

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 19 July 2021 at 2.00 pm

Present:-

Cllr S Bartlett – Chairman

Cllr V Slade – Vice-Chairman

Present: Cllr L Allison, Cllr M Cox, Cllr L Dedman, Cllr M Earl, Cllr J Edwards,
Cllr L Fear, Cllr S Gabriel, Cllr M Howell, Cllr D Borthwick (In place of
Cllr T O'Neill) and Cllr L Northover (In place of Cllr C Rigby)

Also in attendance: Councillor Philip Broadhead
Councillor Michael Brooke
Councillor Mike Greene

40. Apologies

Apologies were received from Cllr D Farr, Cllr D Kelsey, Cllr T O'Neill, and
C Rigby

41. Substitute Members

Cllr D Borthwick substituted for Cllr T O'Neill and Cllr L Northover
substituted for Cllr C Rigby.

42. Declarations of Interests

The following declarations of interest were made:

Cllr M Brooke (non-Board Councillor), declared a local interest in Agenda
Item 4a, Action Sheet in relation to the action on Bournemouth
Development Company as he was a member of the Board

Cllr S Gabriel declared, for the purpose of transparency, in relation to
Agenda Item 5, Forward Plan – Review of Leisure Centre Management that
he was involved in the management of leisure centres.

Cllrs S Bartlett and J Edwards declared, for the purpose of transparency, in
relation to Agenda Item 5, Forward Plan – Review of Leisure Centre
Management that they were on the Board of BH Live.

43. Confirmation of Minutes

The minutes of the meetings held on 14 June 2021 were approved as a
correct record subject to the following amendments:

That minute number 27, Scrutiny of Finance and Transformation related
Cabinet Reports, be amended at the section on Medium Term Financial
Plan (MFTP) Update, bullet points 8 and 9 to remove wording referring to
the Leader of the Council by name and to amend an incomplete sentence.

43.1 **Action Sheet**

The Chairman drew the Board's attention to the outstanding actions as listed and advised the Board of responses which had been received since publication of the agenda.

There was a concern raised regarding the response to the issue of closed toilets on Poole Quay. The Chairman advised that there was a broader issue in monitoring the Council's performance in terms of planning and enforcement. It was therefore:

RESOLVED: That the Overview and Scrutiny Board recommend to the Portfolio Holder for Regeneration, Economy and Strategic Planning that a regular report on Planning Policy and Enforcement is submitted to the Council's Planning Committee for review.

Voting: 10 for; 0 against; 2 abstentions

A Councillor advised that whilst he agreed with the proposal this didn't solve the issue on why this had happened and that the response to the Chairman's enquiry did not provide sufficient information on the issue. The Chairman undertook to follow up on this for a more satisfactory answer.

The Portfolio Holder advised that the email response he had sent regarding the issue raised on the Bournemouth Development Company confirmed that the £1million contribution directly applied to the Winter Gardens. However, he also advised that there was further information to come on affordable housing contributions.

The Chairman advised that the information requested in relation to the Public Spaces Protection Order on Anti-Social Behaviour had been circulated to all Board members.

44. Forward Plan

The Chairman outlined the proposed items for the August meetings within the Cabinet FP. The Chairman advised that the proposal was to hold a select committee style session on the Council's Transformation Programme. It was suggested that it would be useful to get a topic list that Councillors were interested in as it would be helpful not to duplicate issues. It was also suggested that it may be appropriate for any particular substitutes to be well briefed on the issue and to come in for this single-issue meeting with any particular skill. It was noted that any questions on this issue would also be accepted from Councillors who were not Board members.

It was suggested that following the Green Credentials report being taken to the Board in December that the Board facilitate an enquiry session with the potential to bring in witnesses. It was agreed to add this to the Forward Plan.

The Chairman proposed and it was agreed to remove the Covid 19 – Economy and Tourism working group item from the plan as this group had not yet met and there was not currently required.

It was agreed to remove the Pay and Reward Strategy and the Lansdowne Digital Pilot items from the Forward Plan

It was agreed that the Review of Summer response plan be moved to the October meeting.

