

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

Minutes of the Meeting held on 23 March 2021 at 6.00 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

78. Apologies

No apologies had been received for this meeting.

79. Declarations of Interests

The following declarations were made:

- Councillor Mark Anderson declared a disclosable pecuniary interest in respect of item 7f - Cabinet 10 March 2021 - Minute No 315 - Sale of Christchurch By-Pass by virtue of his wife being employed by Waitrose and confirmed that he would not speak or vote on this item.
- Councillor Sandra Moore declared a personal interest in respect of item 7e - Cabinet 10 March 2021 – Minute No 313 – Children and Young People’s Partnership Plan 2021-2024 as a trustee and Member of the Teachers Trust and the Education Alliance for Canford Heath.
- Councillor Sarah Anderson declared a disclosable pecuniary interest in respect of item 7f - Cabinet 10 March 2021 - Minute No 315 - Sale of Christchurch By-Pass by virtue of being employed by Waitrose and confirmed that she would not speak or vote on this item.

80. Confirmation of Minutes

The Minutes of the Ordinary Council meeting on 23 February 2021 were confirmed.

81. Announcements and Introductions from the Chairman

The Chairman made the following announcements:

A *Death of Former Bournemouth Borough Councillor Eric Smith*

***The Chairman reported with sadness, the death of Eric Smith, former Bournemouth Borough Councillor for Winton and Moordown Wards.***

***The Chairman called on Councillor Filer to say a few words. She paid tribute to Eric Smith for his service to Bournemouth Borough Council.***

***The Council paid tribute to Eric Smith with a minute silence.***

B *'Beacon of Remembrance'*

***The Chairman reported that today marked the anniversary of the first Covid lockdown. He explained that as part of a day of remembrance at 8pm there would be a 'Beacon of Remembrance'. He proposed to adjourn the meeting at 7.55pm until 8.05 pm to allow Councillors to participate if they wished.***

C *Motion on Carers*

***The Chairman advised Councillors that the Motion deferred from the Council meeting on 23 February 2021 on the above had been withdrawn in accordance with the Constitution and therefore did not appear on the agenda for today's meeting.***

82. Public Issues

The Chairman reported a 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 website:

- Chrissie Morris Brady on non-permeable driveways
- Samantha March on the Arts and Makers Market Bournemouth Gardens
- Don Nutt on Keyhole Bridge
- Ian Clark on the Shack Café in Muscliff Park
- Phil Stanley on end of the emergency legislation on remote meetings

## **B – Statements**

In accordance with the Constitution the following statement had been published on the website and a link circulated to all Councillors.

- Phil Stanley – on a memorial for those affected by the pandemic

## **C – Petitions**

There were no petitions submitted for this Council meeting.

### 83. Questions from Councillors

#### **Question from Councillor Mark Howell**

The budget has allocated approximately £400,000 for completion of the planning process for development of housing on Turlin Moor playing fields. This clearly demonstrates an intention to proceed with the scheme, which was initiated by the Borough of Poole, following the planned consultation. How does the Council intend to fund the build-out of the scheme, what level of certainty is there as to the availability of funding and when can we expect to see proposals for re-siting of the football pitches?

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

The project was commenced by the former Borough of Poole with the intention that once a Planning consent was achieved, a full business case would be prepared and the Council would then make the decision as to how the project would then be taken forward. The options at that time were to include disposal of the site, once the remediation works were completed, or the selection of a joint venture partner to work with the Council.

The site remains a significant allocated housing site, but as I've pledged again and again, we can only take the next steps if we bring the local community along with us, and that starts with full and proper local consultation. I'm pleased to say that work to begin this process and do it properly has started in earnest with the Ward Councillors alongside myself and Cllr Jane Kelly as the Lead Member for Community Engagement. Our aim is to show how to listen properly to the locally community and not bully them into something by telling them that we know best.

Once the parameters for a scheme is finalised following that resident consultation, then the business case will be developed. Prior to any planning application being submitted, the business case with the various options will need to be considered by Council.

The capital funding requirements for the project will form part of that business case together with any grant opportunities which may be suitable for the project. I'm delighted to confirm that Homes England have committed that they would welcome a further funding bid if there are

suitable funding programmes available and once the project has more certainty.

With regard to the background work for the project, that is at the stage where most of the site investigation works and surveys have been completed, but there are still some site surveys needed to be able to conclude the technical options for the sports pitch provision. At the current time the additional surveys are on hold until that full engagement can take place, face to face, with the local community. As part of that process, we will clearly need to fully engage with the local sports clubs regarding the football pitches as part of the process to come. The time scales of this are as yet unknown but those conversations and consultations will start again when lockdown eases.

Councillor Howell referred to the sports pitches and the housing numbers required by the Government which was 2,500 a year. He asked if the Portfolio Holder would agree that it was essential that the capacity of the sports pitches was not lost and that for this project new sports pitches should be in place before the existing pitches were taken out of service. The Cabinet Member indicated that he fully agreed that it was necessary to have a strategic approach taking account of housing and sporting provision. He highlighted the importance of community engagement which was paramount to achieve a joined-up approach.

#### **Question from Councillor Chris Rigby**

With the work due to start on replacing the aviary in Bournemouth Lower Gardens as well as Westover Gardens Art and Makers Market, the traders are concerned about a significant loss of earnings. In the current climate, we need to be stepping up support for our local artists and traders, a large number of whom slipped through the cracks in the Covid support schemes. By making a commitment to not only continue the existing Market but expand it across the conurbation BCP Council can demonstrate their support to our small local businesses.

