

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
COUNCIL

Minutes of the Meeting held on 12 July 2022 at 7.00 pm

Present:-

Cllr N Hedges – Chairman

Cllr T O'Neill – Vice-Chairman

Present: 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 R Burton, Cllr D Butler, Cllr D Butt, Cllr J J Butt, Cllr E Coope, Cllr M Cox, Cllr M Davies, Cllr N Decent, Cllr L Dedman, Cllr B Dion, Cllr B Dove, Cllr B Dunlop, Cllr M Earl, Cllr J Edwards, Cllr L-J Evans, Cllr D Farr, Cllr L Fear, Cllr A Filer, Cllr D A Flagg, Cllr S Gabriel, Cllr M Greene, Cllr N Greene, Cllr A Hadley, Cllr M Haines, Cllr P Hilliard, Cllr M Iyengar, Cllr C Johnson, Cllr T Johnson, Cllr A Jones, Cllr J Kelly, Cllr D Kelsey, Cllr M Le Poidevin, Cllr L Lewis, Cllr R Maidment, 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 Dr F Rice, Cllr V Ricketts, Cllr C Rigby, Cllr R Rocca, Cllr V Slade, Cllr A M Stribley, Cllr T Trent, Cllr M White, Cllr L Williams and Cllr K Wilson

15. Apologies

Apologies were received from Councillors H Allen, L Allison, S Bull, G Farquhar, P Hall, M Howell, R Lawton, C Matthews, M Robson and T Trent.

16. Declarations of Interests

The Monitoring Officer advised that if any Member is required to make any declaration of interest, they should refer to the flow chart set out on the agenda for guidance.

The Leader and the Deputy Leader of Council advised that they had been granted with dispensations from the Chief Executive in accordance with the relevant legislation by virtue of their directorships on companies in relation to Minute No. 21 (BCP FuturePlaces Ltd – Revised business plan and funding mechanism) and were therefore able to participate in the discussion and voting thereon.

17. Confirmation of Minutes

The Minutes of the meetings held on 26 April 2022 reconvened on the 10 May 2022, the Extraordinary Council meeting on the 10 May 2022, the Annual Council meeting on the 10 May 2022 and the Extraordinary Council meeting on the 21 June 2022 were confirmed subject to the following:

- Minute 152 (26 April 2022), paragraph 3, line 14 (page -13-), the word ‘not’ to be removed which otherwise negates what was said.
- Minute 153 (26 April 2022), paragraph 2, line 9 (page -31-), the word ‘sucker’ be replaced with ‘succor’.

18. Announcements and Introductions from the Chairman

Councillor Nick Geary

The Chair informed council that Councillor Nick Geary had sadly recently passed away.

In relation to this the Chair advised that Nick Geary was first elected to Christchurch Borough Council in 1999 until 2003 representing the Portfield Ward and was subsequently re-elected in 2007 until 2019 representing the North Highcliffe and Walkford Ward. In addition the Chair advised that Councillor Geary had successfully stood for election to BCP Council in May 2019 as well as the newly established Highcliffe and Walkford Parish Council in the same year.

Further to this the Chair advised that Councillor Geary was elected as Mayor for Christchurch twice in 2010 and 2017.

Councillors Brooks and Flagg relayed personal experiences of working with Councillor Geary following which Councillors were upstanding and there was a period of respectful silence following the sad passing of Councillor Nick Geary.

Councillor F Rice arrived at 7.15pm

Civic Activities

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

- Jubilee Service at Sherborne Abbey
- Met with the Chief Executive of the Dorset Community Foundation
- THE WELL Café in The Boscombe Royal Arcade with Cllr Jane Kelly
- Had a meeting with the Leader of BCP Council in the Old Town Hall in Christchurch with the Mayor and Deputy Mayor of Christchurch and the Christchurch Town Council, Town Clerk
- Jubilee Tree Planting ceremony on behalf of the Soroptimists at St Peter’s School, Iford, with the Lord Lieutenant of Dorset
- Jubilee Tree Planting ceremony on behalf of the Soroptimists at Poole High School, with the Lord Lieutenant of Dorset
- Morning Service for the South Atlantic Medal Association in Christchurch
- Evening Dinner for the South Atlantic Medal Association in Christchurch
- The High Sheriff of Dorset’s Summer Party at Durlston Castle
- Opened the Bourne Free event at Meyrick Park
- Christchurch Town Council Rededication Service at Christchurch Priory
- Remembering Srebrenica event in this Chamber

19. Public Issues

The Chair advised that a number of public issues had been submitted.

A – Public Questions

Public Question from Hilary Trott

Why does the council think they can re-define disabled parking? The Law is that disabled bays need space all round. It is not solely for wheelchair users, who naturally DO need this. Those with ANY limited mobility also need the side space so we can open the car door fully, enabling egress and re-entry.

The spaces in the first bay in the South Car Park by AFCB's ground do NOT all have this facility, so CANNOT be called spaces for the disabled.

If I used one of these spaces, I would be trapped in the car. They are NOT legal.

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

The Council does not think that it can re-define disabled parking and is fully aware of the need to provide clear space all around.