There was some debate on whether the Review of Leisure Centre Management should remain on the Forward Plan as there had been extensions to the existing contracts due to the impact of the Corona Virus pandemic. It was agreed it remain on the Forward Plan with the potential to look at the issue in approximately six months and invite providers to contribute, with a view to making a positive contribution to future direction.

The Board also gave consideration to the item on a Council Compulsory Purchase Order (CPO) Policy. The Portfolio Holder advised that a regeneration report was due to be coming to Cabinet in September along with the acquisition strategy which would include information on CPOs. It was agreed to consider this item prior to a decision being made on the CPO report.

The following items were added to the Forward Plan:

- Working Group on Enforcement
- Working group on Tree Strategy

However, it was noted that there was only capacity for one working group to operate at a time and the Local Plan Working Group was still in operation at present.

RESOLVED: That the Board's Forward Plan be updated as detailed above.

45. Public Speaking

There were no public statements or petitions.

One public question had been received from a BCP resident in relation to agenda item 7, Update from the Local Plan Working Group. In the absence of the questioner the question and response were published on the Council website for this meeting. The question and response are set out below:

Question from Mr John Sprackling

Can [a table from the issues and options consultation document] be amended to include reference to the existence of restrictive covenant please? Members should be made aware of the importance of Beach Road car park's contribution to car parking and road safety in the area of Branksome Chine;

Response from the O&S Board

The Council acknowledge that a covenant exists on the car park site at Beach Road. However, as with other sites that may be subject to a covenant this is a legal issue rather than a specific planning constraint. Following the public examination of the Poole Local Plan the Inspector concluded it was appropriate to allocate the site for development and the Poole Local Plan has subsequently allocated the site for 60 dwellings. It is suggested however that officers amend the table at Appendix 1 of the local plan consultation document prior to consultation to clarify the 'constraints' column refers to 'planning constraints'. We welcome people's views on any issues as part of the local plan consultation process and urge interested parties to respond to the consultation once released.

46. Update from the Local Plan Working Group

The Chairman asked the Chairman of the Local Plan Working Group to introduce the item and outline the work that the Group had undertaken since the last report made to the Board. The Chairman outlined the main recommendations from the report a copy of which had been circulated to Board members and a copy of which appears at Appendix 'A' to these minutes in the Minute Book.

The Chairman of the Group explained that they had undertaken a great deal of work in looking at the Local Plan - Issues and Options consultation document. A lot of the changes which the Working Group had suggested were additional or changes to words and short sentences, but it was notable that the document was improved and more aspirational in its outlook from that which the group were first looking at.

There were some more contentious and significant changes which were outlined in the report. The first of these was with regards to the description used in the document of 'city region'. The working group had outlined a recommendation to the O&S board in its report that the word 'city' should be removed.

The Chairman of the Board read a statement on behalf of a member of the working group as set out below:

'I am a member of the Local Plan working group. I would like to highlight that I do not think this consultation puts the factual severity of the climate and ecological crisis into perspective for those that will be completing the consultation, and is therefore, in my opinion, misleading. The working group did not receive direct professional advice from any sustainability experts during any of our meetings. I would like to propose that BCP council needs to create a new officer position that can oversee the climate and ecological complexities of creating a local plan to ensure that it legally fits within the UK Climate Emergency legislation.'

In response the Board was advised that there was an officer team with responsibility for this issue and they had been involved with the

development of the consultation document. The Chairman suggested that the Working Group should have an opportunity to look at the Sustainability Appraisal scoping document prior to publication of the consultation. It was confirmed that this document was broader than just environmental and climate change issues but was included as a background document to the consultation. It had been consulted upon earlier this year with statutory bodies. **The Chairman proposed that the Working Group also considered this document prior to the consultation publication.**

Another member of the working group emphasised that it was very important for everybody in the whole of BCP to ensure that the consultation was right and that there was a strong need to wait for the Local Housing Needs Assessment before the consultation was published. There was a need and opportunity to look at this issue again as a working group.

