traffic control systems also enable the routine collection of traffic flow data and our significant CCTV network can monitor traffic conditions. Congestion data is available through Google mapping and other sources, and this data can be analysed both live and retrospectively using various proprietary software tools. MOVA and SCOOT traffic signal technologies are also used to collect live traffic flow data and automatically adjust and optimise traffic flows at many of our busy traffic junctions on a continuous basis.

Additionally, the Council is currently involved in a data trial with our private sector partner, Vivacity as part of a DfT funded national trial. Sensors are currently placed on Castle Lane East between Cooper Dean and Iford Roundabout, plus two sites on Castle Lane West near the East Way junction. Artificial Intelligence algorithms can interrogate this data in real time and use it to predict increased congestion and adjust signal timings to prevent or mitigate congestion before it arises. Evidence suggests that in practice this means that network capacity could be increased by as much as 20%.

The Council collects Air Quality data from a network of dispersion tubes across the BCP area, and these are monitored carefully. In most cases the locations have been chosen to correlate with areas of high volume traffic so I expect that overlaying is routine. However, I have not yet been able to determine how rigorously these datasets are correlated with specific traffic datasets. Once I have this information, I will share it with Cllr Hadley. As Cllr Hadley is aware, investigation is ongoing into the use of other sensors too.

The Council is just starting to develop its Smart Place programme and the current focus is primarily on building minor 5G and gigabit fibre networks with very little data being gathered to date. This will change significantly as the programme is developed and grows, increasing the need to manage data carefully. This means striking the right balance: sharing data with the public and third parties for wider benefit and innovation, whilst ensuring individuals' and infrastructure data is protected from any hostile threats. The Council is now working closely with the Centre for Protection of National Infrastructure and the British Standards Institution to develop a comprehensive Smart Place data governance framework that aims to get this balance right. By working with these agencies, it is hoped that our Smart Place data governance framework will become a blueprint for councils across the country.

It is also important to emphasise that whilst making the most efficient use of the current road network information-gathering assets, changing patterns of working and behaviour present real opportunities for lifestyle alterations. The Council is working hard to deliver further unprecedented improvements

to sustainable travel facilities and the congestion, environmental and health benefits that those modes can help bring.

Councillor Hadley referred to the access to relevant data and asked for a commitment to make data available to the public. Councillor Mike Greene indicated that he partially shared that view but emphasised that there was a balance on freeing up data and data protection and that the Council was working with the relevant agencies on this issue.

Question from Councillor Lisa Lewis

In addition to the £50K planned to be spent on the initial bid, what are the total upfront costs of preparing our local area for freeport status expected to be?

Response from Councillor Philip Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council

At this stage, the only additional costs are to pay for Cushman and Wakefield to develop and submit our proposal into Government's process. Everything else is being covered as Business as Usual. The Council is pleased to provide this initial seed funding to enable the development of our proposal.

This stage is the first gateway only. If our proposal is successful in getting through this gateway, further work will be required to move through future gateways in the process which will include developing an outline business case (as outlined in the Government's guidance). There will be costs associated with this however these have not yet been detailed, as it is dependent on reaching the next stage. We are working in partnership with several organisations and would expect that any preparatory costs would be shared between us.

Councillor Lewis asked if preparations for freeport status would require substantial additional investment in infrastructure such as roads including

refurbishment and expansion, security measures and a more substantial business case study after the initial bid. The Portfolio Holder reported that currently the Council was in the expression of interest stage. He reported at the O&S Board that the Council would be putting forward a bid for a smart freeport and would be looking at digital infrastructure rather than physical infrastructure. Councillors were advised that if the Council was successful the Government was likely to issue further funding.

Question from Councillor Lewis Allison

Do you have any initial projections for how much net economic gain or the number of jobs the freeport will bring to the local economy?

Response from Councillor Philip Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council

The full proposal for a BCP Freeport is currently in development, so this detail is not currently available. The first step, and the one we are

considering at this stage at Cabinet, is for us to put forward an Expression of Interest, with a detailed business case to follow if we are successful in the first round.

Cushman and Wakefield, who are preparing our bid along with our key partners, will be describing the key target sectors and estimating the employment impacts (accepting that net additionality is based on assumptions) as part of that proposal.

