

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
COUNCIL

Minutes of the Meeting held on 11 January 2022 at 7.00 pm

Present:-

Cllr N Hedges – Chairman

Cllr T O'Neill – Vice-Chairman

Present: 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 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 L Fear, Cllr A Filer, Cllr S Gabriel, Cllr M Greene, Cllr N Greene, Cllr A Hadley, Cllr M Haines, Cllr P R A Hall, 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 R Maidment, Cllr C Matthews, Cllr S McCormack, Cllr D Mellor, Cllr P Miles, Cllr S Moore, Cllr L Northover, Cllr S Phillips, Cllr M Phipps, Cllr K Rampton, Cllr C Rigby, Cllr R Rocca, Cllr V Slade, Cllr A M Stribley, Cllr M White, Cllr L Williams and Cllr K Wilson

128. Apologies

Apologies were received from Councillors H Allen, L Dedman, D Flagg, N Geary, L Lewis, and M Robson.

Councillors Rice, Ricketts and Trent were not in attendance at the meeting but joined remotely. In accordance with the provisions of the relevant legislation these Councillors were not able to vote.

129. Declarations of Interests

There were no declarations of interests made at this meeting.

130. Confirmation of Minutes

The Chairman asked Councillors if they agreed to confirm the minutes of the Ordinary Council meeting held on 9 November 2021.

Councillor Butler raised the following issues

- **Paragraph 4 page 34** - requested that her comments on the Poole Civic Centre item regarding the impact of the proposed fire escapes on the listed building windows, that there had been no comments from the Conservation Officer to the Working Group and that she had raised a question on correct plans to show the position of the proposed fire escapes were attributed to her as other comments had been attributed by name.

- **Page 14** - Correction of 2 words in Cllr Broadhead's answer to Dr Young's public question on 5G: "**garnet**" should read "are not" (paragraph 1 of answer) and "**stop**" should read "step" (paragraph 2 of answer).
- **Page 37** - Item 8i Gigabit Fibre Network: "Vote carried by majority" There were significant numbers of Cllrs who did not vote FOR – therefore votes should have been listed in Minutes to highlight this.

Members were advised that votes would be included in the future.

The Minutes of the Ordinary Council meeting on 9 November 2021, subject to the corrections, were confirmed.

131. Announcements and Introductions from the Chairman

The Chairman made the following announcements:

A - Former Councillors Graham Curtis and Frank Bowers

The Chairman reported that former Canford Heath Councillor Graham Curtis had recently died. He was a Poole Councillor for 24 years from 1987-2011 and Mayor of Poole 1998-1999. The Chairman called on Councillor Sandra Moore who paid tribute to Councillor Curtis.

The Chairman also informed Councillors that Former Borough of Poole Councillor Frank Bowers had passed away recently. The Chairman explained that he was a Councillor during the 1980s and he would like to include him and Councillor Curtis in the Council's respectful recognition of their service and memory.

The Chairman called for a period of respectful silence following the sad passing of former Councillors Curtis and Bowers and Members were upstanding.

C – Civic Activities

The Chairman took the opportunity to refer to some of the engagements that he had attended since the last Council meeting as detailed below:

- Along with the Mayor of Bournemouth, he attended the Anglo European College of Chiropractic (University College) Graduation Ceremony.
- Again, along with the Mayor of Bournemouth, he attended the introduction of the revived Palace Court Theatre, hosted by the new owner/operators Arts University Bournemouth.
- He was honoured and privileged to read a Lesson at each of the Christmas Carol Services at The Priory Church, Christchurch, and St Peter's Church in Bournemouth.
- He visited the Bournemouth Food Bank in Haviland Road and this visit received good coverage in the local Press where the Chairman wanted to emphasise the Council's thanks and admiration for those who work and volunteer for this vital community service which was especially appreciated at this time of year.

- He attended the Christmas Carols on the Green in Kinson, organised by St Andrew's Church Choir.

132. Public Issues

The Chairman advised that a number of public issues had been submitted for the meeting:

A – Public Questions

Public Question from John Soane on behalf of Bournemouth Civic Society

What measures are the Council taking to improve the lamentable standards of municipal environmental care in Bournemouth – especially with regard to the removal of graffiti from private locations (as in Westover Road and Springbourne); the creation of a visually appropriate, summer mowing plan (as along Wessex Way) and the better supervision of badly placed trade bins (as at the bottom of Richmond Hill).

Reply from Councillor Nicola Greene, Cabinet Member for Council Priorities and Delivery

Firstly, I would like to thank the Bournemouth Civic Society for their interest in protecting the built and historic environment of the town and engaging constructively in the planning process for new applications.

Secondly, I would like to thank Dr Soane for his particular question. He highlights an area of huge priority for this administration, based as it is on the daily concerns of our residents, businesses and visitors. What we see as we walk around our town and district centres impacts immensely on our sense of wellbeing and pride in our area. It is central to the Big Plan which we launched last year and to the Cleaner, Greener, Safer agenda which runs as a golden thread through our environmental work. We are committed to improving our area with pilots already launched in the conurbation's three town centres.

I will deal with the three points raised in order:

Starting with graffiti – the thoughtless work of a moment which leaves property owners and those who see it with a distressing long-term problem. Graffiti on private property is the responsibility of the property owner and not that of the council. It is considered to be criminal damage and as such can be reported to Dorset Police.

Council officers will be working with Business Improvement Districts, local businesses and private landowners – and other willing partners - within the pilot areas to encourage self-led action to clean up properties and property boundaries as part of shared action.

Summer mowing has generated considerable interest over 2021 and as we move forward.

Throughout 2021 BCP experienced an exceptionally long and sustained period of grass growth due to an extended period of damp and warm conditions. This was a significant change from the normal, seasonally expected, drier periods in which vegetative growth would otherwise have

stopped, giving our maintenance teams the ability to catch up and then keep pace with any subsequent growth.

Consequently, throughout 2021 grass grew much taller and denser than in preceding years and this was coupled with reduced staffing levels because of ongoing Covid-19; and this gave the impression that maintenance had in places stopped or had been reduced which was simply not the case. The Wessex Way, being a major high speed trunk road is subject to operating restrictions which involve full lane closures. Timing is critical to ensure minimal disruption to traffic flow. Thus, we endeavour to undertake works with a multi-agency approach - approximately on an eight-week cycle and at night; and other clearance and maintenance work is scheduled alongside.

The Council's Wildflower and Grass Cutting Policy was approved in March 2020, as a 5-year trial to determine how we manage our grassland amenity spaces to increase biodiversity, improve conditions for wildlife and help reduce our carbon footprint. The Let it Grow trial was set up to establish "grass meadows" in open spaces, on roundabouts and roadside verges to help increase biodiversity.

However, we are absolutely committed to delivering pride in our place and realise that not everyone feels that this approach delivers on that commitment. Part of trialling something is to take soundings from those affected, and therefore, whilst absolutely supporting this biodiversity project, we will be recommencing some cutting in areas where feedback and learning supports this during 2022.

We will continue to review any other areas where we're getting significant feedback from residents to see whether changes in approach is appropriate in subsequent years including the timing of cuts and methods used.

Lastly, in terms of waste management, we have recently appointed an external company, to work in partnership with us on a 12-month pilot scheme to educate and where necessary take action against businesses who fail to contain waste in an acceptable manner. During this time, they will undertake investigations and prosecutions of fly tipping, failure of waste containment and fly-posting incidents. I must stress though, that this is a pilot programme subject to ongoing review to ensure that we are achieving our desired goals along the way.

It is worth noting, especially given the focus of the Civic Society, that historical buildings and alley ways do not always lend themselves to best accommodate waste containers; however, these are preferable to allowing bagged waste with the attendant risk of bags being ripped open and scavenged by seagulls and other animals.

Finally, as part of our CGS commitment to reduce street clutter and improve public realm, we have invited the Association of Public Service Excellence (APSE) to undertake a feasibility study into the future consideration of retro fitting underground waste containers at some locations; councillors and residents may well have seen these elsewhere in the UK and overseas.

In closing, I'd like to reiterate my thanks to the Civic Society and offer to meet with them and officers to explore further the issues raised.

Public Question from Alex McKinstry

The Council has recently been recruiting staff to its urban regeneration company, BCP FuturePlaces Ltd. What measures are the Council taking to prevent any conflicts of interest arising among such employees, given the possibility that some of these people may have links to planning consultancies, property development companies - the very firms, in other words, who would be looking to implement the Council's Big Plan?