The Portfolio Holder advised that he was in broad agreement with the Working Group's second recommendation, although the exact wording would need to be agreed by Cabinet and officers to ensure that it was clear and lawful, but it would allow for an additional meeting of the working group prior to the publication of the consultation document. The Portfolio Holder commended the work undertaken by the Group. The Portfolio Holder advised that the Working Group's other recommendation regarding the city region was slightly more controversial. The area was known by government as a city region and this definition did have some cross-party support and was part of the Big Plan but it was appreciated that there were very different views on this.

It was noted by members of the Board that a number of people were uncomfortable with the term city region and it did not mean that the Council should adopt it just because it was the terminology used by central government

A Board member questioned the timeline in procuring the Housing Needs Assessment which was commissioned on 8 June 2020 with Dorset Council. On 10 June 2021 a draft was produced and was currently subject to checking. Information on why it had taken this length of time and whether there would be time for the working group to assist in rewriting was requested. It was explained that there had been some delay in procuring it jointly and things had moved on with the challenge made to the ONS on the 2014 household projections which required further work to be done by the consultants. It was noted that the Assessment was more than just housing numbers but also to understand housing needs in terms of types of dwellings.

The Portfolio Holder advised that the document set out broad views and the direction of travel. It was not about trying to meet a housing number but about the choices that needed to be made and seeking the public's views on them to help inform the next step. It was expected that the amended document would include details on both sets of data and would present fully described options, including complete rationale on each of these. It was expected to be formulated with the support of the working group.

The Chairman thanked the Chairman and members of the Working Group for the report and the Planning Policy Manager and Portfolio Holder for their comments. The Board was advised that as the Working Group report related to the next item, that it would be considered first and the Board would then consider and vote on the recommendations from the Working Group.

47. Scrutiny of Regeneration, Economy and Strategic Planning Related Cabinet Reports

BCP Local Plan – Issues and Options Consultation – The Portfolio Holder for Regeneration, Economy and Strategic Planning introduced the report. A copy of which had been circulated to Board members and a copy of which appears at Appendix ‘B’ to these minutes in the Minute Book. The Portfolio Holder outlined the key points from the report and the Board discussed a number of issues including:

- That the consultation was not an assessment on what the Council thought the local plan should be. The consultation was about asking the public for views on what should be done. Paragraph 10 of the report included detail on informing the local plan which would come next.
- A Board member asked about the consultation process and what was planned, it was felt that roadshows were a crucial tool in explaining issues to the public in a much easier way than online. It was suggested that plans should be made to allow roadshows to go ahead if further covid restrictions were introduced, outdoors if necessary. It was noted that a number of lessons could be learnt from other consultations and the consultation plan was being fully considered in conjunction with the Communication Team.
- Air quality was an issue specifically highlighted within the opening infographic but there was very little focus on this within the remainder of the paper. The Portfolio Holder noted that there could be a temptation to include wider issues within the consultation document, but the focus needed to be on issues directly related to the Local Plan. Air quality was a key consideration.
- Whether there had been any consideration given to asking Dorset to allocate land towards the renewable energy strategy. It was noted that the renewable energy strategy was a more corporate focused document which may address related issues.
- A number of Councillors had noted minor errors or typos within the document. Officers confirmed that the document would be fully reviewed prior to publication and these could be picked up and worked on.
- A Councillor commented that some of the sites were listed in a way which may cause misunderstanding, for example the Christchurch Police Station site. It was noted that these were due to specific planning considerations which may not be obvious to members of the public. However, the Planning Policy Manager advised that it was important that anything included within the document was accurate when it was issued and that any potential sites were clearly and accurately described for

members of the public. This would be looked at further prior to publication.

