

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 10 June 2019 at 7.15 pm

Present:-

Cllr P Broadhead – Chairman

Cllr M Haines – Vice-Chairman

Present: Cllr M Anderson, Cllr M F Brooke, Cllr N Brooks, Cllr B Dove (Reserve) (In place of Cllr M Iyengar), Cllr M Earl, Cllr G Farquhar, Cllr M Greene, Cllr N Greene, Cllr D Kelsey (Reserve) (In place of Cllr L Fear), Cllr R Lawton, Cllr R Maidment, Cllr P Miles and Cllr C Rigby

Also in attendance: Cllr D Brown, Cllr S Moore and Cllr V Slade

Officers in attendance: Tanya Coulter (Service Director (Law and Governance) and Monitoring Officer), Graham Farrant (Chief Executive), Matthew Filmer (Finance Manager), Lindsay Marshall (Overview and Scrutiny Specialist), Daniel Povey (Acting Assistant Chief Finance Officer), Adam Richens (Service Director (Finance) and Section 151 Officer) and Nicola Webb (Assistant Chief Finance Officer)

1. Apologies

Apologies for absence were received from Councillors Mohan Iyengar and Laurence Fear.

2. Substitute Members

Councillor Bobbie Dove substituted for Councillor Mohan Iyengar.
Councillor David Kelsey substituted for Councillor Laurence Fear.

3. Declarations of Interest

There were no declarations of interest.

4. Election of Chairman of the Overview and Scrutiny Board

RESOLVED:

That Councillor Philip Broadhead be elected Chairman of the Overview and Scrutiny Board for the 2019/2020 Municipal Year.

5. Election of Vice-Chairman of the Overview and Scrutiny Board

RESOLVED:

That Councillor May Haines be elected Vice-Chairman of the Overview and Scrutiny Board for the 2019/2020 Municipal Year.

6. Public Speaking

The Democratic Services Officer reported that there was one question and one statement received. The question and response received were as follows:

Question from Angela Pooley

“Prior to the Council merger it was agreed at a Shadow meeting that Co-opted members would still be part of the Scrutiny Panels. Could you please confirm that this will still be taking place?”

Response from Councillor Phillip Broadhead (Chairman)

“The Overview and Scrutiny elements of the constitution were developed in liaison with the Centre for Public Scrutiny and are based on best practices in scrutiny. Enabling the voice and concerns of the public is one of the six principles of Overview and Scrutiny as outlined in Part 1 of the Council’s Constitution. Article 6 in Part 2 of the Constitution allows for this to happen in a flexible way. It says the following about involving non-elected members of Overview and Scrutiny Committees:

‘In addition to the Councillors elected to the Committee, members of the public can be invited to attend and contribute to meetings as required to provide insight to a matter under discussion. This may include but is not limited to subject experts with relevant specialist knowledge or expertise, representatives of stakeholder groups or service users. These attendees will not have voting rights.’

Paragraph 2.11 of The Overview and Scrutiny Procedure Rules at Part 4 of the Constitution also states:

‘Consideration will be given at the scoping stage as to how others, in addition to Councillors and Officers of the Council, may be engaged in the work of Overview and Scrutiny and the benefit that this engagement will bring to the work. This may include, but is not limited to, contribution from subject experts with relevant specialist knowledge and/or expertise; representatives of stakeholder groups and service users.’

The constitution therefore enables the O&S Board and each O&S Committee to invite members of the public to attend meetings as appropriate to the subject matter and seek input to matters under discussion. This is not limited to Committee meetings and can include involvement in commissioned work such as working groups and detailed inquiries. It will be for each individual Overview and Scrutiny body to consider what action it would like to take in relation to involvement of non-elected members in its work and this will form part of its work planning process to ensure that scrutiny work is scoped to involve others who will add value to the matter under review.

Public involvement in Overview and Scrutiny is not limited to attendance at meetings and can also include:

- contributing evidence to an Overview and Scrutiny review;
- suggesting topics to be considered for Overview and Scrutiny;

Any member of the public interested in overview and scrutiny work is encouraged to 'subscribe to updates' for Overview and Scrutiny Committees via the Council's website.

Note - the Constitution gives separate direction on the matter of members to be co-opted to the Children's Services Overview and Scrutiny Committee, which is required by legislation."