Reply from Councillor Phil Broadhead, Deputy Leader of the Council and Cabinet Member for Development, Growth and Regeneration

BCP FuturePlaces Ltd and the Council both take the issue of conflicts of interests very seriously. Before hiring the senior team, careful enquiries were made of their extant and previous business relationships during the interview process. It has been determined that none of the Directors have any previous or current business relationships with planning consultancies or developers who are active within the BCP Council area of operation, other than as third party clients and even then with no ongoing relationship.

Further, the senior management team have covenanted that they will not engage in business activities that conflict with BCP Council. This will be carefully monitored by FuturePlaces Management and BCP through their oversight functions on an ongoing basis.

A Register of Interests will be maintained and held by the FuturePlaces commissioning team.

Furthermore, as the company is a wholly owned council company, it has to abide by all of the same rules as the Council would. FuturePlaces in itself is not a decision making body - any decisions as what to develop, when, where and any approvals come through the council as they always would.

In FuturePlaces, we now have an incredible team of talented professionals all driven to help us unlock all of the amazing potential our area has. Instead of spending endless money on outside consultants, we now have a plethora of experience in-house to really unleash our coastline of opportunity.

B – Statements

Public Statement from Ben Smith, which was read out by Graham Farrant, Chief Executive

We're delighted to see the proposal for Pokesdown Station. Working with disability groups we have campaigned over many years writing business cases, petitions, worked with media and political organisations - always cross party. (criticism of the campaign petition in political literature was unwelcome). I urge everyone to take this final step and commend everyone's effort - small or large. Funding has not come from the private enterprise who were obliged to pay. Similar improvements are required across BCP (all of our stations suffer from non existent, or limited accessibility). Please vote 'yes', remember the hard work of the community and thank you.

C – Petitions

There were no petitions submitted for this meeting.

133. Questions from Councillors

Question from Councillor Mark Howell

How much has the Council contributed in funding to Christmas activities, decorations and events in 2021 whether directly or via funding to other organisations and whether one off contributions or part of longer-term contracts? Please supply total figures for each of Bournemouth, Christchurch and Poole, and please further break down this information between each town centre and local centre.

Reply from Councillor Beverley Dunlop, Cabinet Member for Culture and Vibrant Places

A legacy budget of £44K for Bournemouth for the installation, removal, repair and replacement of Christmas decorations is not broken down by neighbourhood centres but is used where necessary to maintain or replace Xmas decorations and lights as and when needed.

There are two other legacy Christmas budget items, £110k for Xmas Tree Wonderland, in Bournemouth, a contract, which has now completed and £20k from Christchurch for lighting and Christmas trees.

These are the Christmas budgets that Cllr Howell inherited from the legacy councils when he became portfolio holder in May 2019 and the Conservative administration subsequently inherited from him completely unchanged 18 months later in October 2020, i.e. nothing for Poole Town or any of the district centres.

Incidentally, the entire Poole events budget that Cllr Howell handed to Cllr Iyengar was less than the Christchurch Christmas budget, the princely sum of £17,200.

In 2021 we were determined to correct this imbalance and boost events across the conurbation by putting extra funding into the cultural budget.

And we did with a massive programme of 700 performances right across the three towns in summer 2021. Mr Chairman you may recall that Cllr Howell and other councillors from Poole and Christchurch, in Council, spoke and voted against this proposed increase in cultural spending.

As part of Festival Coast Live we also obtained CIL approval for £50k infrastructure improvements to decorative lighting and electrical power infrastructure for Poole High Street and Poole Quay, an essential component in developing a Christmas experience for Poole.

And that is precisely what we're working on now. As part of our programme for 2022, to deliver on our Big Plan supporting the regeneration of Poole, we are intending to invest further in Christmas activities, working with partners so that Poole residents can enjoy a spectacular Christmas festival!

And I say the same to Christchurch residents; we will be working with local partners to develop your events programme even further.

This Conservative administration will continue to be proactive in supporting business and delighting our residents with high quality festivals and events, and Christmas 2022 will see amongst other things the launch of the Christmas Maritime Festival in Poole.

Councillor Howell, as a supplementary question asked that resources were spent equitably across the conurbation. Councillor Dunlop in response emphasised the approach in ensuring that all residents had the opportunity to enjoy the events and festivals that were held.

Note – the meeting was adjourned from 19.32 – 19.37

Question from Councillor Margaret Phipps

My question relates to the Planning Committee carrying out its duties and responsibilities. Part 2 of the Constitution, Article 12, Principles of Decision Making, states - When the Council takes a decision it will do so in accordance with the following principles - Item e) - Have due regard to appropriate national, strategic, local policy and guidance.

I specifically refer to the Planning Committee meeting on 16th December 2021, a recording of which is in the public domain. There was an application in my Ward on the agenda at 6e) where a 4-storey block of flats and 4 houses were recommended by officers for refusal. There were 275 objections one of which was Natural England regarding habitats, and the application failed the sequential test for flood risk.

The officer's report listed many Christchurch Core Strategy and Local Plan policies on which the application failed, I counted at least eight. Also, it was non-compliant with some paragraphs in the NPPF. In addition, the Legal Officer explained some of the policy failures to members.

After around an hour of debate, during which you as Chair of the meeting intervened several times to question some of the reasons for refusal, the application was finally, as per the officer recommendation and legal advice, refused - but only just - by 8 votes to 6. I heard said many times in the debate, that many of the members who voted for grant "liked" the look of the building.

Whether some members like the look of an application is a personal opinion, and that is not a reason to ignore clear policy reasons for refusal. I believe residents should be able to rely on a fair assessment of applications according to planning policy. In my opinion this did not happen with this application, where some members considered that liking the building overrode policy.

My question is – what has gone wrong within the Planning Committee, that 6 members, including yourself, disregarded "appropriate national, strategic, local policy and guidance", contrary to our constitution, to vote for grant of an application which clearly failed so many local and national policies, and was recommended by officers for refusal?

Reply from Councillor David Kelsey, Chairman of the Planning Committee

Thank you for the question. In response, in my opinion nothing has gone wrong with Planning Committee. With regard to the case you refer, Planning Committee upheld the officer's recommendation to refuse following a robust and probing debate of the key issues, so I am not entirely clear why anyone would find fault in that outcome.

I acknowledge that there were dissenting views from some of the planning committee members during the debate, including from myself. However, members having different views and being allowed and encouraged to express them is part of normal process that happens in all planning committees across the country. The policy and guidance discussed during the debate are often matters of planning judgment, and just because a planning committee member reaches a different view on how that judgment is applied, it cannot mean they should not express it nor vote accordingly.

This is ultimately the purpose of the planning committee – to apply planning judgments based on the information before them impartially, fearlessly and openly. Without such an approach we may as well do away with the planning committee and solely rely on the officers' recommendations not an approach I or our residents would be happy with, I am sure everyone would agree there is considerable merit in having the planning committee so the difficult planning issues can be discussed in public without political affiliation or local bias to ultimately reach a consensus decision on the planning merits of a proposal.

I respectfully disagree that appropriate national, strategic, local policy and guidance were disregarded in this case – it was a matter of planning judgment ultimately and I am satisfied that the decision to refuse the application was reached entirely within the Council's due process and the Committee's discharge of its planning functions.

Councillor Phipps indicated that she had no problem with debate and appreciated that the refusal was upheld but it was so close it could have very easily gone the other way. Councillor Phipps indicated that this was about public confidence and asked do you think that those who voted as they did to effectively grant this application gave the public confidence in our planning system. Councillor Kelsey in response indicated that halfway through the debate on the application a deferral was mentioned to obtain further information. Councillor Kelsey explained that he had voted against the move to grant because he preferred to have a deferral and he was sure that there were more than just himself in the room who voted that way. He questioned the view that it was only beaten 8 to 6 votes which was wrong as having not been in the room Councillor Phipps could not understand why Members voted the way they did.

Councillor Brooke reported that having received a partial answer to his question after 4 months he decided that at this point in time to withdraw his question, but it would not be the end to the matter.

134. Recommendations from Cabinet and Other Committees

The Chairman in accordance with the provisions of the Constitution sought approval of the Council to vary the order of business and bring forward item 7c – Audit and Governance Committee 2 December 2021 - Minute No 57 - Report of the Constitution Review Working Group - Changes to the Constitution to deal with these recommendations first under item 7. The Chairman explained that the reason for this was to allow Simon Goacher from Weightmans to respond to any relevant questions or issues relating to the revision of the Constitution.

The Council agreed by consensus to vary the order of business.