Therefore, would the portfolio holder be able to confirm that the traders who use this space, will have a suitable alternative site provided at the current rate they're being charged whilst the works are ongoing? Further to this could the Council investigate new suitable sites for Art and Makers Markets to be held in both Poole and Christchurch this summer?

#### **Reply from Councillor Mohan Iyengar, Cabinet Member for Tourism, Leisure and Culture**

The market won't be closing for construction during the peak period. Summer trading is important so the market and aviary will stay as-is and open through to early September, subject of course to Government rules around lockdown and easing. There will also be a spring-clean of the site before the summer starts.

But also, I think most people would agree the market and the aviary need some improvement. The legacy here is that we have two different projects at different stages. One is a design for the market – modern and improved

with ground-work and prefabricated stalls; this has gone through consultation and has planning consent. The other is the construction of the aviary, which is currently further along in its cycle. Ward councillors have been supportive and secured an allocation of neighbourhood CIL to the project, and discussions are continuing to secure the whole funding that's required.

If the funding can be delivered, we'll look to deliver both projects in as joined-up a way as possible, ideally with only one disruption and at the least sensitive time for trading as possible.

On the point about providing an alternative site at current rates, I think this question was asked on the assumption that summer trading would be disrupted by construction. It won't be, and when we get nearer to the real dates there will be a discussion about what's appropriate.

Finally, on the general point about supporting small businesses across the three towns, I think it's fair to point out that BCP Council has worked at considerable speed over the past year to expedite more than £125 million in grants and loans to, in particular, small businesses. Market traders have been able to claim grants to help them survive through the pandemic. We will also be introducing the so-called Bounce Back Challenge Fund, to which market traders can bid to support their activities and to improve pride in our towns.

More recently we announced the Festival Coast Live: A way to kick-start a whole range of activities that bring residents outdoors and visitors to our towns – precisely to support our local traders and organisations of all kinds. Specific sites and events are being coordinated through Festival Coast Live and the Business Improvement Districts (BIDs) across the towns. I do encourage market traders to see what's available and get involved.

Councillor Rigby asked if the market could open up earlier aligned with the reopening of general retail to provide more length to the trading season. Councillor Iyengar reported that he would take the supplementary question away and respond to Councillor Rigby.

### **Question from Councillor Tony Trent**

Over the last 12 months pandemic we've learned a lot about how to cope with lockdowns and have had to adapt to the limitations and challenges that all of us and our communities have faced. In view of these experiences, and the fact that many scientists and researchers believe that as a result of many factors, that include the opening up of previously isolated areas, particularly deep forest to mining and agriculture, we could see the one in a hundred year global pandemic become one in twenty years, should this Council (and others) review their plans and policies to take account of these new dangers?

For example...

During the lockdown we have realised the value of open spaces and places to walk on our doorstep, rather than a car ride away. Should we review the idea that a new development can be served by an alternative green space

a car or bus ride away, and look to more localised and joined up areas to walk, cycle, or push a buggy?

On the management of our existing open spaces and parks, we've realised that particularly in the winter our valuable footpaths and parks, that have become busier than ever, can so easily become quagmires, often causing people to break social distancing guidelines to pass one another, and that in some of our natural areas there are bottlenecks that have involved trampling on valuable vegetation to pass other people at what even then is often less than the ideal distance apart. Could we look at the way we manage these spaces so that in areas which need it, there are pedestrian passing places, and in all areas the footpaths are able to withstand the greater usage?

Finally, could we look at the creation of disabled friendly routes on the flatter areas of our open spaces, so that we do not exclude those that for whatever reason have limited mobility?

**Reply from Councillor Mark Anderson, Cabinet Member for Environment, Cleansing and Waste**

BCP Council is working on a new Green Infrastructure Strategy with the input of public Health Dorset. We will certainly be trying to develop plans that link up more spaces and give the public better access to green space and wild space, we're calling this our 'green net.' This is especially important for those with the poorest access to green space at the moment.

We will look to ensure that more people can easily access green space by foot and by bike, many people can already do this by using the Seafront, The Stour Valley Way, The Poole Harbour Trail or Castleman Trailway, but we will keep working on missing links and creating links from our most built up areas to these spaces. That might be by improving existing green space, opening up more green space or making it easier to access spaces by improving crossing points.

You mentioned creating passing places and widening paths. This last winter has been difficult, with many more people staying local and visiting local green spaces. The wet weather has caused a number of sites to suffer from heavy use. In the short term we'll be repairing paths that have been damaged and adding more stone or bark chip.

In the longer term we are working on a number of key routes through green spaces with the Transforming Cities Team and will be working to improve a number of these paths. Upton Country Park has been extended and new walks are now available to people at that park, whilst we are working on plans to open up more space at Throop with a new nature park, adding an additional 12 hectares of much needed open space. In Christchurch we'll be opening up more space such as at Mares Mead.

You asked about making routes accessible for people with disabilities. All of our new and improved routes are designed to meet good standards for accessibility as far as is practically possible, we know there are many routes throughout the conurbation that don't meet good standards, but each year we make more spaces available. The Parks Team are working with

DOTS Disability to audit Watermans Park and Alexandra Park this year, where improvement suggestions will inform new plans for those sites. We're looking at improvements along the Stour Valley, Central Gardens and Kings Park in Bournemouth, Iford Golf Course and Jumpers in Christchurch, and through Harbourside in Poole. As part of the Green Flag Award standard we aspire to for our sites we always consider good and safe access.