The Board noted that the following statement did not directly relate to an item of business on the agenda for the meeting but was within the remit of the Overview and Scrutiny Board. Therefore, the Board agreed to hear the below statement:

Statement by Susan Chapman

"Safeguarding young people is everybody's business as the BCP website tells us. Currently the climatically illiterate promotion of Extinction Energies is failing the YouthStrike4Climate generation. Melbourne's Breakthrough National Centre for Climate Restoration warns of climate collapse and end of civilisation by 2050 unless we can overnight transform systems, stop vandalising failing Mother Nature and incentivise and motivate behaviour change at speed and scale with D-Day determination.

Sacrificing the next generation to dangerous anachronistic mindsets & Extinction Energies and to the carbon bombing now impacting the whole world would betray previous astonishing sacrifices and heroism."

7. Cabinet Reports

The Chairman briefly clarified the role of the Overview and Scrutiny Board, reminding members that questions should be directed to Cabinet Portfolio Holders as the accountable policy makers, in order to delve further into the policy details. He explained that members could request that specific items be submitted for the Board's consideration and that other scrutiny methods, such as Task and Finish Groups, could be utilised to scrutinise the policy.

The Board considered reports due for submission to the Cabinet on 12 June 2019. This allowed the Board to scrutinise the Financial Outturns 2018/19 report, Medium Term Financial Plan Update report, Appointment to Outside Bodies report and the Cabinet Forward Plan. The Chairman opened the discussion by inviting comments or questions on any of these items.

Financial Outturns 2018/2019

The Board considered the Financial Outturns 2018/2019 report, submitted by the Portfolio Holder for Finance.

The Vice-Chairman expressed that, because of the strict budget monitoring of the predecessor Councils, it was pleasing to see a surplus in the Bournemouth, Christchurch and Poole (BCP) Council budget. However, she highlighted that it was not clear whether other priorities had been considered for the allocation of the £493,000 in capital funding, as set out in Section 10 of the report. The Portfolio Holder for Finance explained that, when allocating the £493,000 in capital funding, various priorities were considered by Cabinet members and that it was agreed that the re-opening and refurbishment of Poole public conveniences was an early priority.

A Board member asked how many available public conveniences there were in each of the three areas of BCP and questioned why Poole's public conveniences were prioritised above those in Bournemouth and Christchurch. The Portfolio Holder for Finance responded that in recent years the number of public convenience closures in Poole were far higher than in Bournemouth or Christchurch and the reputational damage because of this had been widely reported in both local and national news. The same Board member asked what the other priorities were that the Cabinet had considered, to which the Portfolio Holder for Finance reported that all members of the Unity Alliance felt that this was an early priority that was deliverable. The Portfolio Holder for Finance clarified that the various other priorities would be set out in the Unity Alliance's corporate plan.

Following questions from another Board member, the Portfolio Holder for Finance explained further that the Unity Alliance's corporate plan was currently being developed alongside senior officers. The Board member questioned whether, as development of the corporate plan progresses, there may be a better priority that emerges on which the £493,000 may be spent. She also said that the corporate plan may now be constrained due to this early decision. The Portfolio Holder for Finance agreed that there would be different priorities emerging as the programme developed but assured the Board that these other priorities would be worked through and assessed as they arose. The Leader of the Council explained that, during their strategy week, the Unity Alliance had started developing a 100-day plan. From this, the Board heard that the beginnings of the Unity Alliance's corporate plan were expected to be taken to Cabinet in July. A Board member suggested that, during this developmental period, a decision on recommendation 1 within the report, approving the allocation of Capital funding be postponed to allow all of the early priorities to be identified and reviewed. The Portfolio Holder for Finance emphasised that as an early priority, the re-opening of public conveniences in Poole was vital for residents and could not wait. A Board member expressed that the number of unavailable public conveniences in Poole was a disgrace to the town.

The Vice-Chairman asked for it to be formally recorded that this decision appeared to show a piecemeal approach and that she was concerned there

would now not be enough funding to deliver on emerging priorities. Subsequently, a request was made to the Section 151 Officer for information on the source of the £493,000 and a breakdown of the capital funding for recommendation 1 in the Financial Outturns 2018/19 report. The Section 151 Officer explained that the Borough of Poole Council used capital receipts as the original source of funding for their share of the Local Government Reorganisation programme costs. However, the source of funding changed when the Borough of Poole Council were able to set aside resources from their in-year position, freeing up £600,000 for investment in capital funding.