Item 7c - Audit and Governance Committee 2 December 2021 - Minute No 57 - Report of the Constitution Review Working Group - Changes to the Constitution

Councillor Beesley, Chairman of the Audit and Governance Committee presented the report on changes to the Constitution as set out on the agenda and referred Members to the recommendations. Councillor Beesley provided background explaining that this was the second set of recommendations from the Audit and Governance Committee on proposed changes to the Constitution. He explained the process that had been undertaken culminating in the recommendations before the Council. Councillor Beesley reported that the Constitution developed as part of Local Government Reorganisation coming into 2019 was undertaken at some pace so it was always anticipated that changes would be required, and the work undertaken by Officers to tidy up the Constitution was a benefit to all who use it on a regular basis. Councillors were advised of how the review of the Constitution had been undertaken which included inviting interested parties at appropriate stages such as the Chair of the Licensing Committee, the Chair of Planning Committee, appropriate officers and the external challenge and advice on best practice sought from external solicitors Weightmans. Councillor Beesley reported that the recommendations that had come forward were now for Council to consider, namely were they fit for purpose and should they be included in the Constitution. Members were advised that there were other proposals coming through and Councillor Beesley confirmed that the Audit and Governance Committee would go through the same process over the next few months prior to submitting recommendations to Council.

Councillor Beesley took the opportunity of thanking Officers for the huge amount of work undertaken and in particular Richard Jones, Head of Democratic Services, Susan Zeiss, Monitoring Officer and Bob Hanton Senior Democratic and Overview and Scrutiny Officer. He also reported on the work of the Constitution Review Work Group which had been hugely beneficial and detailed and that all options had been explored to enable the Council to consider the work that has gone into the proposals and the rationale. Councillor Williams in seconding the move paid tribute to the cross-party Working Group.

Simon Goacher, Weightmans explained that he had been engaged by the Council and had been working with officers to review the recommendations and consider them against the legal requirements and best practice. He

reported that Weightmans advises a number of Local Authorities on constitutional issues and has reviewed the recommendations before the Council and was content that they were consistent with the legal requirements of the Council and best practice in terms of managing its business effectively and efficiently.

Councillor Slade moved the following amendment:

Item 7(c)(iii) That the following words be deleted from recommendation (iii) “subject to:- Part 3A, paragraph 7.1.1 being deleted (i.e. the removal of responsibility for personnel-related appeals)”.

She explained the reason for the above amendment emphasising that the involvement of Councillors in HR appeals was incredibly valuable with the Appeals Committee being the final arbiter in the Council of employment related matters which has led to improved procedures. Councillor Slade indicated that she had spoken to members of the Appeals Committee who had not instigated this change and therefore she could see no benefit in removing it. Councillor Moore seconded the above amendment.

Councillors commented on the amendments including Councillor Dunlop who indicated that Councillors were not qualified to sit in judgement on matters of employment. Councillor Filer emphasised that she had long been of the opinion that it was an anomaly and archaic to appeal a decision to the Appeals Committee. She outlined the potential for a number of appeals due to transformation and that the Council has professional HR officers to deal with such issues. Councillor Bartlett supported the comments made by Councillor Filer and highlighted that the HR department was there to represent the employee as well as the employer with managers who were professionally trained, and he saw no advantage in Councillors adjudicating on such matters. Councillor Le Poidevin reported as a current member of the Appeals Committee highlighting that training was provided, and professional HR Officers were in attendance when HR Appeals were undertaken. She felt that it was natural justice that the Appeals Committee can be impartial and supported its continuation in considering HR Appeals. Councillor Brooke from his own experiences supported the amendment and did not agree that Councillors were unqualified. He highlighted that Councillors bring a wide variety of experience. Councillor Cox, whilst not supporting the comments that Councillors were unqualified, felt that such HR appeals should be left to Officers. Councillor Howell referred to the loss of specialist skills and therefore Councillors being able to intervene at an early stage in those circumstances would be beneficial. Councillor Beesley explained that his support was for the recommended change to the Constitution, he outlined the reasons and felt that it was inappropriate for Councillors to be involved in such operational matters.

Councillor Slade in summing up on the amendment explained that she felt strongly that the Appeals Committee was supported by HR and that Members of the Committee do not feel overwhelmed by dealing with such appeals. She commented on the suggestion that Councillors were random, unqualified and untrained whilst highlighting that Councillors were representatives of the Community. Councillor Slade referred to the

comment made that other public organisations do not deal with such appeals in the same way as the Council. She emphasised that this could be said about virtually everything that the Council does as none of these organisations run like local authorities.

The Council voted on the following amendment moved by Councillor Slade and seconded by Councillor Moore:

Item 7(c)(iii) That the following words be deleted from recommendation (iii) “subject to:- Part 3A, paragraph 7.1.1 being deleted (i.e. the removal of responsibility for personnel-related appeals)”.

Voting – For – 17, Against – 39, Abstentions – 6

The amendment was lost

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

Councillor Broadhead referred to recommendation 7(c)(iv) and reported that he supported the principle for a Place Overview and Scrutiny Committee which could add to the value of the Overview and Scrutiny function. He explained that there had been a number of comments on whether the Overview and Scrutiny function within BCP Council was operating to the best of its capacity and he felt that a Place based Committee would add to that. However, at the all-member briefing held last week it had been noted that the Audit and Governance Committee was going to consider the rest of the Overview and Scrutiny function. Councillor Broadhead reported that it would be preferable for the whole of the Overview and Scrutiny function including the proposal for the Place based Overview and Scrutiny Committee to be considered in the round including consideration of the resource and financial implications.

Councillor Broadhead in accordance with Procedure 9 paragraph 4 moved the following motion without notice. Councillor Mellor seconded the above motion and reserved his right to speak.

Item 7(c)(iv) - Motion without Notice to refer Recommendation (iv) (Place Overview and Scrutiny Committee) back to Audit and Governance Committee for reconsideration.

The Monitoring Officer requested that Councillor Broadhead provide the wording of his amendment. Councillor Broadhead clarified that he was bringing forward a motion without notice for recommendation (iv) to be referred back to the Audit and Governance Committee for reconsideration.

Councillors commented on the proposal detailed above. Councillor Bartlett as chairman of the Overview and Scrutiny Board reported that he was disappointed that this motion had been submitted at short notice when the option for a Place Overview and Scrutiny Committee had been discussed at length across all of the existing Overview and Scrutiny Committees over the last six to nine months. He explained that the proposal had been broadly accepted across the Committees. Councillor Bartlett explained that it would be disappointing if this process was delayed given that the Overview and Scrutiny function has been operating for a couple of years but not as well as it could, and this proposal provided an opportunity to move it forward.

Councillor Bartlett reported that he did not understand the rationale and he could not support the referral back to the Audit and Governance Committee. Councillor Hadley, in supporting Councillor Bartlett's comments, thought that the key issue was for the new Committee to be in place for the next municipal year. Councillor Mellor clarified the proposal indicating that to add a Committee to a function which was not functioning effectively does not fix the problem. He reported that there had been checks on future Council meetings and the Audit and Governance programme and there was no intention that a revised O&S function including a Place based Committee could not be in place for the new Municipal Year. Councillor Slade expressed her concern on the work undertaken at the training session and indicated that it was disrespectful to the Council that the Members have presented a proposal without notice and without really engaging with the process over the last few months. She indicated that the Member engagement meeting had not been attended by the Group Leader of the Conservatives or Deputy Leader at which this had extensively been discussed. Councillor Fear reported that the motion was providing time for Members to consider proposals and to get it right and he was therefore supportive of the motion.

Councillor Beesley reported on his role as Chairman of the Audit and Governance Committee. He explained that as far as Constitutional matters were concerned, the Committee undertake to do the work required of Council. In terms of the Place Overview and Scrutiny Committee the Audit and Governance Committee would use its best endeavours to go through a process if that was the will of Council this evening and to bring back a comprehensive set of proposals in time for enactment for the new municipal year on the basis that the resources were available from Democratic Services, the Council generally and external advice on best practice. He reported that given all of those issues being met then he was prepared not only to use best endeavours but every opportunity to recommend to the Council a workable solution for the new municipal year.

Councillor Cox felt that it was an unacceptable motion and did not see any reason why the Council could not continue with the proposed recommendation as submitted and adjust as appropriate later. Councillor Phipps expressed her surprise that this had only just come forward she referred to the considerable work that had been undertaken and the workload of the Committee.

Councillor Broadhead in summing up indicated that there was agreement that the Overview and Scrutiny function was not working effectively and that a Place based Overview and Scrutiny Committee was a good idea. He explained that at the end of the training session it was announced that the Audit and Governance Committee would be looking at the rest of the Overview and Scrutiny function so, for the sake of one cycle his strong feeling was to undertake this work properly.

The Council voted on the following moved by Councillor Broadhead and seconded by Councillor Mellor

Item 7(c)(iv) - Motion without Notice to refer Recommendation (iv) (Place Overview and Scrutiny Committee) back to Audit and Governance Committee for reconsideration.