Guidance is that disabled access parking spaces should be 2400mm x 4800mm with a 1200mm wide marked access zone between spaces and a 1200mm zone for boot access.

I would like to thank Ms Trott for highlighting that there was an issue with the first of the 14 disabled bays in the row at the northern end of the Car Park, which did not have a sufficiently wide access zone on its left-hand side. The other 13 bays were fully compliant.

On receipt of Ms Trott's message, the Parking Team inspected the location and ordered alterations to the markings within the car park to ensure that this end also has the required access zone on both sides of it. This work has been completed.

Public Question from Zoe Keeping (read by Mr Freeman)

On 19 January 2021 BCP Council were granted planning permission to demolish the existing park building in Churchill Gardens and erect a community/cafe building. We ask the Head of Planning to remove the condition to demolish the existing park building within 2 months of the new building being open to the public, applied to the grant of planning application, on the basis that is no longer relevant or reasonable. Churchill Gardens cannot afford to lose such a valuable community resource that has the potential to be repurposed to serve the community as a sustainable living centre under community management.

Response from Councillor Bobbie Dove, Portfolio Holder for Community Safety and Regulatory Services

Thank you for the request, although please note that the Head of Planning nor any other officer is able to unilaterally remove planning conditions without an application being first made.

In order to facilitate this matter through the correct procedure, the planning department would like to consider and understand the request through a pre-application enquiry. The local planning authority will then be able to consider the planning merits of the proposed retention of the building. The planning merits will take into consideration positive community value of this building so that the full impact of any decision made is fully considered and understood.

We would request that the Parks Department, who run the facility, are contacted so that a preapplication can be made.

Public Question from Zoe Keeping (read by Mr Freeman)

Will Bournemouth Youth Service (who own the building) grant The Friends of Churchill Gardens a lease to occupy the existing park building (on the same terms as currently offered to The Coastline Vineyard Church i.e. rent free) if it is possible to prevent the demolition of the building.

Response from Councillor Jane Kelly, Portfolio Holder for Communities, Health and Leisure

‘The ASPIRE project is a European Regional Development Funded project working with partners across Southern England and Northern France. In BCP we were awarded funding for a new community hub in Churchill Gardens and funding to support activities around health and wellbeing and growing, cooking and eating in a healthy way.

As part of the project, consultation was undertaken on the location of the new building and wider feedback around local residents view on the park. A park masterplan was developed with the local community that encompassed the whole area.

We welcome any interest from the community to engage with us about the management of community facilities, but until such time as we have seen a detailed proposal from the group it would be inappropriate for us to comment on an individual building. The council needs to be able to satisfy itself that any group taking on a facility will do so with the intention of continuing to invest in it and the community that it serves.

Members will be interested to know that the Council has made funding of £115,000 available to replace the current play area and support new landscaping of this area, further helping to transform Churchill Gardens in to a modern, accessible, high-quality space for the everyone to enjoy. I am pleased to announce that plans for the new play area will be developed over the autumn and construction is timetabled for the winter and early Spring.’

Public Question from Alex McKinstry

FuturePlaces confirmed earlier this year that they were looking to appoint three independent non-executive directors (NEDs). It sounded promising: a recruitment agency was involved, and one of the directors would be taking over from the deputy leader as independent chair of the company. I've since read the company minutes (24 March), which state that due to the recruitment agency's "limited reach", board members "would reach out personally to inform suitable candidates of the opening". To what extent will the leader and deputy leader of the Council - both board members - be involved in the selecting and hiring of these independent NEDs?

Response from Councillor Drew Mellor, Leader of the Council

I can confirm that a recruitment agency Berwick Partners has been appointed to manage this process for the advertising and selection of BCP FuturePlaces Chair and Non Exec Director roles. The opportunity has been advertised on the agency website and a variety of other websites such as The Guardian, Linked In, WomenonBoards, NonExecutiveDirectors.com, and The Ned Exchange to ensure the widest possible reach.

The opportunities are attracting strong interest from a diverse range of high calibre applicants, and we are confident of being able to appoint suitably experienced independent candidates to the company board. The closing date for applications was the 8 July.

The appointment of any director, including NEDs or the appointment of a Chair are reserved matters under the shareholders agreement, therefore Full Council approval will be required to be sought.

As previously intended, upon the appointment of these independent directors this will allow the leader and the deputy leader to step down as directors after completion of the successful launch of the Future Places. This will leave Future Places in the hands of one of the most capable regeneration and stewardship focused executive and director teams in the country.

You'll be glad that Bournemouth, Christchurch and Poole are perceived to be leading the way nationally in terms of regeneration.

The Chairman advised that a public question had also been received from Katie Cousins, who was unfortunately unable to attend the meeting. Council were advised that a written response from Councillor Nicola Greene would be forwarded to Katie Cousins following the meeting.

B – Public Statements

Statement from Susan Chapman on the climate emergency (read out by the Director of Finance)

Evidence-based presentations were given throughout the covid crisis. Given the very visible, international, escalating threats to well-being as the world of nature continues to be sacrificed to deadly industries Sir Patrick Vallance's MP briefing should be conveyed to all councillors, officers and to

the public so everyone can best brace themselves for the baked-in chaos ahead. Angus Rose's 37-day climate hunger strike has not yet reached the parts other briefings reach.