A Board member expressed that there was a sense of urgency to get the public conveniences re-opened and refurbished in time for the height of the holiday season to prevent further reputational or economic damage to the area. Building upon this, the Chairman reminded the Board that risk was an area of focus for members when scrutinising. A Board member enquired as to whether there was a figure to demonstrate the alleged drop in the number of tourists in Poole. The Portfolio Holder for Finance suggested that the member contact the Portfolio Holder for Tourism, Leisure and Communities for the numbers, however did refer to the national news coverage, which reflected the volume of public convenience closures in Poole.

A Board member asked how long it would take to re-open and refurbish the public conveniences if the decision was taken. The Board heard that there were two public conveniences to be re-opened rapidly; Lake Pier being one of them. The Section 151 Officer responded to a challenge from a Board member on the closure of Lake Pier. He confirmed that Lake Pier had recently been closed by Property Services due to serious roof fault causing waste ingress into electrics therefore part of the capital investment would go towards the repairs. The Section 151 Officer confirmed that the £493,000 capital investment was focused on the re-opening and refurbishment of: Lake Pier, Poole Park West Gate, The Haven, Hamworthy Park, Baiter Park, White Cliff and The Watch Station public conveniences.

Comments were made by two Board members in reference to the Equalities Act 2010 and that the Council had a duty to be proactive in regard to health and safety issues. They relayed to the Board conversations that they had with elderly members of the public and how they had been dissuaded from attending public areas in Poole because of the lack of public conveniences. These points were challenged by a Board member, who recognised the importance of the Equalities Act 2010, but argued that the impact of this decision was unknown, because it appeared that not all priorities had been assessed. Therefore, there may be a more pressing equalities related issue that emerges in time.

It was RESOLVED that Cabinet be recommended to amend the Financial Outturns 2018/2019 Cabinet report, recommendation 1, to read:

‘That Cabinet approve the allocation of £493,000 in Capital Funding be implemented as set out in section 10 when further analysis is available which demonstrates this is indeed the most pressing priority of the Council.’

This motion was agreed by 8 votes to 7.

Councillor George Farquhar requested that his vote against the motion be recorded.

The Vice-Chairman commented on recommendation 2 of the Financial Outturns 2018/2019. She welcomed the update for the first quarter of budget monitoring, highlighting the pressure on the high needs element of the Dedicated Schools Grant whereby lobbying during the Local Government Reorganisation period had secured extra funding.

A Board member made reference to Appendix C and the £2.9 million in unspent grants. He queried whether there was a risk that these unspent Government grants would be reclaimed. The Section 151 Officer explained that the Government grants which were made available in the final quarter of the previous Financial Year would carry forward through the accounts into the new Financial Year.

Before the discussion moved on to the next Cabinet report, the Section 151 Officer thanked the Finance Team for closing four sets of Local Authority accounts during the period of Local Government Reorganisation. The Chairman echoed this, having worked closely with him during the Local Government Reorganisation process, thanking the Section 151 Officer for his and his team’s efforts. The Board agreed that this be recorded in the minutes.

Medium-Term Financial Plan Update Report

The Board considered the Medium-Term Financial Plan Update report, submitted by the Portfolio Holder for Finance.

Members discussed the budget planning process as referenced in paragraph 15 of the report, with specific focus on the Council Tax Harmonisation Strategy. A Board member questioned why the chosen strategy saw a council tax increase of 2.99% in Bournemouth and Poole, especially when the Shadow Authority’s planned increase was only 1.99%. The Portfolio Holder for Finance explained that Cabinet wanted to align the council tax levels across BCP sooner than was previously planned in order to address the moral quandary of Christchurch residents paying higher levels of council tax than their Bournemouth and Poole counterparts. The Board heard that council tax harmonisation was a complex issue that required a focus on sustainable finances. A Board member claimed that the chosen council tax harmonisation strategy was morally indefensible, and that Bournemouth and Poole residents would be subsidising those in Christchurch. The Portfolio Holder for Finance responded by saying that the

chosen approach was the fairest and would speed up the harmonisation process while retaining service levels. He emphasised that the other strategies created huge savings gaps, that would most likely need addressing by way of significant cuts to services, and that the chosen strategy would prevent a conveyor-belt of council tax increases for Bournemouth and Poole over seven years.