- It was noted by a Board member that there was major gap in the document relating to creativity and culture. There was nothing related to the more general push to strengthen and establish more creative industries in the area. The Board member asked whether the Cultural Action Group had been consulted and whether anything on the specific cultural quarters in Bournemouth, Poole and Boscombe would be included. There was a lack of reference to creating new indoor community space. The Board was advised that there had been engagement with the Cultural Action Group, particularly with reference to the cultural and leisure strategy.
- A Board member suggested that the use of the wording regarding 'military significance,' to describe Poole could be amended to 'artisan'. It was noted that the work space strategy would look at different industries within the area, particularly growth based industries. There was more work underway around this issue which would help inform the next iteration of the local plan.
- The Chairman agreed that there was a lack of focus in terms of infrastructure and local communities and requested that the Working Group look into those issues and whether certain enhancements could be applied. The Chairman suggested that Board members contact the Chairman of the Working Group and Planning Policy Manager with specific issues.
- A Councillor commented that it was important to have public confidence that their views would be taken into account. The Portfolio Holder assured the Board that if there was a strong view from public this would be taken into account.

RESOLVED: To recommend to Cabinet that the word "city" is removed from the document so that the vision states – "We aim for Bournemouth, Christchurch and Poole to be the UK's newest region, brimming with prospects, positivity and pride."

Voting: 7 for, 3 against, 2 abstentions

RESOLVED: To recommend to Cabinet that to Reflect the Portfolio Holder's statement at Full Council on 22nd June 2021 in response to a question regarding the use of the Standard Method's 2014 data, Cabinet should await the initial findings of the Housing Needs Assessment, which will then be considered at a further meeting of the Local Plan Working Group, before the Issues and Options document is put out to consultation. The HNA will provide vital information to feed into the consultation relating to housing need within BCP. The Cabinet will delegate any changes to the consultation to the Head of Planning and the Portfolio Holder, taking into account any recommendation from the Working Group once it has met to discuss the findings of the HNA.

Voting: 9 in favour, 3 abstentions

Council Highway Inspection Policy - The Portfolio Holder for Environment, Cleansing and Waste presented a report, a copy of which had been circulated to each member of the Board and a copy of which appears as Appendix 'C' to these minutes in the Minute Book. The Portfolio Holder outlined the main issues within the report and responded to a number of issues raised by the Board including:

- The network hierarchy was based on how important places were to the network. Whether the likely risk of flooding was also taken into account. It was noted that this was a fairly complex situation. FCERM – Flood and Coastal Risk Management team liaise with Wessex Water on capacity issues of the network. The Portfolio Holder urged anyone who had been flooded to advise the flooding manager who would ensure that preventative action was taken concerning the drainage network.
- The flooding reaction was based on forecast weather. Whether there was a protocol in place to ensure that areas prone to flooding were proactively checked to ensure drains and gullies were clear. Additional gully cleansing equipment had been procured. There was only capacity to inspect around a third to half of gullies on the network and it can be complex to work on these including closing roads. Gully inspectors would identify areas of the network which may cause additional problems.
- What was meant by white line inspections being reactive only. These were inspected visually by highways inspectors. Special devices attached to a vehicle checked how reflective white lines were at night-time. This had just been undertaken and results were awaited.
- Defective signs which were missing, illegible or damaged, would it be possible to clean some of the signs as they were currently given a low priority but looked awful. As part of the Safer Cleaner Greener Strategy there would be additional funding for cleaning signs and there was also a plan in place to look at which signs were a priority.
- Sink holes appeared to be becoming a more common occurrence and whether anything needed to be changed to reflect an increased risk. The Board was advised that there was no recorded increase in sinkholes, and these tended to be random.
- Concern was raised about the inspection routine for footpaths and cycleways in terms of areas being overgrown and the priority given to dealing with potholes on the cycle network. The Council were attempting to address this by inspectors walking the network which would hopefully lead to them identifying more of these issues.
- Pavements had been ruined by incremental works done to residential properties. This was a problem which was difficult to rectify particularly as it was difficult to identify who was responsible for damage occurring. In some instances, developers came forward to put things right, but this was not always the case.
- Line painting was necessary in a number of areas around the conurbation. A new contractor had been appointed in May of this year and they were more receptive than previous contractors but there was a lot of work needed on this.