Preparation for reduced harvests, self-reliant clean energy, for limited, salvaged resources and for climate migration is essential. A public information programme is well overdue.

Statement from Philip Stanley-Watts on national cut the clutter on our streets week

This week is national cut the clutter on our streets week. Our pavements should be assessable to all, which is not the case for many of our streets in the BCP area. Many with poorly placed bins and aboard and excessive signage. badly parked vehicles and beryl bikes. accidents happen, it's hazardous for pedestrians. I should know as I broke my collar bone whilst out jogging falling over signage. there needs to be a BCP task and finish group to look into the clutter in our streets.

Statement from Philip Gatrell on the contravention of law report (read out by the Director of Finance)

REGARDING CONTRAVENTION OF LAW REPORT BY MONITORING OFFICER (MO) concerning: Substantially incorrect information originally published for Allowances & Expenses Payments to Members & Co-Optees 2019/20 & 2020/21in contravention of Regulation 15(3) of Local Authorities (Members' Allowances) (England) Regulations 2003

Attention is drawn to the revised information & accompanying "Informative Notes" shown on the Council's website regarding the above. The revisions followed a "forensic examination" concerning substantial inaccuracies in amounts & categories I had notified including by Public Issue at Audit & Governance's meeting 3.2.22. The MO is "taking advice" as she is unsure this contravention of law requires obligatory reporting to Members under the Local Government & Housing Act 1989. However, the facts of the matter unquestionably warrant the MO's report to comply with the 1989 Act, given the nature & extent of the original misleading information. Hence also this Statement for general awareness.

Statement from Patricia Williamson on the buffer zone

"If a buffer zone is created, and politely offering an information leaflet is called "intimidation/harassment"... . then we cannot offer a pregnant woman a real choice i.e. the option of support to keep her baby, when she may have been co-erced or does not really want it killed.

If silent prayer is criminalised, then clearly the power of prayer is recognised. I now appeal to you, in the name of Jesus, who loves these mothers and their babies, to allow us to try, even in the last minutes, to save babies and their mothers from the trauma of abortion."

20. Petition - Stop women being harassed and intimidated outside the Ophir Road abortion clinic

The Chairman set out the process for dealing with the petition as set out in the Constitution.

Jess Bone the petition organiser from Sister Supporter provided council with background relating to the submitted petition and reported that the petition was being presented on behalf of 3395 signatories.

The Chairman asked Members to raise any questions of clarification.

Councillor Bobbie Dove, Portfolio Holder for Community Safety and Regulatory Services addressed the Cabinet advising that following concerns raised a Portfolio Holder decision had recently been made to go out to public consultation on a proposed PSPO which would provide a buffer zone, and that this will be subject to a 6-week consultation which will commence on 20 July 2022.

In relation to this Councillor Millie Earl addressed council advising that whilst a motion had originally been tabled that as the proposed PSPO was going out to consultation that she wished to withdraw the motion and looked forward to the official consultation.

Council agreed to the withdrawal of the motion.

Councillor Bobbie Dove proposed the following recommendation which was seconded by Councillor Nicola Greene.

RESOLVED that Council thank Councillor Earl for bringing forward the motion and that the Portfolio Holder decision be endorsed.

Voting For – 62, Against – 0, Abstentions - 1

21. Recommendations from Cabinet, the Leader and other Committees

Item 7a – Cabinet 25 May 2022 – Minute No 7 – Harbourside Park – Strategic Infrastructure Improvements to the Sluice Channel Linking Poole Park and Poole Harbour

Councillor Anderson, Portfolio Holder for Environment and Place presented the report on the Harbourside Park and outlined the recommendations as set out on the agenda.

During debate Members whilst supporting the work discussed matters relating to the funding coming from CIL rather than the futures fund and stressed the importance of coordinating work with Wessex Water to ensure the drainage issues were addressed.

RESOLVED that Council approved the use of £1.239 million of Community Infrastructure Levy (CIL) to Environment to detail design, obtain consents, and construct the sluice channel replacement and sluice gate upgrade and other associated activities as required to deliver the project to completion.

Voting: Unanimous

Item 7b – Cabinet 25 May 2022 – Minute No 8 – Our Museum: Poole Museum Estate Redevelopment Programme

Councillor Dunlop, Portfolio Holder for Tourism, Culture and Vibrant Places presented the report on the Poole Museum Estate Redevelopment Programme and outlined the recommendations as set out on the agenda.

Members welcomed the scheme overall whilst some members expressed concern with regards to the additional expenditure.

RESOLVED that Council approved an increase in the capital budget of up to £1.41m for the Poole Museum Programme which is to be funded by: -

(a) Grant income of £0.23m from Historic England

(b) CIL funding of £0.5m

(c) Prudential Borrowing of £0.69m

Voting: 62:1 (1 abstention)

Councillor Rachel Maidment arrived at 8.07 pm

Item 7c – Cabinet 22 June 2022 – Minute No 15 – 2021/22 Outturn Report

The Leader of the Council presented the report on the 2021/22 Outturn report and outlined the recommendations as set out on the agenda.