Question from Councillor George Farquhar

Access Dorset estimates there are 80,000 residents of BCP with accessibility needs.

South Western Railway as the Train Operating Company has identified they had miscalculated the budget for the installation and commissioning of two passenger lifts at Pokesdown for Boscombe Station in the Ward I represent.

This is a shortfall of approximately 50% of the actual Contractual requirement in the Franchise Agreement circa £1.6million.

SWR are in an Emergency Measures Agreement which will conclude on the 31st March 2021. At that time SWR will no longer exist in their present form.

Instead it is anticipated the Government will go to a Direct Award agreement and the £1.6m in SWR budget will be lost.

Being aware of this risk, SWR have approached the Council to price match their budget shortfall to submit to the Department For Transport in an effort to secure agreement to install the lifts using the budget they have but cannot unlock due to the EMA.

What documented efforts has the Portfolio Holder taken to secure such funding from the Council or elsewhere?

Response from Councillor Mike Greene, Portfolio Holder for Transport and Sustainability

Following a long campaign led by Cllr Andy Jones, Ben Smith, who submitted a public question to this Council meeting and the Pokesdown Community Forum, I was delighted to have been part of ensuring a commitment to introduce lifts at Pokesdown Station was included within the franchise agreement which SWR won.

Both in my time as the responsible portfolio holder at Bournemouth Borough Council and in my short time holding that role within BCP Council, I have urged SWR to honour the commitment they made. It was their responsibility to provide the lifts by 2019 and, in my opinion, it is quite disgraceful that they won the franchise on that basis but have tried repeatedly to walk away from it.

Cllr Farquhar was at the same meeting as I was on November 19th when I first heard SWR's suggestion that £1.6 million which they had allocated to the project might be "lost" if not spent before the Emergency Measures Agreement (EMA) comes to an end. For SWR, or indeed the Member asking this question, to believe the Council would be able to find an equal

or greater amount to top-up SWR's funds could at best be considered naive. A more cynical observer might even see it as a diversionary tactic to push the problem back to a time when SWR are no longer the Train Operating Company. At that same meeting SWR confirmed too that the EMA means any diversion of the allocated £1.6m to any other project would be subject to consent by DfT, which would have only limited likelihood of success. The consensus emerging from that meeting was that SWR should look to provide at least one of the two lifts in the hope that the second could be provided at a later date.

I will continue to press SWR to honour their commitment to provide the lifts at Pokesdown Station and believe that obligation should be carried over to whichever Department or business takes on the Train Operating Company role after the EMA comes to an end.

At the same time, discussions are continuing with DfT, aided particularly by the Member of Parliament for Bournemouth East.

Councillor Farquhar asked as a supplementary question what documented efforts had the Portfolio Holder taken to secure funding from the Council or elsewhere – indicating the he would exercise his right under Article 2 paragraph 5.1 of the Constitution to access documents to discharge his function as a Councillor. Councillor Greene referred to his response and reported that there were various discussions going on with SWR and Councillor Farquhar had been present for some of them. The most important point was to note that any discussions needed to involve not just SWR but the Department for Transport as well and that negotiations were likely to be both difficult and nuanced and that was the correct way of going about it including involving the MP.

Question from Councillor Lewis Allison

What is the expected impact on BCP Council income, especially with regards to collecting local business rates?

Response from Councillor Philip Broadhead, Portfolio Holder for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council

The full impact on the council income is still to be established and would be part of the development of an outline business case, if our proposal makes it through the first gateway. However, one of the potential incentives for businesses in a Freeport Area is 100% Business Rate relief on certain sites for 5 years. The Government guidance as part of the application process says that Local Authorities will be compensated for this by Government. So, businesses would benefit, but locally we would not lose out financially.

Furthermore, there is the possibility for local retention of Business Rates, half of which is currently passported through to national government. This would of course be reinvested locally.

Finally, any increase in economic development in a local authority area naturally generates income to help provide services. The better the local economy, the more taxes (including council tax etc) are collected.

The freeport bid is one of many examples we are currently working on to inject positivity, opportunity and growth into the various parts of our local economy. If we are to bounce back from the COVID crisis, we should do more than just bounce back to the same position. We should use all the opportunities we can to leapfrog our area into an even better position.