Councillor Trent implied in the question that the Local Plan needed to be looked at with previous thinking that a number of developments were going to be justified by having green spaces away from the site where the development was located. He asked in view of what we have learnt should we ensure that we do not create dense developments that do not have some degree of green space and walking areas. The Cabinet Member indicated that he supported green spaces being as close to residents as possible. He reported that there were over 470 green spaces in the BCP area offering a wide range of facilities including referring to those in Councillor Trent's ward. The Cabinet Member commented on the names of a number of open spaces and indicated that he had been researching their history.

#### **Question from Councillor Marion Le Poidevin**

The Leader has recently assured a resident that holding the Air Festival is compatible with the Council's declaration of a Climate Emergency. I would be grateful if he could outline the additional measures being put in place for this year's festival to ensure compliance with the spirit and letter of this declaration.

#### **Reply from Councillor Drew Mellor, Leader of the Council**

In 2019 the Council undertook both Environmental and Economic assessments of Bournemouth Air Festival.

The economic impact confirmed that the Air Festival made a major contribution of £32m to the local economy attracting over 600,000 visitors and still retains its reputation as an important attractor event for the region.

The environmental impact assessment calculated the total carbon footprint of the festival to be 7190 tonnes CO<sub>2</sub>e. The display aircraft fuel accounted for only 240tonnes - **0.3% of the total** calculated on usage of 95211 litres of fuel.

The main challenge that we face is a modal shift in travel to and from the destination whether for the Air Festival or the millions of visitors that travel to the area throughout the year, as well as the thousands of residents travelling around the area to visit beaches and local attractions.

Alongside the BCP Sustainable Events Management Policy there is an ongoing Air Festival Sustainability Action Plan which includes objectives to not only reduce the carbon footprint of travel by a third over the next three years but also reduce use of man-made energy, plastics, waste to landfill

and the carbon footprint of trade and catering provision. We will also continue to offset the carbon emissions of the flying display fuel each year.

Plans are in place to develop the programming of the festival to make it more attractive for residents to visit and provide a wider community interest for the whole conurbation. This will include greater content on sea and land alongside the air displays.

Tourism is vital to the economy, worth over £1billion and 17,000 jobs and the thousands of visitors attracted to the Air Festival not only support this economy but provide the opportunity for us to begin to influence how they think about travel, not only to the festival but in their everyday lives and on return visits to the destination and elsewhere.

Councillor Le Poidevin asked a supplementary question, explaining that there was a perception that the future good of the area was being made subservient to the economy and asked for concrete proposals in response to her question. The Leader of the Council reported that the Council, having declared a climate emergency, was guardian of our environment and also the economy and it was not a binary choice and he made no apology for talking about the economic impact alongside the environmental impact. He indicated that as community leaders that we should look to educate people and our partners in such events and move to a more sustainable solution. He referred to the sustainable events management policy and the tangible action that he had outlined in his earlier response.

### **Question from Councillor Felicity Rice**

I understand that there has been requests for a safe pedestrian crossing on Wimborne Road, near Bailey Crescent, for 7 years now. This was following a horrific incident when a person walking along the pavement was severely injured after a driver drove into the refuge and then drove onto the pavement, driving into the pedestrian.

We also know that speeding on Wimborne Road is an issue. The road danger team installed a temporary speed camera which recorded 6 activations in just 50 minutes, at a mid-morning time of 11.50am, in October 2020. They then set up another camera for 6 weeks, which recorded 119 activations.

Additionally, there is clearly a severance issue to the community, caused by the design of this road, and there is clearly speeding, and I acknowledge that there are many roads in BCP that have a speeding issue.

Therefore, please can you tell me how long the BCP list of requests for new pedestrian crossings is? Please can you tell me where on the priority list this specific pedestrian crossing is? (Replacing the refuge that is currently in place on Wimborne Road, near Bailey Crescent, in Oakdale). And can you tell me, with the current levels of funding, an estimate of how long it will be before this crossing reaches a fundable section of the list?

**Reply from Cllr Mike Greene, Cabinet Member for Transport and Sustainability**

I was sorry to hear about the accident that Cllr Rice mentions and made further enquiries. I understand that it was the result of an intoxicated driver striking the refuge and subsequently hitting a pedestrian further down the road some distance from the refuge.

This section of highway was renewed in 2017/18 as part of the legacy Poole Challenge Fund programme and the replacement of the refuge was considered in light of the aforementioned accident. However, the particular circumstances of the incident and the fact there have been no accidents involving users of the pedestrian refuge meant that other locations were determined to be of higher priority for road safety spend. The lining and lighting were, however, refreshed as part of the works.

In response to Cllr Rice's specific questions....

1. The pedestrian crossing list currently has 110 requests.
2. The request for the upgrade of the existing pedestrian refuge to a controlled crossing is considered to rank at the lower end of the list. This is primarily because:
  1. There have been no pedestrian injury accidents at the crossing
  2. There have been very few vehicle to vehicle collisions in the vicinity, and none appear to be related to the refuge.
  3. There are low pedestrian flows
3. As it stands it is unlikely that the replacement of this pedestrian refuge with a controlled crossing will be funded for road safety reasons for some time. Nevertheless, officers are fully aware of the request and will consider delivery if a suitable funding opportunity were to present itself through, for example, developer contributions in a very local application which would affect that location.