Voting – For – 39, Against – 26, Abstentions – 0

The above motion without notice was carried therefore recommendation 7(c)(iv) will be referred back to the Audit and Governance Committee for reconsideration.

Councillor Mike Greene indicated that he had an amendment to move on the limit of responses to questions from Councillors to 3 minutes. He explained that no Member needs to ask a question at full Council as the opportunity to ask questions was available 24/7. He acknowledged that Councillors often wish to ask a question in the most public way possible for a number of reasons. He emphasised that it was equally important that the answers to those questions were as full as was required. Councillor Greene reported that many of the questions asked were multi-faceted often in a number of parts and it would be a dis-service to the questioner and all those interested if a less than adequate answer was provided purely because of a time limit. Councillor Greene indicated that he fully understood the purpose of the proposal was not to make life difficult for those answering the questions but to find a way of speeding up Council and ensuring all those who have submitted questions have an opportunity to ask them without time running out. He emphasised that such an occurrence was rare, and both the current and previous Chairman had exercised flexibility in extending the time period for dealing with Councillors questions. He felt that if the Council was to really examine the length of Council meetings it was not Councillor questions that should be looked at. Councillor Greene also highlighted that if this applied to responses to questions from Members of the Public it would be discourteous to deny them the best answer that can be provided. He accepted that there have been occasions when answers have been longer than they needed to be, and he indicated that it was incumbent on Cabinet and Lead Members to be as concise as possible but that a 3-minute limit would restrict the opportunity to fully and fairly respond to questions. Councillor Greene moved the following amendment:

Item 7(c)(v) Part B Procedure Rule 13.5 – to remove the words "or response to a question" from the proposed changes

Councillor Iyengar seconded the amendment and in doing so highlighted that what was at stake was the quality of discussion and the decision making on behalf of residents. He explained that some responses lend themselves to 3-minute responses others have a wider scope and require a longer answer.

Councillor Hadley felt that a response should be provided within 3 minutes and if there was further supplementary information that would be useful to have. He also commented that questions raised outside of Council were not always provided in a timely manner. Councillor Hadley felt that responses should be succinct and clear, and the time limit should apply to the answers as well as the question. Councillor Trent, joining remotely, indicated that two thirds of responses to questions he had asked had been

a political lecture with a tiny fraction being the answer and the discipline of three minutes should apply to both sides.

Councillor Stribley explained that the point had been made that Councillors do not need to ask questions because if information was required Councillors can go direct to the relevant officer or Member for an answer. She highlighted the nature of responses to public questions and added that questions should be dealt with at the end of the agenda. Councillor Cox reported that questions were raised but Members do not always receive a response. Councillor Farquhar referred to the suggestion from Councillor Stribley that Councillor questions were dealt with at the end of the agenda. He explained that the reason why he brings questions to full Council was that he listens to other Members questions which makes him aware of issues across the whole of the BCP area. Councillor Farquhar referred to a response to a public question given earlier in the meeting which he felt could have been more dynamic and was very lengthy. Councillor Fear felt that anyone who was going to vote against the amendment was being anti-democratic as it would take away the reasonableness of having a question answered acknowledging the opportunity for a supplementary. Councillor Rigby reported that he was not in favour of the amendment he referred to supplementary questions which he indicated were more off the cuff with responsive feedback. He asked if there would be another 3 minutes for the supplementary questions and indicated that moving the questions to the end of the agenda could be more beneficial. Councillor Wilson reported that based on the comment about being anti-democratic the Council should remove all time and word limits. He also supported the suggestion to move questions to the end of the agenda. Councillor Nicola Greene indicated that she understood the thinking behind the proposal, but the amendment was right as the proposal conflicts with accountability and transparency. She referred to the public question that she responded to earlier in the meeting which had three parts, and all required a response. She outlined the approach that she had taken and the offer to the member of the public to meet with her and an officer to discuss the response. Councillor Slade as a point of clarification indicated that the proposed changes to the Constitution do include a change of order for Council business which does move Councillor questions to the end of the agenda.

The Monitoring Officer confirmed that one of the proposed amendments in the Constitution was that the order of business for Council was reorganised putting Councillor questions at the end of the agenda which was one of the many changes which Members could seek further amendment on or debate. Councillors were advised that the proposal from Councillor Stribley was not necessary as it was already one of the proposed changes to the Constitution.

Councillor Mike Greene in summing up responded to the issues raised during debate including the timing of the proposal which was due to the publication of the papers which were discussed last week and the political element of responses to questions. Councillor Greene also referred to the questions that he had responded to since becoming a Cabinet Member of the 16 responses 13 were provided within 3 minutes 2 were 4-minute answers and one was a 6.5 minute response so the comments made by Councillor Cox were not correct. He also indicated that the only strangle

hold was the proposed time restriction on Members' responses to questions.

The Council voted on the following amendment moved by Councillor Mike Greene and seconded by Councillor Iyengar

Item 7(c)(v) Part B Procedure Rule 13.5 – to remove the words "or response to a question" from the proposed changes

Voting – For – 41; Against – 18, Abstentions – 7

The above amendment was carried.

Councillor Beesley in summing up indicated that he was glad to see that the recommendations on the review of the Constitution were largely intact and that was in part due to the thoroughness of the work undertaken by the Audit and Governance Committee and the huge support from Democratic Services and Legal Services. He reported that there would be more opportunities for amendments to come forward which would go through the same process prior to recommendations being submitted to Council. Councillor Beesley indicated that the all-Member briefing last Thursday had been a huge benefit and it was proposed to arrange similar briefings in the future.

Councillor Beesley commented on the proposal relating to the work on the Overview and Scrutiny function. He reported that his intention was that the debate would take place through the Audit and Governance Committee process so that when the issue was referred back to Council the proposal could be strongly supported cross-party and provided a workable solution which was fit for purpose for the longer term. He highlighted the amount of work undertaken including minor and technical changes to the Constitution.

The Council then voted on the substantive motion which included the recommendations arising from the Audit and Governance Committee on 2 December 2021 as set out on the agenda as amended by the agreed changes set out above.

Voting – For – 64, Against – 1, Abstentions – 1

Councillor Mike Brooke wished it to be recorded that he objected to the decision relating to Part 3A, paragraph 7.1.1.

Councillor Diana Butler requested to be recorded as voting against the substantive motion apart from Section A1.

The substantive motion was carried.

Item 7a - Cabinet 24 November 2021 - Minute No 86 - Estates and Accommodation - BCP Civic Space

Councillor Filer, Chairman of the Civic Space Working Party, presented the report on the BCP Civic Space as set out on the agenda and outlined the recommendation. She explained that she had chaired the working party which included Councillors Diana Butler and Marcus Andrews and outlined the work undertaken. Councillor Filer highlighted the priorities which were to ensure that the building was easily accessible for everyone, that the Council Chamber could comfortably accommodate all Councillors and had the appropriate technology, that the whole area was flexible, safe and

secure, fully compliant with fire safety and that all the meeting areas including baby changing areas were decorated and refreshed to modern standards. Councillor Filer explained that because so many features of the exterior and interior of the building were listed it was not straightforward to convert it into a modern centre suitable for present and future needs. She highlighted that once it had been remodelled the new civic centre would offer greatly enhanced facilities and would be fully accessible. Councillors were advised that the Civic Centre would be well used by a number of stakeholders. Councillor Filer emphasised that the centre should be accessible for all with dignity regardless of mobility or other needs and that it would be well used and become a source of pride for all the residents of BCP Council area. Councillor Mellor in seconding the proposals started by thanking the Members of the Working Party. He felt that it was a thorough piece of work and reported that the ambitions for the building had been split into two phases. Councillors were advised that Phase 1 delivered a democratic centre fit for purpose which would be modern and accessible including the ability to stream meetings and enable more people to watch and get involved in the business of the Council. Councillor Mellor outlined the level of investment of £1m.

Councillors commented on the proposals. Councillor Hadley welcomed the proposed changes to make the civic space accessible and multi-functional. He asked in light of the declaration of the climate emergency, what steps were being taken to future proof the civic space towards the net zero targets especially in terms of minimising energy use. Councillor Hadley highlighted that there were no references in the plans for additional insulation, heat recovery, ventilation systems, triple glazing etc. He outlined a number of elements which should be standard features if the 2030 target was to be met. He asked that the public were reassured on how this refurbishment would adapt best standards for climate mitigation to be fit for the next 30 years and reduce the risk of spiralling energy costs.

Councillor Le Poidevin reported that she wanted to move an amendment as follows:

Add an additional recommendation to para b) on p45 of the agenda, to form two parts and reading:

b(ii) Should the lowest tender figure exceed the sum in para b) (i) by 15%, any request for approval of Phase 1 works to Council must first be brought back to the Civic Centre Working Party for recommendations and re-consideration that all the items summarised in para 24 are essential for the BCP Civic Centre.