Councillor Broadhead, in response to a question on when full details would be available, reported that if successful following the first stage that the next stage would be to progress to the full business case and he would be looking for as much support as possible to inject the detail into the project.

66. Recommendations from Cabinet and other Committees

7a – Audit and Governance Committee 26 November 2020 - Minute No. 47 - Report of the Constitution Review Working Group - Changes to the Council's Constitution

The Chairman of the Audit and Governance Committee, Councillor Beesley presented the recommendations relating to the report of the Constitution Review Working Group and proposed changes to the Council's Constitution from the Audit and Governance Committee.

He moved the following recommendations which were seconded by Councillor Williams.

Procedure Rule 36

(a) That Procedure Rule 36 be amended to read “Any motion under Procedure Rule 12 (Motions on Notice), to vary or revoke these Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council”;

(b) That Procedure Rule 36 (as amended) be moved from Sub Part C (General Provisions) to Sub Part A (Council Meetings).

Councillor Beesley explained that in accordance with the Constitution the above recommendations would stand adjourned without debate until the next meeting of the Council on 23 February 2021.

Councillor Beesley reported on the revised wording for recommendation (e) which should read as follows which had been circulated to all Councillors:

Neighbourhood Forum Call-in of Planning applications

(e) That the power to call-in planning applications to Committee should not be extended to Neighbourhood Forums.

Councillor Beesley moved recommendations (c)-(m) as detailed on the agenda including revised (e) detailed above which were seconded by Councillor Williams.

Councillor Phipps referred to the following recommendation.

Planning Committee Structure

(j) That the current structure of the BCP Council Planning Committee system remain unchanged.

She reported that the recommendation had not been unanimously agreed at the Audit and Governance Committee and therefore the issue merits a fuller investigation to ascertain the best option. Councillor Phipps indicated that one Planning Committee was unsatisfactory and outlined the approach taken by other local authorities.

Councillor Phipps moved the following amendment to (j) above which was seconded by Councillor Le Poidevin.

That the current structure of the BCP Council Planning Committee system remain unchanged for the remainder of the 2020/21 Municipal Year, but, the Council instructs officers to conduct a full study into the feasibility and benefits of establishing three separate Area Planning Committees for Bournemouth, Christchurch and Poole and one Strategic Planning Committee for the whole conurbation, from the municipal year 2021/22. Officers should produce an in-depth objective written report as soon as possible on this potential restructure for consideration by a working party of the Audit and Governance Committee.

Councillors considered the above amendment and made various comments including on the current arrangements whereby Planning Officers were working in three teams for each area, previous discussions on the structure of the Planning Committee, local knowledge and the size of the Committee, that the existing arrangements were working and 3 separate committees would be costly and cumbersome, the option of using sub-committees similar to Licensing sub-committees, the percentage of planning applications determined by Officers under delegated powers, that planning policy drives planning decisions and there should be consistency, would the structure be more effective if there was more local Member representation and that at the very least there should be investigation into alternative options setting out the pros and cons.

Councillor Phipps in summing up thanked the speakers highlighting the local knowledge deficit in the current planning structure and the need for the issue to be fully examined.

Councillor Beesley reported that there had been extensive input and discussion from the Working Group on this issue.

The amendment detailed above was put to the vote and lost.

Voting: For – 36, Against – 38, Abstention – 0

Council Farquhar wished to be recorded as voting for the amendment.

Councillors in considering the substantive motion commented on the process relating to tree preservation orders and member call-in of planning applications and in particular the impact of the removal of the 30-day time limit. Councillors explained that the intention was to enable ward councillors to have more time to consider their approach on a planning application.

Councillor Beesley in summing up referred to recommendation (i) relating to tree preservation orders and highlighted Appendix 3 of the report circulated with the agenda which included a flow chart and narrative on the process and the role of members and the public. He indicated that member call-in of

planning applications provided the opportunity for dialogue with planning officers whilst leaving the call-in option open.

The recommendations arising from the meeting of the Audit and Governance Committee on 26 November 2020 be dealt with as detailed below:

That in accordance with the Constitution the following recommendations stand adjourned without debate until the next meeting of the Council on 23 February 2021.