It is clear that the number of requests for crossings and other road safety measures will always outstrip supply by a considerable margin. I am currently working with officers in taking another look at the way we classify and prioritize these and hope this project will lead to swifter initial indications of likelihood and timing. Once that review is complete, I shall make sure I update Cllr Rice with respect to this particular request.

Councillor Rice asked whether the cycle lane that goes through that section of Wimborne Road was painted on and not protected. She asked for commitment for transforming travel to work because it was a major route for children travelling to Poole High and other secondary schools and it was necessary to make the crossing safer. The Cabinet Member reported that he did not feel this was a supplementary question. He pointed out that as Councillor Rice was aware there had just been a briefing on the Local Cycling Infrastructure Plan which refers to the plans for the next 20 years and he would expect Wimborne Road to be included however as to priority that would be determined following consultation and further discussions.

**Question from Councillor L-J Evans**

It is pleasing to see the Administration continuing the Transforming Travel initiative, using the Department for Transport grant that the Unity Alliance secured last year to create a greener, healthier and better-connected region. We welcome implementation of the Transforming Cities Fund and the development of sustainable travel routes North / South across the conurbation, following full public consultation.

However, the majority of travel in BCP is East / West and further solutions are desperately needed to address the congestion on these roads, by providing our residents with safe, quick and environmentally friendly alternatives to driving. The reorganisation of care at Poole and Bournemouth Hospitals following the Clinical Services Review is particularly reliant on enabling efficient journeys between the 2 sites for patients, staff and visitors.

Can the Portfolio Holder please advise whether this can be progressed as a priority?

**Reply from Cllr Mike Greene, Cabinet Member for Transport and Sustainability**

Cllr Evans' opening sentence suggests she is possibly not aware of the history of the Transforming Cities Fund Bid. It was put together by Conservative-run Bournemouth Council, Conservative-run Borough of Poole and Conservative-run Dorset Council. Largely through the good efforts of the Conservative MPs representing the areas of Bournemouth, Poole and Mid-Dorset, it was supported, and funding was granted by our Conservative Government. Nevertheless, putting Party politics aside, I share Cllr Evan's pleasure at the good progress we are making.

I agree with Cllr Evans about the necessity to improve east-west connectivity across the conurbation.

The original Expression of Interest submitted by the predecessor Councils as part of the Transforming Cities Fund bid did include the East-West route. However, during the development of the Strategic Outline Business Case and specifically the Early Assessment Sifting Tool appraisal, which we were obliged to use, it became clear that the North/South corridors offered higher benefit cost ratios. Crucially they were also more deliverable in the required timeframes and therefore were chosen as the routes for inclusion in the successful bid to the Department for Transport.

Additionally, the East-West route was previously improved as part of the Large Local Sustainable Transport Fund (LSTF) programme which oversaw £18million of investment between 2012-15.

*With regards to the Hospitals, officers have been working closely with them to mitigate and minimise the impact of the reorganisation and associated developments. This has included the securing of funding for sustainable transport infrastructure and services as part of legal agreements within planning approvals.*

I will be continuing to work with officers to improve transport for all modes east/west across the conurbation.

**Question from Councillor George Farquhar**

What plans does this administration have to deliver on the Local Cycling and Walking Infrastructure Plan for the Boscombe Overcliff Drive which runs the entire length of the Southern Boundary of the Ward I represent, Boscombe East & Pokesdown?

This road is part of the National Cycle Network Route but does not benefit from either a cycle lane, or suitable road surface and maintenance to improve the safety for Cyclists and those with accessibility needs.

This particular stretch of the NCNR was considered by the Highway Officers to be suitable to be part of the successful bid for the 1<sup>st</sup> phase of the Emergency Active Travel Plan (£312k). An Experimental Traffic Regulation Order was drawn up to fulfil the criteria of seven working days to develop and submit a programme with proposals to be installed on the ground within twelve weeks.

This same ETRO, which followed Central Government guidance exactly, would have allowed residents the opportunity to comment on its effectiveness based on empirical evidence gathered by its operation to prevent 'through motor vehicle traffic' over a consultation period of a minimum of 6months. This empirical evidence could then have been used to Keep, Remove or Modify the ETRO and if the consultation was positive then this road could have benefited from a share of the possible £1.1million in the 2nd phase of the EAT funding.

**Reply from Cllr Mike Greene, Cabinet Member for Transport and Sustainability**

I have discussed progress on the Local Cycling and Walking Infrastructure Plan with Members over the last couple of weeks and it will go out for public engagement in the next few days, providing the public with an opportunity to provide their views on the plan. Once feedback from the engagement has been considered, officers will prepare a final plan for consultation and Council approval. The LCWIP will provide a list of strategic cycling and walking desires as well as an element of ranking within that list.

The LCWIP is a roadmap for the next 20 to 30 years and it would be premature for me to commit to any particular scheme at this stage. Where proposals do come forward in the future, then the impacts on traffic levels, health benefits, air quality, road safety and so on will be fully considered; and unlike our predecessors, this Administration will ensure the proposals are consulted upon BEFORE any physical measures are implemented.

As Cllr Farquhar notes, this particular stretch of road was planned for inclusion within the ETRO road closure programme implemented last summer by the previous Administration. However, even at that stage, its unpopularity among both residents and businesses was extremely clear and I am pleased that my predecessor agreed to scrap the proposal. I

would fully expect any proposal to resurrect this idea would be met with the same vociferous and well-reasoned animosity as before.