- Whether there was now an integrated highways management system for all parts of the conurbation. The Portfolio Holder advised that the Council was working towards this. There was a common system for Poole and Christchurch. Bournemouth had now been added to the system so work and knowledge could be shared. It was confirmed that there was an aspiration to work towards a single system linked with the 'report it' online tool.

The Chairman thanked the Portfolio Holder and Officers for the report and noted that the O&S Board appeared to be broadly in support.

49. Road maintenance across the BCP area

The Chairman introduced the report, a copy of which had been circulated to each member of the Board and a copy of which appeared as Appendix 'D' to these minutes in the Minute Book. The Chairman advised that a number of questions and responses were included with the report and asked members of the Board for any further questions or comments on the item:

- The Councillor who had requested that the item be included on the Board's agenda advised the Board of some of the issues that he was aware of related to road maintenance including difficulties with the reporting system for any problems, issues with poor quality work, for example resurfacing over weeds and twigs, responses to complaints about road resurfacing did not always seem to be addressed appropriately and a lack of post completion inspection for any repair or resurfacing work which had been carried out by contractors. Concerns were raised that when issues were identified by a member of the public these should be dealt with in a more systematic way. The Board was advised that there was an issue with one road which was dropped from planned works when all schemes across the conurbation were put into a matrix for the whole area. It was suggested that it would be useful to look at whole subject area in more detail as the work taking place was significantly poor and the adequacy and sufficiency of road maintenance required overview by Councillors.
- The Portfolio Holder for Transport and Sustainability advised that the Council was asked to put forward strategies and it received funding for the work, therefore government was satisfied with the way the Council was addressing highway maintenance issues. If it was required then it could be looked into again but there may not be anything further which could be done on this issue.
- A Board member felt that at the moment no improvements had been made with regards to road maintenance in the BCP area. Government guidelines were usually the bare minimum and a higher standard should be aimed for. Roads were not improving and therefore complaints would remain the same.
- The Portfolio Holder for Environment, Cleansing and Waste advised that there had been an increase in funding for provision of a gully cleaning vehicle to cover the Christchurch area.
- In relation to a query raised about whether the reporting system was accurate and if repairs were made in a timely manner a Portfolio Holder

advised that the reporting system was being improved and it would be good to see repairs made more quickly but these were issues which were being worked on.

- It was noted, following a query about contractors work, that all were inspected and that any defects found within a period of 12 months from the date of completion were required to be put right by the contractor. The Portfolio Holder advised that they did feel that they were achieving value for money in terms of these contracts.
- It was noted that there were three slightly different legacy arrangements in place from the three preceding authorities. There was an approved list of defects which would be provided to a contractor for repair, although there were some issues with resources at present.
- It was noted that the new policy was introduced in March and the Board questioned whether issues would improve now that this was in place. It was suggested that it may be useful to allow some more time for improvements to be made. A Portfolio Holder advised that this policy was mainly about harmonisation and there was unlikely to be significant change
- The Portfolio Holders were asked whether there was a system in place to review the number of reports from the public and whether this was monitored by a particular group. It was noted that key performance indicators were in place. The Portfolio Holder felt that the way this service was carried out by staff was good within the available budget.
- It was noted that the data on potholes was not included within the Performance Monitoring Report, the Portfolio Holder advised that this was because there was a risk matrix for the repair of potholes, which was considered against the length of response time.
- It was suggested that there should be monitoring of the situation and that the issue should be reconsidered in 6-12 months time.
- It was noted that a lot of the frustrations raised seem to stem from the reporting system and if this could be put right it would help to alleviate customer concerns.

The Chairman thanked everybody for their contributions, in particular, Cllr Trent for requesting the item. The Chairman advised that at this time there was not a need for further scrutiny concerning this issue, but the situation would be informally monitored and consideration be given to whether further work on this issue by the O&S Board was required in approximately 12 months time.

Close 17:32

The meeting ended at 5.32 pm

CHAIRMAN