Councillor Le Poidevin reported that the purpose of this amendment was to ensure that at all stages there was full democratic oversight of the transformation of the Town Hall, Bournemouth into a suitable Civic Centre for BCP Council and in particular that a close eye was kept on the cost. She reported that a key factor in the formation of the Council was the opportunity to make substantial savings and she felt that already the level of savings was decreasing. Councillor Le Poidevin highlighted that it was necessary to take every opportunity to avoid unnecessary expenditure. She explained that the budget of £1.067 m already had a built-in contingency of 17.5% so this amendment would, only become operative if

all tenders exceed the base figure by more than 32.5%. She acknowledged that this could involve a delay in the scheme which was already tight but that could be no excuse for rushing into accepting an excessive bid as it was incumbent upon all Councillors to achieve value for money and cut out wasteful spending.

Councillor Andrews in seconding the amendment reported that as a Member of the Civic Working Party he had concentrated on the improvements and the adaptations. He highlighted that Phase 1 was the start of the scheme and the cost of circa £1m was a desktop estimate. He explained that his concern was that the tenders would be very much higher and referred to the considerable increase in building costs in 2021. Councillor Andrews reported that he was not happy with the recommendation which proposed delegated authority as he feared it would be more than £1m and therefore it was necessary to have a check on the final figure.

Councillor Mellor indicated that if the budget exceeded the amount agreed by Council, then it would be necessary to come back to Council as there was no authority to spend budget in excess of the level agreed by Council.

Councillor Le Poidevin in summing up requested confirmation from the Officers before taking the vote that the point that the Leader of the Council had made was correct whereby any figure above the budget agreed by Council would have to come back to Council. She indicated that it should also go to the working party. The Section 151 Officer clarified the Council's Financial Regulations and indicated that his advice would normally be if Council had approved a scheme of £1m and there was a variation the variation would need approval. The issue would be who obtains the approval this could be a Service Director, Cabinet or Full Council and that would depend on the value associated with the change and how it would be funded. The Chief Executive reported that there would not be a situation whereby the Council would approve a £1m budget and £1.499m would be spent under officer delegation. Therefore, any variation would be brought back as appropriate.

The Council then voted on the following amendment moved by Councillor Le Poidevin and seconded by Councillor Andrews:

b(ii) Should the lowest tender figure exceed the sum in para b) (i) by 15%, any request for approval of Phase 1 works to Council must first be brought back to the Civic Centre Working Party for recommendations and re-consideration that all the items summarised in para 24 are essential for the BCP Civic Centre.

Voting – For – 11, Against – 41, Abstentions – 13

The amendment was lost.

Councillors then considered the recommendation as set out on the agenda.

Councillor Evans asked if a safe space would be provided for breast feeding in the new civic space and if the portfolio holder agreed that breast feeding was beneficial for mums, babies, the environment and enabling this to happen should be a priority. She asked if so, could consideration be given to a dedicated area in the new civic space.

Councillor Butler raised a number of issues she referred Councillors to page 58 of the agenda pack which was a plan of part of the building and referred to the bottle shaped room with a marking of 6. She explained that this was the Willows Room used for weddings and other functions and the proposal was to change the bay window which was a main feature to have a fire escape. Councillor Butler indicated that a more aesthetic option would be to relocate the fire escape to the door in the window at the other end of the room on the left-hand side which was off an anti-room. Councillor Butler felt that this would reduce the cost and would not affect the listed window. She also referred to the financial risk on page 53 paragraph 48 of the agenda pack, the opportunity to generate income on an annual basis, the cost identified for moving memorabilia and suggested that the carpets and the seating in the Council Chamber could be left until later. Council Slade raised her concern regarding the timing. She highlighted both phases 1 and 2, the required planning applications and the proposal to move back into the space in May following the closure of the Poole Civic Offices. Councillor Slade reported that the proposal for the work to be completed by May was not realistic taking account of the planning process, the listed building timeline and the procurement process which would run for a minimum of 4 weeks. Councillor Slade also indicated that there was no reference in the budget for the cost of hiring external venues such as the BIC if required.

Councillor Filer in summing up referred to the comments from Councillor Hadley which she supported and indicated that the team would be mindful of the issues that he had raised. She acknowledged that the rising and unprecedented costs needed to be borne in mind and the issues raised by Councillor Slade should be referred to officers for response. Councillor Filer explained that the Working Party was mindful of the need for spaces for parents and children and asked that the officers consider space for breast feeding. Councillor Filer suggested that the comments from Councillor Butler on the fire escape in the Willows room should be taken back to the officers for consideration. Councillor Filer indicated that the timing does seem tight but that this was an issue for officers to respond to. She explained that the Council Chamber would be renovated in the six weeks between Council meetings.

The Council then took a vote on the recommendation arising from the Cabinet meeting on 24 November 2021 as set out on the agenda which was carried as follows:

Voting – Unanimous

The meeting was adjourned from 21:35 until 21:47

Councillor Cheryl Johnson left the meeting at 21.35

Item 7(b) - Cabinet 24 November 2021 - Minute No 90 - Pokesdown Railway Station Improvement

Prior to consideration of the recommendations Councillor Slade asked the following question

Can the portfolio holder please confirm what bids and approaches were made to the Western Gateway Sub Regional Transport Board and to the Dorset LEP for funding towards lifts at Pokesdown station? As the platforms at other stations within the BCP area are also inaccessible for those with disabilities, should we be expecting announcements that the council taxpayer will be subsidising the rail companies facilities at the other stations.

Reply from Councillor Mike Greene, Cabinet Member for Transport and Sustainability

The Dorset Local Enterprise Partnership's Local Growth Fund which related to transport infrastructure and facilitating future growth was exhausted and came to an end well before the opportunity arose for the Council to participate in the Pokesdown project. This would have been the only fund for which the Council could submit an eligible bid. It was therefore not appropriate and would not have served any purpose to approach the LEP.

The Western Gateway is not Sub-Regional as the question states – it is Sub-national and concentrates only on strategic projects and strategies themselves which have the scale for significant large area impact. Moreover, it is not a funding body to which councils can submit bids for projects like these. It does not hold or distribute funds itself: it promotes bids of sub-national importance to the Department for Transport. Even if the Pokesdown Station scheme had somehow been considered within that class – and I cannot see how that would be possible – all Western Gateway-driven investment for the period 2020-2025 was identified and secured well before the funding shortfall was identified.

The Council Taxpayer is not subsidising South Western Railway's facilities. The facilities themselves are the property of Network Rail – which is publicly-owned - and only leased to SWR as the current franchisee: Indeed, it is SWR's £1.6 million contribution which is subsidising public facilities. When SWR's franchise ends, so will any benefit that they derive. In contrast, our Council Taxpayers will be able to continue to use these much-enhanced facilities forever.

It would be fantastic if more opportunities like this were to come along: where the Council is able to partner National Rail and SWR to deliver significant improvement to stations, and particularly their accessibility. If they do, I am sure the Council would be extremely keen to explore them. There may also be potential through the National Rail Strategy. However, as it stands, Pokesdown is in the unique position where extensive lobbying over many years by Andy Jones before he was a councillor, Tobias Ellwood MP, the old Bournemouth Council and others led eventually to substantial funds being committed by the franchisee.

Rather than carping from the side-lines, we should all be celebrating the success on behalf of those with limited mobility and everyone else who will benefit from these changes.

Councillor Slade as a supplementary asked the Portfolio Holder to clarify, with the direct funding from the Council taxpayer to parts of the station, what consideration was being given to additional community space within the Pokesdown station. Councillor Mike Greene referred to appendix 1 of the report which provided more detail on what was expected in the station, and he would be referring to it during the debate on the recommendations.

Councillor Mike Greene, Cabinet Member for Transport and Sustainability, presented the report on the Pokesdown Railway Station Improvement as set out on the agenda and outlined the recommendations. He provided a brief history on the issues. Councillor Greene indicated that a third of a million passengers use the station each year but have difficulties due to the steep stairs which mean that the platforms were very difficult to access by many disabled people and those with limited mobility and that there have been several accidents. Councillor Greene reported that for more than a decade there had been a campaign to get lifts installed at the station. He explained that Andy Jones, the local MP, Bournemouth Borough Council and various others had been pushing the Department for Transport very hard for such facilities and the result was that the requirement in the franchise eventually won by South Western Railway was that those lifts needed to be installed. He reported that as investigations proceeded SWR discovered that having allocated £1.6m to the project they had significantly underestimated the sum needed and a battle developed between Bournemouth Borough Council and them on whether SWR were required to go ahead whatever the cost. Members were informed that when Covid arrived SWR's patronage levels dropped massively, and it became loss making and through a national rail contract it was taken over and SWR was paid a fee to run the service. Councillor Greene explained that the recommendations before the Council not only resolved the stalemate over the lifts but go further as SWR (effectively the Department of Transport) had indicated that they would still provide £1.6m even though the new contract means that they do not have to. Network Rail have agreed a contribution of £1.5m and the Council if recommendations were approved today would act as a funder of last resort providing a contribution of up to £2.6m to complete the funding needed to deliver a package of measures not just the lifts but platform and bridge improvements, security enhancements eg additional CCTV, additional accessibility works and a much needed overhaul of the building and forecourt.