Members highlighted areas of concern relating to the increased deficit and risk the council is under and in addition discussion took place on areas within the report including the pay and reward strategy which it was felt should have been resolved by now and the additional money going into adult social care.

RESOLVED that Council: -

(a) approved that the final revenue surplus for the year of £6.8 million is added to financial resilience reserve with the extra £3.5m not assumed in the 2022/23 budget being used to mitigate the emerging inflationary cost of living pressures; and

(b) approved the capital virement as set out in paragraph 97.

Note – resolution (c) was determined by Cabinet.

Voting: 60:0 4 abstentions

Item 7d – Cabinet 22 June 2022 – Minute No 16 – Medium Term Financial Plan (MTFP) Update

The Leader of the Council presented the Medium Term Financial Plan (MTFP) Update report and outlined the recommendations set out on the agenda.

Members were informed that there had been a long and detailed debate at Scrutiny. Further to this Councillor Hilliard advised that he welcomed the transparency and openness but requested that consideration be given to

holding the budget café in September/ October with a further café being held in February to address the progress.

Members raised concerns with regards to the level of borrowing and associated risks. In addition, issues were raised in relation to customer services where it was highlighted that the systems don't seem to be working correctly, the flexibility of capital receipts and the issues surrounding second homes.

RESOLVED that Council approve the second homes premium and revisions to empty homes premium subject to their confirmation via the Levelling Up and Regeneration Bill.

Note – recommendations (a) to (e) were determined by the Cabinet.

Voting: 36: 21 (abstentions 6)

7e – Cabinet 22 June 2022 – Minute No 17 – BCP FuturePlaces Ltd – Revised Business Plan and Funding Mechanism

Councillor Philip Broadhead, Deputy Leader of the Council and Portfolio Holder for Development, Growth and Regeneration presented the report on the BCP FuturePlaces Ltd – Revised Business Plan and Funding Mechanism and outlined the recommendations as set out on the agenda.

Members raised a number of issues including expressing concern with regards to the lack of transparency and the complexity that is introduced by the setting up of a separate organisation.

Councillor Julie Bagwell left the meeting at 9.04 pm

Councillor Chris Rigby proposed the following amendment to the report:

“remove the wording ‘if appropriate’ from paragraph 13 of page 168 of the report so the last sentence reads – ‘This income flow will enable FuturePlaces to repay its debt.’”

The amendment was seconded by Councillor Vikki Slade.

Clarification was sought in terms of which recommendation the amendment referred to and Members were advised that recommendation (b) be approved subject to the deletion of the words ‘if appropriate’ within paragraph 13.

Councillor Anne Filer left the room at 9:20 pm and re-joined the meeting at 9.26 pm.

The Portfolio Holder advised that he was happy with the suggested word removal.

RESOLVED that Council: -

- (a) approved an increase in the working capital loan facility to £8m (from £400k) to support BCP FuturePlaces Ltd from July 2022; and**
- (b) approve the revised BCP FuturePlaces Ltd Business Plan attached to the report and the confidential Appendix 1 subject to**

the removal or the words ‘if appropriate’ within paragraph 13 of the report as set out above.

Note – resolutions (c) and (d) were determined by Cabinet.

Voting: 33: 27 (3 abstentions)

The Leader and the Deputy Leader of Council were granted with dispensations from the Chief Executive in accordance with the relevant legislation by virtue of their directorships on companies in relation to this item and were therefore able to participate in the discussion and voting thereon.

The meeting was adjourned at 9.28 pm and reconvened at 9.39 pm

7f – Cabinet 22 June 2022 – Minute No 19 – Cemetery Regulations and Cemetery Fees Harmonisation for BCP Council Cemeteries

Councillor Mark Anderson, Portfolio Holder for Environment and Place presented the report on the Cemetery Regulations and Cemetery Fees Harmonisation and outlined the recommendations as set out on the agenda.

Members discussed a number of matters including issues relating to space and the rules and regulations relating to the scattering of ashes.

RESOLVED that Council: -

- (a) adopted the harmonised and updated Cemetery Rules and Regulations for all nine cemeteries to be adopted from 01 September 2022; and**
- (b) adopted the harmonised cemetery fees for all nine cemeteries to be adopted from 01 September 2022.**

Vote: Unanimous

Councillor Tony Trent joined the meeting at 9.50 pm

7g – The Leader 27 June 2022 – Disposal of 21 Mill Lane

The Leader of the Council presented the report on the Disposal of 21 Mill Lane and outlined the recommendations as set on the agenda.

Members were advised that options had been explored and that money would be going back into the school system.

Members questioned why the house couldn't be used for social housing and in relation to this were advised that this had been questioned at the time but that this was the best option.

In addition Members raised the matter of the sale of the property and questioned why it was only marketed with one agent. In relation to this the Leader acknowledged the point and advised that this would be taken forwards to see if it is possible to change the process going forwards.