Procedure Rule 36

(a) That Procedure Rule 36 be amended to read “Any motion under Procedure Rule 12 (Motions on Notice), to vary or revoke these Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council”;

(b) That Procedure Rule 36 (as amended) be moved from Sub Part C (General Provisions) to Sub Part A (Council Meetings).

Recommendation (c)-(m) including the following change was approved

Neighbourhood Forum Call-in of Planning applications

(e) That the power to call-in planning applications to Committee should not be extended to Neighbourhood Forums.

Voting: as follows

- 7(a)(c) For – 66, Against – 1, Abstentions – 7
- 7(a)(d) For – 66, Against – 1, Abstentions – 7
- 7(a)(e) For – 67, Against – 0, Abstentions – 7
- 7(a)(f) For – 67, Against – 0, Abstentions – 7
- 7(a)(g) For – 67, Against – 0, Abstentions – 7
- 7(a)(h) For – 67, Against – 0, Abstentions – 7
- 7(a)(i) For – 67, Against – 0, Abstentions – 7
- 7(a)(j) For – 43, Against – 22, Abstentions – 9
- 7(a)(k) For – 67, Against – 0, Abstentions – 7
- 7(a)(l) For – 67, Against – 0, Abstentions – 7
- 7(a)(m) For – 67, Against – 0, Abstentions – 7

Councillor Farquhar wished to be recorded as voting for (c) to (m) except (j) which he voted against.

7b – Licensing Committee 10 December 2020 - Minute No 15 - New BCP Council Sex Establishment Policy

The Chairman of the Licensing Committee presented the report on the new BCP Council Sex Establishment Policy to control and regulate such premises. She explained the recommendation was to put the policy in train and to adopt the relevant legislation, that was, Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009) which was seconded by Councillor Bagwell.

Councillors were advised of the requirements to prepare, adopt and publish a new Policy including the timescale, legislative requirements, consultation

and implementation of the BCP Council Sex Establishment Policy by 1 April 2021 including the publication of a notice in the local paper following the adoption of the relevant legislation.

The recommendation arising from the meeting of the Licensing Committee on 10 December 2020 relating to the above was approved.

Voting: Agreed

Councillor Trent abstained from the above decision.

7c - Licensing Committee 10 December 2020 - Minute No.16 - New BCP Council Scrap Metal Dealer Policy

The Chairman of the Licensing Committee presented the report on the New BCP Council Scrap Metal Dealer Policy. She explained that this was a new policy which had been developed in accordance with best practice and in accordance with the Scrap Metal Dealers Act 2013. Councillors were advised that the adoption of a formal policy would regulate scrap metal offences. The proposal was seconded by Councillor Bagwell.

A Councillor reported that he fully supported and welcomed the development and implementation of the policy. In response to a question Councillor Judes Butt explained there had not been a stated policy previously and that this was a new policy for the BCP area.

The recommendations arising from the meeting of the Licensing Committee on 10 December 2020 relating to the above were approved.

Voting: Agreed

Councillor Trent abstained from the above decision.

7d - Cabinet 16 December 2020 - Minute No. 263 - Housing Development Scheme - Cynthia House (Cynthia Close, Poole)

The Portfolio Holder for Homes presented the report on the proposed housing development scheme at Cynthia House, Cynthia Close, Poole and the financing arrangements for the scheme as set out on the agenda which was seconded by Councillor Haines.

Councillors welcomed the scheme which would be built to passive house standards, but some were concerned about the building costs and one member raised a question on the number of units. The Portfolio Holder reported on the cost of passive house standards and the communal areas. He explained that the unit costs would be at market rate with a payback of 50 years which was not unusual.

The recommendations arising from the meeting of the Cabinet on 16 December 2020 relating to the above were approved.

Voting: Agreed

Councillor Butler abstained from the above decision.

7e - Cabinet 16 December 2020 - Minute No. 269 - Quarter 2 Budget Monitoring 2020-21 and Medium-Term Financial Plan (MTFP) Update Report

The Leader of the Council presented the report on the Quarter 2 Budget Monitoring 2020-21 and Medium-Term Financial Plan (MTFP) Update as set out on the agenda. He highlighted key headlines including the reduction in the deficit for 2020/21 down from £13.4m to £10.3m and the level of investment £310k into children's services £350k into transformation and £365k into the 100 day plan priorities of the administration which included significant investment in street cleansing in Christchurch, support for mental health and homelessness and to address antisocial behaviour. The Leader of the Council outlined the recommendations as set out on the agenda which were seconded by Councillor Broadhead.