I do not share Cllr Farquhar's regret that part of the £1.1m Active Travel 2 pot is unavailable for the making permanent of such an ill-thought-out scheme; and am pleased that we have the opportunity to spend it on much more worthwhile projects as we strive to improve walking and cycling provision in the BCP area.

Councillor Farquhar asked since it was highways officers that drew up the ETRO would it be the same officers looking at the consultation referred to by Councillor Greene. The Cabinet Member indicated that the officers work as a team so he could not guarantee that it would be the same officers but would expect some crossover between them. He reported on the clear political direction given on the ETRO process towards the closure of the roads but that this political directive does not exist anymore and therefore the Council would be looking at all the schemes that come forward in a fair and equitable way looking at the economy, local residents views and active travel and taking all of them into consideration.

84. Recommendations from Cabinet and other Committees

**7a – Licensing Committee 4 March 2021 – Minute No 33 – Item of Any Other Business – Procedural Issue**

The Chairman of the Licensing Committee presented the report on the procedural issue as set out on the agenda. The Council was advised that this issue related to the single private hire area for BCP Council. The Chairman explained that a procedural error had been reported to her and the Licensing Committee on 4 March 2021. Members were reminded that the Council on 23 February 2021 had agreed to apply Part II of the Local Government Miscellaneous Provisions Act 1976. The Chairman reported that due to the procedural error this was undertaken without the pre-requisite legislative requirements. In order to meet the provisions of Section 45 of the Local Government Miscellaneous Provision Act 1976 the Chairman advised that the Parish Councils had been notified and an advert placed in the local press for two consecutive weeks of the Council's intention to resolve that the provisions of Part II of the Local Government Miscellaneous Provisions Act 1976 will apply in their area. This resolution when made by full Council will create the single private hire area for the BCP conurbation for the provision of private hire licensing from the date specified as part of the resolution and this aspect of the policy was welcomed by the taxi trade. The Chairman confirmed that the parish councils had been notified by email of this intention and the notices had appeared in the daily echo on 5 and 12 March 2021. The Licensing Committee on 4 March had unanimously agreed to recommend that the Council resolves that Part II of the Local Government Miscellaneous Provisions Act 1976 shall apply to the whole administrative area of Bournemouth, Christchurch and Poole Council from 1 June 2021. The proposal was seconded by Councillor Kelsey.

The recommendation arising from the Licensing Committee on 4 March 2021 relating to the above was approved.

Voting: Unanimous

**7b - Audit and Governance Committee 11 March 2021 - Minute No 70 - Report of the Constitution Review Working Group - Changes to the Council's Constitution**

The Chairman of the Audit and Governance Committee presented the report on changes to the Constitution as set out on the agenda that was seconded by Councillors Williams.

Councillor Slade referred to the opportunity for welfare payments for Councillors. She reported that she was disappointed that the issues around equality and diversity in the senior leadership team was not discussed. She recognised that Councillors were not employees but that the six-month rule would enable them to maintain their responsibilities as a Councillor. Councillor Slade highlighted that if we want a Council that was representative of the community it was necessary to move forward and think about this issue. Councillor Slade referred to other associated issues including the ill health of a Cabinet Member and the implications for the Councillor and how the work of the Cabinet Member would be addressed. She hoped that this matter could be revisited and indicated that she would be happy to take forward an appropriate policy similar to those being progressed by other Councils on welfare payments for Councillors such as maternity and sick pay.

The recommendations arising from the Audit and Governance Committee held on 11 March 2021 as set out on the agenda were approved.

Voting: Agreed

Councillor George Farquhar wished to be recorded as abstaining from the above decision.

**7c - Audit and Governance Committee 11 March 2021 - Minute No 72 - Financial Regulations - Annual Evolution for the financial year 2021/22**

The Chairman of the Audit and Governance Committee presented the report on the Financial Regulations as set out on the agenda that was seconded by Councillor Williams.

The recommendation arising from the Audit and Governance Committee held on 11 March 2021 on the above as set out on the agenda was approved.

Voting: Agreed

**7d - Cabinet 10 March 2021 - Minute No 312 - LTP Capital Programme 2021/22**

Councillor Mike Greene, Cabinet Member for Transport and Sustainability presented the report on the LTP Capital Programme for 2021/22 as set out on the agenda. He explained that this was the annual update of the Local Transport Plan and provided the details on how capital funds would be spent in accordance with the objectives of the LTP which were to reduce the need to travel, to maintain and manage the existing network more

efficiently, active travel and greener travel choices, public transport alternatives to the car, car parking measures, travel safety measures and strategic infrastructure improvements. The Cabinet Member advised of the funding sources from the Department for Transport, local contributions as the Local Authority and external sources including from the Dorset Local Enterprise Partnership. Councillors were advised of the addendum which had been provided which was due to the actual grant figures from the Department for Transport being received following publication of the Cabinet agenda and prior to the Cabinet meeting. The Cabinet Member reported that additional funding of approximately £1m was received in recognition of the Council's approach to transport. Councillors were informed that the funding had been split into two different sections the integrated transport block and the highways maintenance block. Councillor Mark Anderson seconded the proposed recommendations. Members were encouraged to attend the all Member Seminar on Highway Maintenance being held on 24 March 2021.

Councillors in considering the recommendations raised a number of issues including the need to make provision for potholes in the plan if the Government funding did not continue, clarification on the detail of the addendum including access via the modern gov app, and seeking reassurance that the spend would include measures to improve child safety and access for disabled users to walking and cycling facilities which should be consistent.