Councillor Greene reported that this was discussed extensively at Overview and Scrutiny Board, and he hoped that any questions had now been answered. He emphasised that this opportunity delivered on aspirations.

Councillor Jones in seconding the recommendations highlighted that it was testament to the incredibly hard work and dedication of the residents in Boscombe and Pokesdown areas who had campaigned tirelessly to make the station accessible to all groups. He explained that whilst it was not possible to thank all those involved in the campaign over the last 10 years, he took the opportunity to thank a few including DOTS disability group, the

writers of the Pokesdown Station song, Ben Smith the Chairman of the Station Action Group who set up the make Pokesdown Station accessible petition signed by over 2,000 people and committee members of the Pokesdown Community Forum both past and present who had initiated the campaign. In conclusion he outlined why the Council should make a financial contribution to the project and was fully supportive of the recommendations in the report.

Councillors in considering the recommendations raised a number of issues including the significant cost to the Council taxpayers for lifts which for most of the time would be motionless and as very few trains stop at the station the costs did not represent value for money for residents, the cost of providing the lifts was not the responsibility of BCP Council but the accepted responsibility of the railway network, the other benefits were not guaranteed as the lifts would take priority in terms of the expenditure, the improvements would not make a difference to the local economy, the use of the Futures Fund to pay for the project and that the cross-party Overview and Scrutiny Board had recommended to Cabinet not to proceed with the project. A number of members expressed concern about the funding methods, the failure of SWR to provide the lifts by 2019 and that those funds should be provided centrally. It was suggested that there was a considerable amount of uncertainty in the report presented whilst it was essential to maximise the public benefit.

Councillor Kelly took the opportunity to thank Councillor Jones for his determination. She outlined the need to improve the station in particular as residents were encouraged to use public transport and explained that the injection of funding to enable the lifts to be installed and modernise the station was to be welcomed and would provide an increased feeling of wellbeing. She also highlighted the benefits to reinvigorate the Boscombe area.

Councillor Broadhead explained that the station provided a gateway to Boscombe. He explained that due to the £23m Towns Fund investment from the Government Boscombe was going through a renaissance. He commented on the concerns relating to the funding method and that others should fulfil their responsibility. Councillor Broadhead highlighted that through the plan that had been developed the burden of the cost was not on Council taxpayers alone and the Council was finally able to see the commitment from relevant agencies come to fruition. He explained that if the Council did not contribute the improvements would not happen. In response to the issue of other stations needing similar improvements Councillor Broadhead indicated that if costed and matched funded solutions similar to Pokesdown could be provided then he would consider such proposals. He referred to the Futures Fund which was there to invest in our future.

Councillor Rigby whilst supporting the improvements raised his concerns on why Council taxpayers were paying for private companies who were not prepared to fulfil contractual obligations. In particular he asked what message it provided to others.

Councillor Farquhar referred to the public statement made by Ben Smith earlier in the meeting. He referred to the provisions in the Constitution

which restricts public statements to 100 words and therefore the statement could not acknowledge the unfailing efforts of the campaign. Councillor Farquhar took the opportunity to thank the Pokesdown Community Forum, Access Dorset, the Pokesdown Station Action Group and the community efforts in the campaign. Councillor Farquhar suggested that other areas could use this campaign as a model for there area.

Councillor Dunlop reminded the Council that 25% of the population suffers from some form of disability and together with older people and those with pushchairs etc they were all entitled to receive the same value for money as able-bodied people. She emphasised that the Council should do the right thing.

Councillor Brown commented on the use of statistics and questioned the reference to a third of a million people using the station. He referred to the report which indicated that there were 350,000 exits/entries to the station which was equivalent to 1,000 commuters using the station which feeds into the value for money concerns.

Councillor Mellor reported the cost of the Futures Fund had already been saved and the money was now being invested in projects such as Pokesdown Station improvements. He outlined how the project was being delivered with the negotiation and campaigning that had been undertaken. Councillor Howell reported that these were funds that the Council needed to borrow, and interest would need to be paid on the loan over a 50-year period. He indicated there was an absence of a co-ordinated approach with other stations that need similar improvements and asked what other MPs were doing as there needed to be a co-ordinated upgrade of the network. Councillor Cox questioned the funding mechanism for the project.

Councillor Dove referred to the impact of the Council's decision on the quality of residents' lives. With the permission of the Chairman, she read out an email from a local resident who was an elite wheelchair racer outlining his comments on the proposed project and how it would impact on his life.

Councillor Slade reported that she supported accessibility and making public transport more available for a wider range of people but, explained that it did not feel appropriate for the Council to be contributing to the project from the Futures Fund. Councillor Slade proposed an amendment the purpose of which was try and overcome the concern about the risks to the Council, the use of Council taxpayers' money and to ensure that the Council taxpayer was protected without preventing the ability of the project and funding being agreed. Councillor Cox seconded the amendment.

Councillor Greene acknowledged the reason for the amendment but expressed his disappointment that those who should have been involved in the discussions between May 2019 and October 2020 failed to understand the position the Council was in. He explained that there was a commitment to install the lifts made by SWR during the franchise agreement but when the National Rail contract took over SWR the obligations in the franchise ceased. He highlighted that the Council had through SWR, National Rail and the Department for Transport ensured the commitment of the £1.6m

and there was every likelihood that if further conditions were included then the improvements would not happen.

Councill Hadley referred to the business case at Appendix A indicating that if the money was underspent the Network Rail contribution would deliver the improvements to the booking office and the premises at street level. However, if there was an overspend there was no clarity on the apportionment of the contribution from the Council. The amendment provided clarity and prudence for the Council acting as funder of last resort. Councillor Farquhar reported that there were three component parts to the amendment. In particular he raised concerns regarding the comments that SWR was effectively bankrupt but, supported the proposal for the community space. At the request of the Monitoring Officer the meeting was adjourned to review the proposed amendment.

The meeting was adjourned from 22.40 until 22.53

The Chief Executive read of the following amendment in bold type moved by Councillor Slade and Seconded by Councillor Cox

It is RECOMMENDED that,

Subject to the following:

- 1. A clear statement of the apportionment of risk and a limitation on the contribution from BCP council, and**
- 2. That any funds borrowed in order to fund this proposal are only released on delivery of functional lifts.**
- 3. That consideration is given to the available space adjacent to the booking hall being used as a community room facility rather than a commercial facility,**

Council:-

- (a) approves £2.6m from BCP's Future Funds be allocated towards the improvement of Pokesdown Railway Station;
- (b) approve that delegated joint authority be given to the Director of Transport and Engineering and the Monitoring Officer in consultation with the Portfolio Holder for Transport and Sustainability to finalise a legal agreement with partners to cover the forthcoming arrangement;
- (c) approve that governance is delegated to the Regeneration Board to monitor and manage project progress including decision making related to any minor variation; and
- (d) note that the Future funds allocation if approved shall include for any BCP costs to progress the technical, financial and legal work required.

Councillors then considered the amendment. Councillor Bartlett expressed his concern on making and dealing with alternative recommendations on complex issues and the potential for unintended consequences. Councillor Broadhead agreed with the points made by Councillor Bartlett on unintended consequences and indicated that he would be requesting a recorded vote.

Councillor Slade in summing up indicated that this was not intended to be a wrecking amendment. She reported that this was a well-intended amendment to reassure those who have concerns about the use of public funding.