Councillors considered the recommendations comments included reviewing previous infrastructure spending and loss of capital funding for future infrastructure needs, the level of reserves in comparison to other Councils, and if the Leader could provide any reassurance on partners providing financial contributions for the freeport project.

The Leader of the Council in summing up explained that there would be more flexibility on infrastructure investment, he acknowledged that reserves were lower than they had been but that the position had improved since June 2020. In respect of the freeport bid and investment he explained that partners had invested significant time in the project. The project was being delivered at pace which was why consultants were being used rather than Council officers.

The recommendations arising from the meeting of the Cabinet on 16 December 2020 relating to the above were approved.

Voting: For – 49, Against – 0, Abstention – 25

7f - Cabinet 16 December 2020 - Minute No. 271 - Bournemouth Christchurch and Poole Parking Standards Supplementary Planning Document (SPD)

The Portfolio Holder for Transport and Sustainability presented the report on the Bournemouth Christchurch and Poole Parking Standards Supplementary Planning Document as set out on the agenda. He explained that this document replaced the three predecessor authorities' documents and how the SPD fundamentally differed with the introduction of a zonal approach with much reduced and in many cases no requirement for on-site parking in most town and district centres. He reported that it strengthened requirements for cycle parking, included measures to promote electric vehicles and car clubs and was also designed to improve the viability of new home building in well-connected locations so making it easier to meet the Council's housing targets and speed up the shift to sustainable transport. The Portfolio Holder referred to the cross-party working group and in particular thanked Councillors Phipps and Hadley for their work on the SDP and confirmed that the Overview & Scrutiny Board on 7 December 2020 and Cabinet on 16 December had examined its contents. The Portfolio Holder indicated that there had been concerns raised on parking requirements for HMOs and the allocation of areas into particular zones and it would be wise, if it appeared necessary, over the next 12 months to tweak the SPD as appropriate.

Councillor Broadhead in seconding the proposal acknowledged the need to review the SPD as appropriate and explained that it does not ban any development in the urban areas from including parking areas whilst highlighting difficulties experienced in mandating parking in some developments.

Councillors in considering the adoption of the SPD commented and raised questions including welcoming the SPD and that electric charges would be in all new homes, expressing concern that the justification was around viability, explaining that the justification should be because it was the right thing to do for those who wished to live in town and city centres without a car, that those purchasing a property with no parking provision would be excluded through the deeds of their property from obtaining a residents parking permit and therefore how do we prevent people from using different addresses to obtain such parking permits. A Councillor emphasised that the SPD needed to be brought up to date and was a well-prepared document but would exacerbate on street parking pressures in the most congested parts of the conurbation. He highlighted the potential conflict that would result and that the views of residents submitted as part of the consultation had largely been ignored and stressed that the SPD was not practicable, enforceable or acceptable to local residents. It was suggested that if there was no parking there should be a guarantee that residents would not have a car and car free developments should be marketed as such. Councillors highlighted the implications for those with disabilities, concerns about whether the public transport infrastructure would be able to support these proposals, that the SPD enables developers to consider car free sites, the opportunity to develop car clubs and seeking clarity on the status of the SPD.

The Portfolio Holder in summing up reported that the SPD does have policy status but that there was the flexibility to include car parking where required. He explained that in respect of viability because of the requirement to provide car parking spaces in many cases that were not actually required it meant those carrying out developments were only able to build a smaller number of units when the Council wanted a large amount of units to be built which would tackle pressure on housing targets and in the areas where the Council prefers to keep lower density it would be able to do so because the town and urban centres would be bearing that weight rather than having to push it out into other areas. Other comments included a worry about having limited or no car parking on new build developments the Portfolio Holder reported that this approach was widespread and was effective, he explained that car free developments would be tied so alternative addresses could not be used to secure a parking permit and highlighted that such development would drive the requirement for sustainable public transport.

The recommendations arising from the meeting of the Cabinet on 16 December 2020 relating to the above were approved.

Voting: For – 53, Against – 8, Abstention – 12

Councillor Edwards did not speak or vote on the above item.