The Cabinet Member in summing up responded to the issues raised and reported that there was always the danger that the Government would withdraw the funding for pothole and challenge fund contributions but he had confidence that there would be repeat funding in the future, in respect of the app he asked Democratic Services to look at the issue raised by Councillor Trent, he clarified the position relating to the addendum and referred Councillors to pages 147-149 which set out the latest figures and confirmed in respect of travel safety the funding was 50% higher than the previous administration.

The recommendations arising from the Cabinet meeting held on 10 March 2021 on the above as set out on the agenda were approved.

Voting: Agreed

### **7e - Cabinet 10 March 2021 - Minute No 313 - Children and Young People's Partnership Plan 2021-2024**

Councillor White, Cabinet Member for Children and Young People presented the report as set out on the agenda. He reported that the Plan had been produced by the Children's Services Partnership Board which was chaired by Anthony Douglas who was the Council's independent DfE Adviser. Councillors were informed that the Board was the successor to the previous Learning Partnership Board the difference being its focus was on all issues for Children not just education. The Cabinet Member explained that the membership of the Board included a variety of partners including education, schools, health and representatives from the Council. He highlighted that having a Plan in place was a requirement placed on

BCP Council by the LGR process. Councillors were advised that it was an ambitious plan with a range of priorities. The proposal to support the Plan was seconded by Councillor Nicola Greene and in doing so she highlighted that she welcomed the transparency and visibility that the Plan was receiving. She referred to the crucial links with Schools and paid tribute to all those in schools who had worked to keep schools open through the successive lockdowns for the children of key workers and also for vulnerable children. Councillor Greene paid tribute to parents for the home schooling undertaken during the lockdown.

Councillor Bagwell arrived at 7.16 pm

The Chairman of the Children's Services Overview and Scrutiny Committee confirmed that the Plan had come to the Committee. He explained that the Committee found it an agreeable and engaging plan and welcomed the multi-agency work being undertaken. A Councillor felt that the Plan contained excellent data and was written in way that was interesting, informative and included the views of Children and Young People. She explained that a gap in provision for young people had been identified and recognised and new targeted services introduced as a result including the redesigned early help offer, the new complex safeguarding team and the team around the school which were now proving their worth. The Councillor highlighted that it was essential children were not vulnerable to crime and the involvement of the Police on the Board was welcomed. It was clear that prevention and partnership working was the way forward.

The recommendation arising from the Cabinet meeting held on 10 March 2021 on the above as set out on the agenda was approved.

Voting: Unanimous.

#### **7f - Cabinet 10 March 2021 - Minute No 315 - Sale of Christchurch By-Pass Car Park**

Councillor Mellor, Leader of the Council, in presenting the report on the above thanked the Ward Councillors for their input and the Chairman of the Overview and Scrutiny Board for enabling a special meeting to be held yesterday on this issue to enable this matter to reach Council for decision today and in doing so had the benefit of wider member engagement. The Leader of the Council reported that the potential disposal of the car park was a matter that was inherited from the previous administration and explained that his instruction was that there would need to be a special reason to sell a town centre asset and if that course of action was agreed the Council would need permanent control of its use. He explained that such successful negotiation had been achieved and a clause in the proposed contract now had the permanency of protection of use which usurps the original covenant proposed. He explained that this was a good outcome and paid tribute to diligent officers, led by Sam Munnings and the Ward Councillors whose input assisted in negotiations. The Leader reported that there was a real risk to Christchurch that it could lose Waitrose from the Town and felt that the progression of the disposal was a judgement call and should rightly be decided by the Councillors that were

closest to the issue and that was why the Conservative Group would respect the determination of this issue by Christchurch Councillors. The Leader of the Council reported that other than the Christchurch Councillors the Conservatives would abstain from this vote. Councillor Broadhead seconded the proposal and provided further background on the issue and the potential impact on current and future arrangements for the car park.

Councillors in considering the proposals raised a number of issues including the consultation, future use of the car park, the timetable for the consideration of the proposed disposal and the associated negotiations, the abdication of responsibilities of the Cabinet, suggesting that the proposal should have been withdrawn or amended, that the determination of the issue should lay with the Christchurch Councillors, the lack of transparency and openness and the implications of the disposal for Christchurch. A Councillor asked if an approach was made for a leasehold arrangement that this would not be dismissed by Officers and such a proposal would be given due consideration in a report to Cabinet and if needed could additional resources be made available to develop a policy for the purchase and disposal of assets as soon as possible. A Councillor sought clarification on how the recommendation from the Overview and Scrutiny Board should be dealt with to ensure compliance with the Constitution. The Monitoring Officer reported that scrutiny was there to scrutinise the decisions of Cabinet and referrals can be made back to Cabinet but in this instance the decision falls to Full Council for determination as Cabinet on its own was not able to take the decision due to the value of the site exceeding £1m which required the matter to come to Council. Therefore, it was proper for Council to consider the recommendations from the Overview and Scrutiny Board and take the final decision. The Monitoring Officer reported on the arrangements for dealing with a late item. A Councillor commented on the dynamics of supermarket shopping which he felt needed to be considered. A Councillor asked if the administration would be reviewing the guidelines for dealing with assets to avoid such a situation. A Ward Councillor referred to the cost of collecting the rent and asked for this to be investigated and the loss of car parking spaces in the area.