In accordance with the Constitution a recorded vote was taken on the amendment detailed above

For – 16

Cllr Marcus Andrews	Cllr L-J Evans	Cllr Chris Matthews
Cllr Mike Brooke	Cllr Andy Hadley	Cllr Simon McCormack
Cllr David Brown	Cllr Paul Hilliard	Cllr Sandra Moore
Cllr Richard Burton	Cllr Marion LePoidevin	Cllr Margaret Phipps
Cllr Mike Cox	Cllr Rachel Maidment	Cllr Vikki Slade
Cllr Millie Earl		

Against – 39

Cllr Mark Anderson	Cllr Bobbie Dove	Cllr Andy Jones
Cllr Sarah Anderson	Cllr Beverley Dunlop	Cllr Jane Kelly
Cllr Julie Bagwell	Cllr Jackie Edwards	Cllr David Kelsey
Cllr Steve Baron	Cllr Duane Farr	Cllr Bob Lawton
Cllr John Beesley	Cllr Laurence Fear	Cllr Drew Mellor
Cllr Derek Borthwick	Cllr Anne Filer	Cllr Susan Phillips
Cllr Philip Broadhead	Cllr Sean Gabriel	Cllr Karen Rampton
Cllr Nigel Brooks	Cllr Mike Greene	Cllr Roberta Rocca
Cllr Daniel Butt	Cllr Nicola Greene	Cllr Ann Stribley
Cllr Judes Butt	Cllr May Haines	Cllr Mike White
Cllr Eddie Coope	Cllr Peter Hall	Cllr Lawrence Williams
Cllr Malcolm Davies	Cllr Mohan Iyengar	Cllr Tony O'Neill
Cllr Bryan Dion	Cllr Toby Johnson	Cllr Nigel Hedges

Abstentions – 10

Cllr Lewis Allison	Cllr George Farquhar	Cllr Lisa Northover
Cllr Stephen Bartlett	Cllr Mark Howell	Cllr Chris Rigby
Cllr Simon Bull	Cllr Peter Miles	Cllr Kieron Wilson
Cllr Diana Butler		

The amendment was lost.

Councillor Mike Greene in summing up asked Cllr Jones and Cllr Farquhar to convey his thanks along with theirs to all the community groups. He commented on value for money and the level of return. He referred to the access for all projects being undertaken around the country and indicated that all have local contributions as far as he was aware. He stressed that the opportunity for the Council not to have to contribute was no longer available and this was not about providing a subsidy to a private operator. He reminded members of the proposed improvements.

In accordance with the Constitution a recorded vote was taken on the recommendations arising from the Cabinet on 24 November 2021.

For – 56

Cllr Lewis Allison	Cllr Bobbie Dove	Cllr Bob Lawton
Cllr Mark Anderson	Cllr Beverley Dunlop	Cllr Rachel Maidment
Cllr Sarah Anderson	Cllr Jackie Edwards	Cllr Chris Matthews
Cllr Marcus Andrews	Cllr George Farquhar	Cllr Simon McCormack
Cllr Julie Bagwell	Cllr Duane Farr	Cllr Drew Mellor
Cllr Steve Baron	Cllr Laurence Fear	Cllr Sandra Moore
Cllr John Beesley	Cllr Anne Filer	Cllr Lisa Northover
Cllr Derek Borthwick	Cllr Sean Gabriel	Cllr Susan Phillips
Cllr Philip Broadhead	Cllr Mike Greene	Cllr Margaret Phipps
Cllr Mike Brooke	Cllr Nicola Greene	Cllr Karen Rampton
Cllr Nigel Brooks	Cllr Andy Hadley	Cllr Roberta Rocca
Cllr David Brown	Cllr May Haines	Cllr Vikki Slade
Cllr Simon Bull	Cllr Peter Hall	Cllr Ann Stribley
Cllr Richard Burton	Cllr Paul Hilliard	Cllr Mike White
Cllr Daniel Butt	Cllr Mohan Iyengar	Cllr Lawrence Williams
Cllr Judes Butt	Cllr Toby Johnson	Cllr Kieron Wilson
Cllr Eddie Coope	Cllr Andy Jones	Cllr Tony O'Neill
Cllr Malcolm Davies	Cllr Jane Kelly	Cllr Nigel Hedges
Cllr Bryan Dion	Cllr David Kelsey	

Against – 1

Cllr Mike Cox		
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Abstentions – 8

Cllr Stephen Bartlett	Cllr L-J Evans	Cllr Pete Miles
Cllr Diana Butler	Cllr Mark Howell	Cllr Chris Rigby
Cllr Millie Earl	Cllr Marion LePoidevin	

The recommendations arising from the Cabinet meeting on 24 November 2021 as set out on the agenda were carried.

Item 7d - Audit and Governance Committee 2 December 2021 - Minute No 59 - Process for the appointment of external auditors 2023/24 to 2027/28

Councillor Beesley, Chairman of the Audit and Governance Committee presented the report on the process for the appointment of external auditors for 2023/24 to 2027/28 as set out on the agenda and outlined the recommendation. He reported that there was a collective procurement process set up and in place which was adopted by most local authorities and explained that due to the costs of appointing external auditors in any other way it was clear why so many Local Authorities adopted the collective procurement route. He asked the Council to support the recommendation and approve the national appointment arrangements. Councillor Beesley asked Members to note that the proposal had the complete support of the Council's Chief Internal Auditor together with the Chief Executive, the Chief Financial Officer and the Monitoring Officer. Councillor Beesley reported that it was the LGA's view that the national framework remained the best option for Councils. Councillor Williams seconded the proposal.

Councillor Butler asked if it was appropriate to commit future Councillors to this arrangement. Councillor Beesley explained that it was essential that the recommendation was considered this evening on the basis that the Council needs to give due notice.

Voting – Unanimous

The recommendation arising from the Audit and Governance Committee on 2 December 2021 as set out on the agenda was carried.

Item 7e - Cabinet 15 December 2021 - Minute No 97 - Quarter Two Budget Monitoring 2021/22

Councillor Mellor, Leader of the Council presented the report on the Quarter Two Budget Monitoring report as set out on the agenda and outlined the recommendations. He explained that it had been a very challenging year with significant service pressures but highlighted the work undertaken to close the budget gap. Member were advised that the projection was for a £4m surplus at year end. Councillor Mellor thanked his Cabinet colleagues and Corporate officers for the work undertaken. Councillor Broadhead seconded the proposal.

Voting – Unanimous

The recommendations arising from the Cabinet on 15 December 2021 as set out on the agenda were carried.

Item 7f - Cabinet 15 December 2021 - Minute No 104 - Concessionary Fares Bus Operator Reimbursement

Councillor Mike Greene presented the report on the Concessionary Fares Bus Operator Reimbursement as set out on the agenda and outlined the recommendation. Councillor Greene reported that the English National Concessionary Travel Scheme was effectively the way that local Councils pay private operators to compensate them for carrying passengers with bus passes for free. Members were advised that this was based on the numbers travelling and in a normal year BCP Council would pay around £8m. Councillor Greene explained that during the pandemic passenger numbers had dropped dramatically and had continued to fluctuate. He explained that legally this should mean that the amount that the Council was obliged to pay to the bus operators should be reduced accordingly. Members were informed that the Government had kept them afloat with grants and had expected local travel concessionary authorities to maintain payments at pre-covid levels. Councillor Greene reported that as far as he was aware all authorities in the Country had done so and were requested to continue this approach until 5 April 2022. He reported that the historic reality was without the Council effectively subsidising the bus operators it was highly likely that one or both would fail. If in an attempt to avoid that situation substantial route reductions were introduced, then page 409 of the agenda pack which contains a diagram on how that would lead to a “cycle of despair” where fewer routes lead to fewer passengers and less chance of viability would occur. Councillor Greene explained that the Council wants to do what it can within its powers to prevent this and help the bus operators provide the service needed for BCP residents. He reported that with a small reduction in timetabling which had taken place there was a

corresponding reduction of approximately £350K in the amount due to pay the bus operators and the recommendation reflects that. He also commented on the Cabinet paper and the arrangements post 5 April 2022 which suggests a tapering process to wean the bus operators off the subsidy. Councillor Mellor seconded the proposal and reserved his right to speak.

Councillor Hadley indicated that the Council seemed not to have a choice as it was nationally set whilst highlighting that it was a shame that the opportunity had not been made to introduce cheaper fares and encourage the public to return to using public transport. He also commented on the linear approach. Councillor Greene reported that it was not a legal requirement, and the Council has a choice. He explained that he was recommending that the Council continue with the payment as other local travel concessionary authorities have done and the Council do that at pre-covid levels.

Voting – Unanimous

The recommendation arising from the Cabinet on 15 December 2021 as set out on the agenda was carried.

Item 7g - Cabinet 15 December 2021 - Minute No 105 - Housing scheme at Herbert Avenue, Poole

Councillor Broadhead, Deputy Leader and Cabinet Member for Development, Growth and Regeneration presented the report on the Housing Scheme at Herbert Avenue as set out on the agenda and outlined the recommendations. He referred to the Council New build Housing & Acquisition Strategy (CNHAS), 2021-2026 Strategy that was considered at the last Council meeting which set out the process for housing developments. He explained that due to the ongoing tender exercise for this site, it was not possible to incorporate it into the programmed approach. Councillor Broadhead updated on the latest tender exercise, the increase in cost and that a local contractor was now on board to bring forward the scheme including 24 new units for families which would reduce the reliance on bed and breakfast. Councillor Rampton in seconding the move reported that the homes would be built to passive home principles which would keep heating costs to a minimum.