Upon direction to the table in Figure 4 of the report, the Board were informed, by the Section 151 Officer, that every 1% on council tax generates around £2 million. The adopted approach would see an increase in council tax from the government norm of 1.99% to the assumed maximum increase allowed of 2.99%. This means that the financial gap would be reduced from £16.2m to £15m for 2020/2021. The Section 151 Officer directed members of the Board to section 27 of the report and explained that the final decision on council tax for 2020/21 and the underlying harmonisation strategy would be determined by Council on the 18 February 2020 when it is asked to approve the BCP Budget for 2020/21. During this time frame, the administration would have the opportunity to reflect and review the adopted approach based on the circumstances that develop during this period. The Section 151 Officer highlighted the uncertainty of Local Government funding and that it may not be until December 2019 that there was any certainty for financial planning, which represented a change from the fixed financial settlement local authorities had received over the past four years.

A Board member felt that the adopted approach would be ‘fixing the issue with other people’s money’ and stated that some of the communities that will face a 2.99% council tax rise are among of the poorest in the conurbation. The Portfolio Holder for Finance argued that settling council tax harmonisation within 2 years would be fairer on all residents of BCP. With this approach, no resident would be penalised with seven-year incremental increases.

The Chair summarised by highlighting that financial strategy policy would be a key area of scrutiny for the Board. He reminded members that there were different methods of scrutiny to employ and that these would be explored in the future. He directed the Board’s attention to the number of other financial strategies captured within the report, which would allow the Board to consider and review as time progressed.

A Board member requested that his thanks to the Portfolio Holder for Finance be recorded.

Appointments to Outside Bodies

The Board considered the Appointments to Outside Bodies report, submitted by the Leader of the Council.

The Chairman invited any comments or questions from the Board. The main question received was on the seemingly incomplete nature of the list of appointments. The Leader of the Council explained that work had been

undertaken alongside Democratic Services to finalise the appointments for those boards and organisations where meetings are imminent or there is an urgent strategic need. The Leader of the Council informed the Board that a second list of appointments to outside bodies was being compiled with portfolio holders reviewing appointment suggestions. She confirmed that the second list of appointments to outside bodies would likely be submitted to the July Cabinet meeting for those appointments that require Cabinet approval.

A Board member questioned why the appointments to Seascapes were not shown in the report, to which the Council's Monitoring Officer clarified that Seascapes' membership would be drawn from specific positions within the Council, for example the Chairman of the Audit and Governance Committee, which had not yet been decided. The Board were informed that Councillor Mark Howell, as Vice-Chair of the Cabinet, was also the Deputy Leader of the Council and that the Portfolio Holder responsibilities were to be published by 11 June 2019.

A Board member asked what the criteria had been when deciding on appointments to outside bodies, to ensure that the Council was best represented on said bodies. The Leader clarified that where there were vacant positions for non-Portfolio Holders on outside bodies, that cross-party discussions had taken place with Councillor Bob Lawton, leader of the Conservative Group, to ensure that the Councillors with the best skills and experience were selected.

8. Future Meeting Dates

The Chairman opened the discussion on future meeting dates and invited comments from the Board. One Board member expressed that it would be sensible to start meetings earlier than 7.15pm due to the likelihood of extensive agendas. The Overview and Scrutiny Specialist informed the Board that support from the Centre for Public Scrutiny had been arranged for the 8 July 2019 meeting and therefore, the formal meeting would start at 7.15pm. However, all future dates would start at 6.00pm. A Board member commented that in the interest of ensuring diverse representation on the Board, a 7.00pm time would allow those with full time jobs or parental obligations a better chance to attend. A Board member enquired, given the membership of the Board, whether it would be more sensible to hold future meetings in Bournemouth and Poole.

The Chairman brought the meeting to a close by encouraging Board members to begin considering potential areas of work and to engage in the upcoming planning sessions and approach the Chairman or Vice-Chairman with any suggestions. The Overview and Scrutiny Specialist clarified that the recommendation made to Cabinet at this evening's meeting would be taken to cabinet on Wednesday 12 June where the Overview and Scrutiny Board Chairman would have a right to speak.

The meeting ended at 8.55 pm

CHAIRMAN