The Chairman of the Overview and Scrutiny Board reported that the Board had reviewed the recommendation made by Cabinet and the Board at its meeting on 22 March 2021 unanimously agreed that the Overview and Scrutiny Board recommend to Council that the Council does not sell the Christchurch By-Pass car park but keeps the operation and ownership of it within BCP Council.

The meeting was adjourned from 7.55 pm – 8.05 pm

The Leader of the Council in summing up reported that he and the administration were committed to investing in Towns in the BCP area and not selling them off and he had spoken on record about the approach taken by the previous administration. In addition, he believed it was the right approach for the Christchurch Councillors to determine this issue.

The recommendations arising from the Cabinet meeting held on 10 March 2021 on the above as set out on the agenda were not approved.

Voting: For – 0, Against – 36, Abstentions – 36

Councillor George Farquhar wished to be recorded as voting against the recommendations.

85. Date of additional Council Meeting

The Chairman asked the Council to agree an additional meeting of the Council and proposed that the meeting be held on 2 June 2021 at 6pm Councillor Geary seconded the proposal.

Councillors discussed the start time of the meeting and it was highlighted that Council meetings would normally start at 7 pm rather than 6 pm – Councillor Hadley proposed a 7 pm start time which was seconded by Councillor Le Poidevin. Members referred to the day of the proposed additional meeting, the consultation with independent Councillors and the impact of purdah. The Monitoring Officer reported that the Police and Crime Commissioner elections were taking place as well as the two by-elections and the Council was in a position of no overall control where the two by-elections may have a bearing on the way the Council was constituted. She reported that it was wise for the Council to be careful during the pre-election period. The Monitoring Officer explained that business as usual should continue but it was just for controversial decisions or decisions taken and meetings held right up against the election day that it was best to be cautious and hold them outside of the pre-election period.

**RESOLVED that an additional meeting of the Council be held on 2 June 2021 at 7 pm.**

Voting: Unanimous

The Chairman reported that the Annual meeting of the Council was scheduled for 11 May 2021 at 7 pm.

86. Notice of Motions in accordance with Procedure Rule 12

Members were reminded that at the Council meeting on 5 January 2021 the following motion was moved by Councillor L-J Evans and 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.”

The Council on 5 January 2021 agreed – That the motion be referred to the Audit and Governance Committee for it to be considered through the Constitution Review Working Group.

Councillors were informed that the Audit and Governance Committee had considered the Motion at a meeting on 11 March 2021 and resolved to recommend that in considering the Motion, Council has due regard to the following issues, namely to:-

- (a) Note that there is inconsistent use of gender terms in BCP Council's constitution, policies and communications.

- (b) Eliminate discrimination and advance equality of opportunity
- (c) Remove gender specific determination when describing roles within BCP, unless there is a genuine occupational requirement for them to remain. This to include the review of the Council Constitution, Policies and communications and replace written references with gender neutral terms, such as the role of the Chair.
- (d) Communicate these changes to all departments and members of staff within BCP Council.
- (e) Continue to use pronouns when the sex of an individual is known, or when an expressed request has been made from an individual to be referred to by a specific gender.
- (f) Note the adoption of the Audit and Governance recommendations at Council on 5 January 2021 which stated that no change be made to current practice relating to the form of address for the person presiding at meetings and that this be left as a matter of choice for each individual person presiding. Democratic Services should ascertain, in each case, the preference of individual Councillors as they are appointed.

In light of the views expressed at the Audit and Governance Committee, the proposer and seconder of the original Motion gave notice to request that the Motion be altered to read as follows (text shown in *italics* are the additional words to be added):-

“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 doing so, Council endeavours to:*

1. *Remove male universals, such as ‘Chairman’, from the constitution, policies and all written and verbal communications and to replace them with gender neutral terms, such as ‘Chair’.*
2. *Use gender-neutral language where an individual’s sex or social gender are not relevant or not known.*
3. *Respect an individual’s right to be addressed as they wish, and identify this where appropriate.”*

Since the original Motion has already been proposed and seconded, the consent of Council to alter the Motion was required. There should be no discussion on whether consent should or should not be given.

The Chairman reported that he would move to the vote on whether the Council consented to alter the Motion which was not agreed as follows:

Voting: For – 29, Against - 42, Abstentions – 3

The Chairman reported that in light of the above decision the Council now refers back to the original motion. Councillor L-J Evans proposed an amendment to the original motion which had been circulated to Councillors by email as detailed below which was seconded by Councillor Lisa Lewis:

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

In doing so, Council endeavours to:

1. **Note that there is inconsistent use of gender terms in BCP Council’s constitution, policies and communications.**
2. **Remove gender specific determination when describing roles within BCP, unless there is a genuine occupational requirement for them to remain. This to include the review of the Council Constitution and Policies and remove male universals, such as ‘Chairman’ and to replace them with gender neutral terms, such as ‘Chair’.**
3. **Communicate these changes to all departments and members of staff within BCP Council.**
4. **Respect an individual’s right to be addressed as they wish, and identify this where appropriate, whilst continuing to use pronouns when the sex or gender of an individual is known.**