Councillor Trent asked about the reference to rents being no higher than local housing allowance which was higher than the rents that were likely to be charged on such houses if they were run by PHP. He sought assurance on the rent levels.

Councillor Stribley referred to the wording of recommendation 1bi which she indicated did not make sense.

Councillor Le Poidevin welcomed the scheme, she outlined the history of the development and the lengthy timeline. She referred to the type of units compared to the approved scheme and asked if further planning permission was required.

Councillors McCormack and Wilson commented on the rent levels and the arrangements for capping. Councillor Wilson explained the rents would be capped at the HRA rate if the affordable rent was higher.

Councillor Broadhead in summing up explained that he would take away the issues raised by Councillors Trent and McCormack on the rent levels whilst explaining that the cap was an upper limit to ensure that those living in the properties were doing so at an affordable rent level. He reported that the scheme avoids the need to spend any time in bed and breakfast and highlighted the Council's approach in driving down the use of bed and breakfast. Councillor Broadhead reported that the design had been revised to reflect need and his understanding was that further planning approval was not required. He explained that the scheme had been designed to enable the internal accommodation to remain flexible.

Voting – Unanimous

The recommendations arising from the Cabinet on 15 December 2021 as set out on the agenda were carried.

135. Notice of Motions in accordance with Procedure Rule 12

The following motion submitted in accordance with Procedure Rule 12 of the Meeting Procedure Rules was moved by Councillor Chris Rigby and seconded by Councillor Simon Bull:

This Council

- 1. Notes the “Glasgow Pact” Agreed at COP26 in November 2021 recognizes that the impacts of climate change will be much lower at the temperature increase of 1.5°C compared with 2°C and resolves to pursue efforts to limit the temperature increase to 1.5°C**
- 2. Notes the same document Calls upon Parties to accelerate the development, deployment and dissemination of technologies, and the adoption of policies, to transition towards low-emission energy systems, including by rapidly scaling up the deployment of clean power generation and energy efficiency measures, including accelerating efforts towards the phasedown of unabated coal power and phase-out of inefficient fossil fuel subsidies, while providing targeted support to the poorest and most vulnerable in line with national circumstances and recognizing the need for support towards a just transition;**
- 3. Notes that the recent report from the United Nations Intergovernmental Panel on Climate Change (IPCC), has been described as ‘a code red for humanity’ by the Secretary General of the United Nations**
- 4. Notes that global governments and the fossil fuel industry are currently planning to produce an estimated 120% more emissions by 2030 than what is needed to limit warming to 1.5°C and avert catastrophic climate disruption, and that this risks undermining global efforts to reduce climate-changing pollution**
- 5. Notes that the economic opportunities presented by a clean energy transition far outweigh the opportunities presented by an economy supported by expanding fossil fuel use and extraction**

6. **Notes BCP Councils own declaration of a climate and ecological emergency in July 2019**
7. **Notes BCP Council and the wider community is committed to targets of net zero by 2030 and the BCP conurbation target of net zero by 2050, and recognises the current work underway to meet these targets**
8. **Believes that BCP Council should be committed, as part of our Climate Emergency response, to a just energy transition and to ambitious investments in green infrastructure and industries that will create jobs and rapidly decarbonize our economy;**
9. **Recognises a new global initiative is underway calling for a Fossil Fuel Non-Proliferation Treaty that would end new fossil fuel exploration and expansion, phase out existing production in line with the global commitment to limit warming to 1.5°C, and accelerate a just transition to renewable energy**
10. **Notes that other leading cities including Barcelona, Toronto, Los Angeles, Sydney, and Cambridge (UK) have endorsed the call for a Fossil Fuel Non-Proliferation Treaty**
11. **Therefore, BCP Council endorses the call for a Fossil Fuel Non-Proliferation Treaty**
12. **Further that the relevant portfolio holder, on behalf of BCP Council send a letter to the Prime Minister of The United Kingdom urging the UK Government to support the global initiative for a Fossil Fuel Non-Proliferation Treaty.**

Councillor Chris Rigby presented the motion which would compliment the ongoing work which BCP Council was doing and the Climate Action Plan. He referred to the in-depth scrutiny of ongoing work considered at the Overview and Scrutiny Board last week and recommended that Councillors view the stream of the meeting. Councillor Rigby reported that the motion essentially was to sign up to the Fossil Fuel Non-Proliferation Treaty. The Treaty was designed to compliment the Paris Agreement and address the fact that coal, gas and oil were not mentioned in it. Members were informed that it was to prevent fossil fuel exploration and expansion and ensure a managed phase out of fossil fuel production to limit global warming whilst still ensuring a fair and just transition to renewable energy. Councillor Rigby explained who had endorsed the Treaty which included a programme to create a standalone registry around the globe of fossil fuels to ensure that there was transparency and accountability of all production and reserves. Members were informed that at COP26 in Glasgow it had been hoped to see a change however, the fossil fuel industry had the largest delegation at the conference and were reluctant to address the 'elephant in the room'. Councillor Rigby referred to the approach by BCP Council and other local authorities in declaring a climate emergency which the Government had not. He explained that if the Council want to work towards a carbon neutral future it was up to local authorities to take the lead. Councillor Bull seconded the motion and reserved his right to speak.

Councillor Mike Greene reported that the Council had taken huge steps in the fight against climate change and in particular tackling reliance on the use of fossil fuels. Councillor Greene outlined the action taken including moving all of the Council's electricity consumption to a supply which comes entirely from renewables. The Council's entire fleet had been moved from diesel to hydrogenated vegetable oil reducing fleet emissions by 90%. Councillor Greene reported that he had presented the Climate Action plan to the Overview and Scrutiny Board and hoped that Cabinet would endorse it at its meeting tomorrow. He emphasised that the Council was fully committed to reducing its and the whole geographical areas reliance on fossil fuel. Councillor Greene explained that he absolutely supported the direction and underlying will of the motion. However, there were clauses in it where he was not in possession of the facts or the studies that would allow him to accurately understand what the consequences might be. He highlighted the need to have access to the relevant research and data to be able to make an informed decision.

Councillor Greene moved that under meeting Procedure Rule 9.1 Appendix 1 Paragraph 4 that Council refers the above motion to the Overview and Scrutiny Board for its consideration, examination, discussion and the attention it deserves. This proposal was seconded by Councillor Kelsey.

Councillor Fear raised a point of order under 38 section 13 and moved that the question be now put.

Councillor Hedges, Chairman reported that at this juncture he would like further debate. Councillor Mike Greene asked that if there was any debate that should be whether the motion should be referred to the Overview and Scrutiny Board.

The Monitoring Officer reported that Councillor Fear had put a closure motion forward that the question now be put. However, the Chair needed to be satisfied before he accepted such a motion that there had been sufficient debate. The Chair had used his discretion and requested further debate on the motion put forward by Councillor Greene.

Councillor Bartlett asked for clarification on the rule being applied to refer this to the Overview and Scrutiny Board. The Monitoring Officer reported that the referral to Overview and Scrutiny Board would be for a report back to Council so the Board would not be requested to take a decision but to look at the matter for report back to Council as laid out in the Constitution.

Councillor Hadley indicated that he regretted the way debate had been closed down on the motion. He suggested that the Place Overview and Scrutiny Committee would be an ideal place for this to be discussed. He explained that it was a key part of having an ambitious climate change strategy having vision to be leaders.

Councillor Rigby asked if this was referred back to Overview and Scrutiny could there be a time limit of potentially 3-6 months. Councillor Greene indicated that he was unsure if that was permissible within his proposal. However, he indicated that he would support the suggested timeframe and in respect of the reference to the Place Overview and Scrutiny Committee he believed that was an option.

The Council then voted on the following moved by Councillor Mike Greene and seconded by Councillor Kelsey which was carried:

That under meeting Procedure Rule 9.1 Appendix 1 Paragraph 4 that Council refers the above motion to the Overview and Scrutiny Board for its consideration, examination, discussion and the attention it deserves.

Voting – For – 53, Against – 4, Abstentions – 8

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

The Chairman reported there were no urgent decisions to be reported.

Reserve date for Council in February 2022

The Chairman reported that the next meeting of the Council was scheduled for 22 February 2022. Members were informed that council business at that meeting would include the approval of the budget and the setting of Council Tax. He indicated that he would like to make arrangements for a reserve date to be put in the diary.

The Chairman proposed that 24 February 2022 at 7pm be agreed as a reserve date which was approved by the Council.

The meeting ended at 11.54 pm

CHAIRMAN