RESOLVED that Council: -

- (a) agreed to the disposal of 21 Mill Lane, as outlined in red on the attached plan in Appendix 2, for the purchase price detailed in the confidential appendix to the report;**
- (b) delegates authority to the Corporate Property Officer to finalise the detailed terms of the disposal.**

Vote: 37:5 (19 abstention)

22. Appointment of Council Representative to Dorset Pension Fund Committee

Councillor John Beesley, Chairman of the Audit and Governance Committee requested that Council approve the change in Council representation on the Dorset Pension Fund Committee which is consistent with the current political balance of the Council.

RESOLVED that Councillor Toby Johnson replace Councillor Bobbie Dove as the BCP Council representative on the Dorset Pension Fund.

Voting: Nem. Con

23. Notices of Motion in accordance with Procedure Rule 9

A – Barclays – Paris Agreement

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

BCP council has declared a climate and ecological emergency. The towns of Bournemouth, Christchurch and Poole are at significant risk from sea level rise caused by global heating. Financial institutes are able to influence future global heating through their policies which should align with the Paris Agreement. We call on Barclays, as our banking provider and partner, to work with us to protect the inhabitants of Bournemouth, Christchurch and Poole by adopting climate policies that are acknowledged to be in keeping with the Paris Agreement.

In proposing the Motion Councillor Felicity Rice asked that words ‘with us’ be removed from the printed motion.

Council were requested to vote to approve the amendment to the motion.

RESOLVED that Council agree to the amended wording of the motion.

Voting: Nem. Con

Councillor Daniel Butt and Councillor Judy Butt left the meeting at 10.02 pm.

Councillor Rice spoke to the motion as amended following which Councillor Rigby spoke in support having seconded the motion.

Members spoke in support of the motion with the proposer expressing thanks to the Portfolio Holder for supporting the motion.

RESOLVED that Council supports the motion as amended.

Voting: Unanimous

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

B – Fair Trade

The following motion was submitted in accordance with Procedure Rule 12 of the Meeting Procedure Rules and was moved by Councillor Chris Rigby and seconded by Councillor Jackie Edwards.

BCP Council supports the principles of Fair Trade and, as an important consumer, the promotion and purchase of Fair Trade goods as part of our commitment to sustainable development.

The Council resolves:

- 1. To offer Fair Trade goods - for example products carrying the Fairtrade Mark wherever possible and available, when catering for Council meetings and functions.**
- 2. To implement Fair Trade through our procurement processes and those of our suppliers wherever possible.**
- 3. To appoint a named Council representative to support the work of the Bournemouth, Christchurch and Poole Fairtrade Steering Group and to make other staff and resources available as and when appropriate and available.**
- 4. To promote Fair Trade issues and practices among local business, commercial and other organisations.**
- 5. To support the Group's communication plan.**
- 6. To share best practice with regard to Fair Trade and sustainable development with other public bodies, stakeholders and partners.**
- 7. To work with the Steering Group to ensure that BCP meets and exceeds the requirements necessary to maintain its status as a Fairtrade Zone.**

RESOLVED that Council supports the motion.

Voting: Unanimous

Councillor Nigel Brooks left the meeting at 10.10 pm

24. Questions from Councillors

Question from Councillor Lesley Dedman

‘Last week there was wholesale destruction of the habitat of Jesmond Wood in Highcliffe, a treasured area of green and established woodland which the residents value highly.

We have been told by the developer that this was to facilitate the pegging out for the plans he recently put into our BCP Planning Office for housing.

To pursue this aim, the developer has put in bulldozers and devastated the whole area. Trees, grasses and bushes have been removed, and this has devastated the wildlife which was previously there in abundance. Jesmond wood is now a pitiful sight, a wasteland where before there was life. Our residents are appalled. It is an environmental disaster.

Can you tell me what requests were made by BCP planning department before Mr Bulstrode caused the land to be cleared last week?’

Response by Councillor Bobbie Dove, Portfolio Holder for Community Safety and Regulatory Services

Thank you for the question. I was very disappointed to see the extent of clearance undertaken at Jesmond Wood. For the avoidance of doubt the BCP Planning department has never asked for, suggested, or endorsed, any clearance should take place at the site. The planning department requested only that some plots were pegged out to further assess impacts on protected trees. Pegging out is a common practice and appropriate to consider on sites such as Jesmond Wood where there are many protected trees that could be affected by development. There are many ways to ‘peg out’ a site which would not result in the extent of clearance seen at this site. At no point as part of this request was there any suggestion that the planning department would support any clearance in order for the pegging out to happen.

The prospective developer of the site therefore made the decision to undertake the clearance on their own volition. I am very disappointed that the developer has linked the request for pegging to the clearance that has since been carried out, as at no stage have the Planning department requested any clearance to take place.

Officers within the Council will be assisting the Police fully in their separate investigation into the matter. The planning department is also writing to Mr Bulstrode to remind him, as a responsible landowner, to ensure that this site is managed in a way that reflects its status as a sensitive location with high amenity value to local residents.

Question from Councillor Tony Trent

The original plan to separate the civic part of Poole Civic Centre from the rest of the building, the “vertical slice” work, which was to commence after Mayor Making and take around six months, was put on ice without consultation with interested parties. The “vertical slice” plan was to leave the two chambers (Council Chamber, Cattistock Room, the Mayor’s

Parlour, secure storage, and a small function room, as well as rooms to support the Coroners function, in future use.