***Red text = additional wording***

***~~Text – deleted text~~***

Councillor Evans in presenting the amendment highlighted that gender equality issues had come to the public’s attention this month including international women’s day and the horrific murder of Sarah Everard. Councillor Evans reported that after consideration by the Audit and Governance Committee a set of recommendations were formulated. She reported that the Leader of the Council, Lead Member for Equalities, the seconder and herself had worked together to amalgamate these with the motion. She explained that words matter as language reflects and influences attitudes, behaviours and perceptions. Councillor Evans reported that by moving to gender neutral language the Council would avoid implying that one gender was the norm and it would help to tackle unconscious bias. Members were informed that despite the headlines in the tabloid press Councillor Evans had not suggested that everyone should use the title MX just that it was a possibility when it was unclear how to address a person. Councillor Evans explained that this was also about being respectful of people from other cultures to make an effort to determine how people wish to be referred and avoid generic use of masculine terms. Councillor Evans reported that the implementation of gender-neutral language was neither costly nor difficult and referred to a simple guide on gender neutral drafting which had been issued by the Government’s Law Department. She acknowledged the need for training and a transition period, that mistakes can and would be made and the process should not be punitive in any way. Councillors were asked to support the amended motion as an example to other local authorities that BCP Council was fully committed to demonstrating respect for difference, working proactively to eliminate discrimination and advancing equality of opportunity for all.

Councillor Lewis in seconding the amendment explained that gender neutral or gender inclusive language was more than a matter of political correctness as language powerfully reflects and influences attitudes behaviour and perceptions. Councillor Lewis referred to approaches taken by other key organisations/institutions on this issue.

Councillors in considering the motion raised a number of issues including the process in dealing with the matter, the timing of the motion in view of other priorities being faced by the Council including dealing with the pandemic, the need for detailed consideration of the issue, reference to other Local Authorities and organisations that had taken this approach, concern on the restrictions on language, that the Council was respectful and that this approach was not necessary, that there should not be an assumption that a role was related to a particular gender, that it was the right of all Councillors to bring a motion to Council, the basis for the motion was that BCP Council respects all and the impact if an error was made. The Leader of the Council indicated that people should have the right to identify as they wish but highlighted that the original motion was not saying that. He highlighted that the process had not been acceptable whilst indicating that he had worked on the wording with the proposer and seconder. The Leader of the Council highlighted that the Constitution should be amended in terms of “Chair and Chairman” and that the Council can get to the spirit of the views raised by Councillor Maidment but this needs to be undertaken properly and the original motion needs to be debated.

The Lead Member for Equalities thanked the proposer and seconder for discussing the issue with her and the Leader of the Council whilst highlighting that she had raised concerns about the wording of the motion. The Lead Member felt that it was necessary to have more time to look at this matter, how it can be applied in practice and that anything adopted achieves the objective and advancement of equality. She expressed concern that Members were being asked to adopt a motion when there had been no consideration of the Public Sector Equality duty. A Councillor highlighted the need to take a first step, asked about the timescale and a commitment to progress this matter.

Councillor Evans in summing up responded to the issues raised. She referred the criticism she had suffered and referred to the email received from Councillors Mellor and Dove on the amalgamation of the motion. Councillors then voted on the amendment as detailed above which was lost

Voting: For - 26, Against – 42, Abstentions – 6

Councillor George Farquhar wished to be recorded as voting for the amendment.

The Chairman confirmed that Councillors would now debate the original motion as set out below:

“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.”

The Chairman also indicated that Councillor Beesley, Chairman of the Audit and Governance Committee may wish to comment on the proposals from the Committee as set out on the agenda.

Councillors in considering the original motion raised a number of issues including referring to the belief in the Council's commitment to uphold the protected characteristics and combat prejudice and discrimination and that all Councillors were signed up to that commitment, that the proposer and seconder brought forward the gender neutral language motion with good intentions whilst highlighting the negative feedback and emphasising that residents should be consulted. The Chairman of the Audit and Governance Committee referred to the resolution of the Committee as set out on the Council agenda. He reported that the mover and seconder had an opportunity to address the Committee, in addition to the Leader of the Council, the Lead Member for Equalities and the Council's Equality Officer who had considerable input. He expressed his concerns regarding the process and highlighted the need for the Committee to take a neutral stance. The Chairman of the Audit and Governance Committee emphasised the need to recognise that the Constitution once amended needed to stand the test of time and therefore any amendments coming forward on any issue should be well thought through, properly discussed with the legal ramifications considered thoroughly. Councillors commented on the impact of the motion which had attracted much interest from residents and how it may affect them in a personal way. The Chairman of the Constitution Review Working Group reported that the Working Group had looked at this issue in a non-political way. The Chairman of the Council reminded Members of the detail of the original motion.

Councillor Evans in summing up addressed the issues raised and the action taken and in doing so asked for clarification on the process.

The Council then voted on the original motion as detailed above which was lost as follows:

Voting: For – 0, Against – 45, Abstentions – 28

Councillor George Farquhar wished to be recorded as abstaining from the original motion.

The Monitoring Officer responded to a point of order from Councillor Evans on whether due process had been followed. The Monitoring Officer commented on the timing of the point of order. She indicated that she would speak on this subject for clarification which the Chairman agreed. Councillors were advised that all the Constitutional processes were followed in the way that Council requested this motion be referred to the Constitution Review Working Group and to Audit and Governance Committee and the Chairman and Vice-Chairman of the Committee had confirmed those processes were followed including allowing Members and Officers to speak on this issue

Note – Councillor Maidment had left the meeting and did not vote on the above.

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

The Chief Executive reported that one urgent decision had been taken confirming the spend on the seasonal response funding allocation which was the Council's response to preparations for the summer season following consultation with the Leader of the Council and leading opposition Councillors.

The meeting ended at 10.00 pm

CHAIRMAN