The meeting was adjourned from 22:05 to 22:10

7g - Cabinet 16 December 2020 - Minute No. 272 - Dorset Nature Park

The Portfolio Holder for Regeneration, Economy and Strategic Planning and Deputy Leader of the Council presented the report on the Dorset Nature Park as set out on the agenda. He explained that eutrophication created excess nitrates in Poole Harbour and in order to keep building homes it was necessary to offset the impact of nitrates to release homes with the creation of the Dorset Nature Park funded by CIL funds. Councillor Mark Anderson seconded the proposal.

Councillors commented on the proposals including the location of the park, accessibility for BCP residents preferably via sustainable transport, the need to concentrate on managing appropriate sewage treatment, asking if the issue had been considered by the O&S Board if not why not, if there were too many nature parks there could be a shortage of rough grass land, that the green space was being urbanised, more work was needed if an area of land was to be purchased as it was necessary to consider all options, a wish to see more open land accessible to people by reducing sewage or controlling it, that 180,000 tonnes of raw sewerage had been pumped into Poole Harbour, a suggestion that this matter be deferred and referred back to the Overview & Scrutiny Board for further detailed work.

The Portfolio Holder in summing up acknowledged that it was not an ideal solution but explained this was a short-term option and this project was about removing agriculture land to resolve an ecological issue.

The Chairman reported that Councillor Le Poidevin had not provided any wording for her suggested deferral therefore he would take the vote on the original proposal.

The recommendations arising from the meeting of the Cabinet on 16 December 2020 relating to the above were approved.

Voting: For – 39, Against – 25, Abstention – 8

Councillor Farquhar wished to be recorded as voting against the above decision.

Councillors Cheryl Johnson and Trent had left the meeting.

Item 7h - Cabinet 16 December 2020 - Minute No. 274 - Housing Scheme at Wilkinson Drive, Bournemouth

The Portfolio Holder for Homes presented the report on the housing scheme at Wilkinson Drive, Bournemouth which was a Council owned site providing social housing for rent and outlined the financing arrangements for the scheme as set out on the agenda. The proposal was seconded by Councillor White.

Councillors welcomed this social housing scheme whilst commenting on the costs and why it was not being built to passive house standards. A ward councillor welcomed the development and referred to the site constraints which had an impact on the ability to build to passive house standards and that the costings were due to the constraints on the site and the contingency for the scheme explaining that any underspend would be returned to the HRA. It was suggested that where the Council was not

achieving passive house standards it clarified why that level was not being reached.

The Portfolio Holder for Transport and Sustainability highlighted that there was a cost for the certificate for passive house standards and even when the Council was building to equivalent standards that the issue should be to look at the carbon savings for the development.

The Portfolio for Homes in summing up commented on the scheme costs and explained that if the costs for the communal areas were excluded the build costs would be reduced considerably. He reported that he was pleased that the scheme was a development for social rent and explained that 21 tonnes per annum of carbon savings would be achieved. The Portfolio highlighted that building to passive house standards cost 15-20% more and it was important to ensure that the site was viable. The Portfolio Holder explained that the scheme would be compliant with energy use as insulation standards, include photovoltaic panels provide free electricity, reduce the service charge to tenants, include triple glazing and additional cavity insulation.

The recommendations arising from the meeting of the Cabinet on 16 December 2020 relating to the above were approved.

Voting: Unanimous

Councillor Farquhar wished to be recorded as voting for the above decision.

Item 7i - Cabinet 16 December 2020 - Minute No 275 - Housing Scheme at Duck Lane (Phase 2), Bournemouth

The Portfolio Holder for Homes presented the report on the housing scheme at Duck Lane, Bournemouth and the financing arrangements for the scheme as set out on the agenda. The proposal was seconded by Councillor Mark Anderson.

The recommendations arising from the meeting of the Cabinet on 16 December 2020 relating to the above were approved.

Voting: Unanimous

67. Decisions taken by the Chief Executive under the urgency powers

The Council was advised of the decisions taken by the Chief Executive in accordance with the relevant urgency powers on the Financial support for BH Live which the Council was asked to note.

The link to the above decision records had previously been circulated to all Councillors and published on the website.

RESOLVED that the decisions taken by the Chief Executive on the financial support for BH Live be noted.