Could the Leader of the Council explain what has happened? and when this essential work to secure the future of the listed area of this building, and the functions it supports, will take place?

Public assurances were given by the Leader and/or Deputy Leader on a public social media site that this building was safe, and that the proposal was being developed (as it was under the previous Leader of BCP Council) to ensure the building was preserved. Can the Leader of BCP Council re-state his assurances? And give a time scale within which the work needed to secure the building will take place?

Response by Councillor Drew Mellor, Leader of the Council

The council decision to retain a “vertical slice” of Poole Civic Centre (that encompasses the principal listed and heritage elements) for the purposes of accommodating coroner and mayoralty functions remains in place. The project has not been shelved and the budget remains as an approved element within the Council’s capital programme. Notwithstanding this, since the decision was made to retain this “vertical slice” an opportunity to consider a hotel option for the wider civic centre site has come forward. The Council’s Future Places team have been exploring the potential for this option through further investigations, including soft market testing. If that work supports a case for changing the extant decision, the appropriate process will then be followed. It is currently anticipated that Cabinet will receive a further update on this matter in the Autumn. In the meantime, the project is simply on hold whilst the feasibility work is concluded.

With respect to the safety and preservation of the building, appropriate measures are in place to maintain its security whilst its future is determined. Furthermore, regardless of the outcome of the ongoing feasibility work the building’s listed status will ensure that its important architectural contribution to Poole’s landscape will be maintained for the future.

The preservation of the historical rooms has been made abundantly clear to future places, it is something that absolutely must be maintained and is non negotiable redline, which I will point out wouldn’t have been the case under the lib dem led unity alliance administration. I’m happy to put once again on the record that this administration will not be selling Poole Civic as part of a panicked fire sale of assets, they have inherited from the lib dem unity alliance who were planning on selling off the Civic centre.

Question from Councillor Stephen Bartlett

Does the Leader agree with me that where the Constitution requires a decision to be made by full council, that such a decision when made, can only be rescinded, or altered by a subsequent full council decision, unless this is agreed as part of the original decision?

Response by Councillor Drew Mellor, Leader of the Council

Thank you for your question. Notwithstanding statutory requirements or constitutional provisions (including for example matters of urgency), I do

agree with your assumption regarding the decision-making process as outlined. Formal key decisions as outlined in the Constitution can only be taken by Full Council, circumstances often change after decisions have been taken, but any changes which alter a key decision still have to pass through the relevant gateways.

Question from Councillor L-J Evans

Earlier this year I met with members of the Parkstone branch of the Rotary Club. The club celebrated its 50th anniversary in 2021 and wanted to provide a bench on the pavement outside Poole Hospital (Longfleet Roadside) to commemorate this. They have contacted BCP Council to try to arrange this on numerous occasions, to no avail. When I chased up the matter on their behalf, I received the following response from an Officer: “Whilst I understand the need for a bench outside the hospital, unfortunately I am unable to deal with your enquiry as the bench scheme is currently closed to new enquiries and is under review to amalgamate the 3 policies to determine a single harmonised policy.

This is completely unacceptable. Having somewhere to sit is important for those with frailty and reduced mobility. It gives people a place to wait and encourages walking by ensuring a rest-stop is available. If residents and charities are willing to supply benches in suitable public spaces, surely the Council should be enabling this to happen as quickly as possible?

Please can the Portfolio Holder advise when the policies will be harmonised, the scheme reopened and how long it will take to deal with the backlog?

Response by Councillor Mark Anderson, Portfolio Holder for Environment and Place

We appreciate the impact the delay in launching a BCP commemorative bench programme is having to a small number of interested parties. The service has corresponded directly with the Rotary Club in detail and explained other options currently available at this time. It is very much our commitment to launch a BCP service indeed it has been the subject of a workstream from our Future Parks Accelerator Programme, whereby the service has been exploring future wider commemorative package opportunities such as, trees, plaques, benches, planters, donations to public buildings e.g. pavilions, the aviary, open space improvements etc

Specifically with reference to commemorative benches a key requirement is the need to replace the three legal agreements, all with different VAT tax implications, different agreement lengths, multiple bench options and pricing structures to provide a single unified offer across the conurbation for all. Furthermore, there is a need to address the legacy of existing benches that now have out of date correspondence addresses to confirm ongoing funding renewal commitments for maintenance to a) ensure maintenance income budgets are sufficient for the task and b) help determine locations re-available to interested parties.

We are endeavouring to relaunch by the end of 2022 when we will contact anyone who has asked to be kept updated on the scheme.

Question from Councillor Richard Burton

My residents often comment to me about the condition of the walkways and paths within the ward. I believe we can all agree that having well maintained and visually pleasing walkways promotes active travel and a pride in the area. Could the Portfolio holder tell me what impact the Cleaner, Greener, Safer campaign, that went to Cabinet 29 September 2021, has had on footpaths, pavements and alleyways so far this year?

Response by Councillor Nicola Greene, Portfolio Holder for Council Priorities and Delivery

I'd like to thank Councillor Burton for his question, and it couldn't be more pertinent at this time of year as vegetation is growing almost in front of our eyes.

There is always a tension between those who wish to see our verges and walkways trimmed to bowling green level, and those who wish nature to have a free hand; and I hope that our general consensus is that the sensible approach lies somewhere between the two. I'm also very grateful to Councillor Burton for making explicit the link between a well maintained and safe road and footway network; and encouraging cycling and walking.

BCP's 780 miles of roads and footpaths are inspected via our Highway Inspectors to determine the degree of risk and therefore determine an appropriate response for defects.

The Council has a twice-yearly weed treatment programme for roads and footpaths, with the first treatment cycle nearing completion. When treated, weeds don't die back straightaway and it can take several weeks for the full effect to be seen, and the herbicide will only treat the green weeds which are growing at the time of treatment. Following on from rules which govern the use of herbicide – and in keeping with the declaration of the climate emergency – the Council now uses less aggressive methods than in the past, and this necessarily impacts on how many weeds continue to grow.

Our grass cutting policy has developed well beyond the one size fits all approach of the past and is now informed by feedback from residents and park and playground users. You will see that some areas are left to grow for biodiversity gain, but the margins mowed whereas areas near playgrounds and of high footfall are kept shorter.

Our grass cutting team has been supplemented by four new members of staff, and we have funded and are looking to recruit another six. They are currently cutting the grass and will be moving on to clearing vegetation once the season finishes.

In the event that you or your residents in Bearwood and Merley have a concern about any particular road, verge or footpath, I would urge you to report it via the link I will circulate later via Democratic Services.

<https://online.bcpCouncil.gov.uk/services/parks/hedges/bushes/grass/>

<https://online.bcpCouncil.gov.uk/services/highway/defect/>

In terms of the Cleaner, Greener, Safer pilots in the three town centres, significant work has been started and continues – working with our three BIDs to target deep cleanses, increased numbers of cleansing operatives, the deployment of CSAS officers, replacement litter bins, repainting of street furniture and road linings and the provision of floral planters. The impact on our town centres has been noticed by many residents and visitors, and we are ambitious to roll out these improvements into our district centres once resources and staffing allow.

We are working with volunteers and communities to support Council action so that everyone can play a part in keeping our environment, clean, green and safe. The campaign is supported by a wide range of volunteers which we hope to continue to grow to enhance supported community led action.

Question from Councillor Vikki Slade

It was reported on 6th May 2022 that the developer Fortitudo had secured planning permission to demolish Barclays House. It was revealed on 2nd June 2022 that BCP Council had entered an exclusivity period to purchase the site and on 8th June the figure of £17m was reported as the bid from the council, almost three times higher than the bid made by the local developer.

Councillors were advised on 24th June that the chief executive had signed an officer decision to commit almost £200,000 in due diligence for surveys and valuations for the site.

Can the leader please advise on what date the council started to negotiate on this site and on what date the offer was made, why it took at least three weeks from the offer being publicised for this decision to spend this money to be shared with elected members and why the council would be considering use of the site for council offices when we are just completing a multi-million pound renovation project on the offices in Bournemouth to site our offices there?

Response by Councillor Drew Mellor, Leader of the Council

Upon receipt of the marketing details an Asset Investment Panel meeting was held on 27 April to discuss this opportunity and consider the strategic regeneration and operational uses it could support. Barclays sought final indicative non-binding offers by 13 May 2022.

It was noted that the timescales were very tight and would only allow limited diligence to be carried out before indicative offers were to be submitted, and therefore long-term uses were only considered in principle, including the possible opportunity to relocate our main administration functions to the building given its proximity to the railway station and other public transport routes. However, given the timescales and the nature of the outline offer requirements no formal decisions were taken, or sought, regarding long-term uses beyond that indicative discussion.

As part of the offer process BCP Council requested a period of exclusivity to give the opportunity for more detailed consideration. The delay in the publishing of the officer decision record was because we were waiting to get the exclusivity agreement signed with Barclays before we committed

the budget to the due diligence, this was to mitigate the risk of Barclays continuing to negotiate with other third parties and putting us at greater risk of abortive costs.

The exclusively period will enable the Council to complete the due diligence, finalise an offer, should it be considered appropriate to proceed, and seek the necessary Cabinet and Council approvals by 10 November 2022. Any formal decision to proceed with this acquisition would require a series of formal decisions which will need to be taken through the appropriate routes, including Cabinet and Council meetings.

It is also worth highlighting that at the point of submitting an indicative non-binding offer BCP Council were obviously not aware of other parties' interest, or their offers, and Barclays have not formally disclosed any other offers that were received. Any discussion of alternative offers is therefore speculation as we do not know the amounts offered or any conditionality that was attached to them.

Question from Councillor Lesley Dedman

Olympic Legacy Path, Mudeford Quay to Avon Beach

During the 2012 Olympics held in Great Britain, sailing teams trained on Gundimore Beach, which was adapted to facilitate their access.

At that time, as a legacy to thank Christchurch residents, funding was given for a path between the Quay and Avon Beach which allowed people to walk actually on the beach, and enjoy the sea and sand, with the health benefits of the ozone and closeness to the water, rather than on the sea defence path which has a substantial, high wall on the seaside.