Voting: Agreed

68. Notice of Motions in accordance with Procedure Rule 12

Councillor L-J Evans moved the following motion on the use of gender-neutral language which was seconded by Councillor Lisa Lewis:

“That Council resolves to use gender-neutral language in all reports and formal communications, both verbal and written, in accordance with its commitment to uphold the 9 protected characteristics of the Equality Act 2010 and in combating prejudice and discrimination.”

In presenting the motion Councillor Evans referred to the use of masculine words such as Chairman and Vice-Chairman, regardless of gender, as unnecessary, inaccurate and that they reinforced gender stereotypes. Councillor Evans explained the expectations in bringing this motion to Council which included:

- the removal of male universals such as Chairman and Vice-Chairman from the Constitution, policies and all written and verbal communications and to replace them with gender neutral terms such as chair unless that is the form of address chosen by the individual incumbent.
- to use gender neutral language where an individual sex or social gender are not relevant or not known.

Councillor Evans highlighted the importance of this proposal that words matter as language reflects and influences attitudes, behaviours and perceptions. The use of gender-neutral language was a way to avoid implying that one sex or social gender was the norm and that gender-neutral writing was about clarity, inclusion and equality. Councillor Evans referred to the current practices operated, the statistics and the reason from making changes now in view of the importance of equality which was protected by law.

Councillor Lewis seconded the proposal reported that this approach was already operated in the civil service and by many local authorities and explained the importance of the use of gender-neutral language.

In considering the motion Councillors comments included that the use of language held a huge amount of power and it was important to show and promote equality and that this would make a difference and demonstrate the inclusivity of the Council and that this approach was long overdue. A Councillor felt that language did not combat discrimination but attitude did and as a Council had not noticed any disrespect and asked if the proposal would require that all reports do not mention he or she which would be a cost and time commitment.

The Chairman having sought advice asked Councillor Dunlop to clarify her proposal. Councillor Dunlop confirmed that she wished to propose a motion without notice in accordance with Appendix 1 procedure rule 9 paragraph 4 of the Constitution.

The Monitoring Officer reported that Councillor Dunlop wanted to bring a notice without motion to refer this matter to Overview and Scrutiny. Councillor Dunlop confirmed that was the case and the Monitoring Officer indicated this was permissible under Appendix 1.

A Councillor referred to the unconscious bias in language that he used Chair and not chairman, supported the motion and the guidance provided by central government. It was highlighted that this was a minor motion but would make a difference to those to which it applied and would make a positive effect for those who suffer such bias. A Councillor requested to hear from the Equalities Lead Member before voting on the motion.

Councillor Dunlop presented the motion without notice to refer the original motion to another Committee. Members were advised that Councillor Dunlop supported the spirit of the proposed motion but felt that there was confusion over the purpose and detail and that it could impact on amendments already agreed to the Constitution. Councillor Dunlop suggested that the matter be referred back to the Audit and Governance Committee and the Constitution Working Group. Councillor Dunlop moved the following motion without notice:

To note that there is an inconsistent use of gender terms in BCP Council's Constitution, policies and communications and that Council refers the matter to the Audit and Governance Committee to review the Constitution with the purpose of removing gender specific determination when describing roles within BCP Council including from the Constitution, policies and communications and to be replaced with gender neutral terms.

The above was seconded by Councillor Mellor.

The Chief Executive explained that the Constitution allowed for the motion to be referred to another Committee, but it did not allow for a change in wording. Therefore, the motion without notice should be that the motion be referred to the Audit and Governance Committee for it to be considered through the Constitution Review Working Group.

Councillor Evans indicated that referring it back to Audit and Governance Committee seemed to be a backward step and Councillors should be given the chance to vote accordingly on the original motion. In referring to the recommendation from the Audit and Governance Committee considered earlier Councillor Evans felt that the motion did not negate that decision.

Councillors then voted on the following motion moved by Councillor Dunlop and seconded by Councillor Mellor:

That the motion be referred to the Audit and Governance Committee for it to be considered through the Constitution Review Working Group.

Voting - For – 38, Against – 32, Abstention – 2

Councillor Farquhar wished to be recorded as voting against the above decision.

The meeting ended at 11.35 pm

CHAIRMAN