Since 2020, this path has not been cleared, or swept by BCP council. It has thus become covered with sand and does not fulfil the purpose of the Olympic Legacy of providing a more health-giving walk for our community and visitors, especially those who need to come on to the beach via wheeled buggies, or pushchairs. There is now no way of them getting on to the beach path for an invigorating walk in the way that had been intended.

Our community find this concerning.

Can you tell me what is the plan for maintaining our Avon Beach Olympic Legacy Path in future?

Response by Councillor Mark Anderson, Portfolio Holder for Environment and Place

Chairman,

I would like to thank Cllr Dedman for her question, Unfortunately I am not King Canute, and I can't hold back the tide. This path was positioned in an area that is impossible to maintain, it was constantly undermined and eroded or covered in sand.

The decision was taken to start to remove it on the 19th of December 2019 as the path had become a health and safety hazard with reinforcement being exposed. The cost of the work on Gundimore path in 2019 alone was £18, 485.

The reality is that there is excellent access to the adjacent beaches as the wall in question is not a long one, so trying to keep a structure that is not sustainable in that position isn't viable.

This path is one very small part of the coastal protection work that the FCERM team are currently doing along the entire Christchurch Bay and Harbour area.

To get an understanding of the history of the path I talked to Christchurch staff who were involved in the path, here are a few of the responses.

"The path was created in Sept/Oct 2009 and extended/tied in to the Gundimore sea wall apron in Feb 2010. Its construction was of wood form work tied with steel rod reinforcement on top of a layer of hardcore with a crushed Limestone top surface.

Prior to BCP, the Christchurch beaches and beach paths rarely received any mechanical clearing/intervention. Christchurch Council did not have ready access to tractors/sweepers as BCP Council have now with Seafront Services. It would also be hard to sweep a crushed limestone path on a sand/shingle beach.

Following multiple attempts to protect and repair the path, the path was finally cut back, and the undermined sections removed and made safe on 19th December 2019."

And another made the following remarks

"The path was regularly getting damaged, needing repairs and there was even an attempt to place rock armour in front of it to protect from wave attack. The reality is that the design was only really suitable as a temporary measure for the Olympics and would never last any length of time. A couple of years ago the damage was so bad that steel reinforcement was completely exposed and bent up so that it presented a significant health and safety hazard. Therefore, the decision was made to remove it, which we'd have to do even if replacing it.

If the path is to be replaced, it would not be suitable to simply place a slab on top of beach crest as was done before, otherwise we'd be in the same position of having to constantly repair it as well as regular trip/spiking hazards. In an environment where wave attack is present, we'd need to build a significant structure instead which would cost £100ks. But the question is why you would want that when there is a perfectly good path behind and excellent access for wheelchair users just along the coast in a safer environment. The beach crest in that location is dynamic, so unsuitable for path surfacing unless a properly founded structure is constructed to place a path on top."

And a final comment

"Yeah, that was a constant battle for us. We cleared it a couple of times by hand which wasn't easy as it's a crushed limestone path, Ben Feeney did some good work down there, but the expectation always exceeded reality,

It's also really vulnerable to wave erosion at the western (Mudeford) end, there were timber revetments holding the path in place which routinely had to be replaced so I don't think a 'harder' surface would last much longer

anyway. The irony was that it was intended to be an Olympic legacy site *if* we had been chosen to host one of the minor countries sailing teams and we got funding to support it, but we didn't get chosen!

As it stands today the prescribed easy-access route from Mudeford Quay to Avon is along the promenade (behind the wave wall) which is a tarmac surface and well protected. The parallel beach-level path is a 'nice-to-have' route but it's not essential, therefore we could consider decommissioning it on safety grounds and taking it out, restoring the beach back to its natural state."

I also have some picture which I will share with the Clerk and Cllr Dedman showing the damage over the years.

Finally, just to reassure Cllr Dedman that FCERM have since LGR spent money on Christchurch, here are some of the projects being carried out to support Christchurch in addition to the Gundimore path work I have already mentioned.

- Christchurch Rowing Club revetment – Installation of Bodpave pavement on slipway
- M12 groyne marker removal
- Rock groyne repairs between Avon beach & Highcliffe Beach
- Rock armour reinforcement at Steam Point path
- Beach recycling between Avon Beach & Friars Cliff Beach, and at Highcliffe Beach
- Rock groyne repairs at Mudeford Sandbank
- Gabion basket repairs at Double Dykes, near Hengistbury Head (although not Christchurch project, it protects the sandbank on the Southern shore of Christchurch harbour)
- Christchurch Quay Wall – Emergency stabilisation works
- Convent Walk – Riverside wall/path repairs
- Mudeford Quay – Harbourside wall repairs
- Stanpit Marsh flap valve replacement
- Christchurch Bay and Harbour Strategy (halfway through delivery)

Broader projects benefitting Christchurch (which are ongoing)

- Dorset Coastal Asset Database (to inspect, record and make maintenance recommendations for all coastal flood and erosion risk assets)
- Durlston to Hurst Sediment Resource Management Programme
- Hengistbury Head Long Groyne works

The cost of these schemes is almost £1 million pounds and rising.

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

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

The meeting ended at 10.46 pm

CHAIRMAN