

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
CABINET

Minutes of the Meeting held on 25 October 2023 at 10.15 am

Present:-

Cllr V Slade – Chairman

Cllr M Earl – Vice-Chairman

Present: Cllr D Brown, Cllr R Burton, Cllr A Hadley, Cllr J Hanna, Cllr A Martin
and Cllr K Wilson

Also in attendance: Cllr G Farquhar and Cllr P Hilliard

Also in attendance virtually: Cllr S Armstrong, Cllr P Canavan and Cllr J Salmon

40. Declarations of Interests

There were no declarations of interest made on this occasion from any members of the Cabinet.

Cllr S Armstrong declared a pecuniary interest in agenda item 7, 3 Housing Regeneration Schemes, Craigmere Avenue, Rochester Road and Grants Close but spoke on the item and then withdrew from the meeting.

41. Confirmation of Minutes

The Minutes of the meeting held on 27 September 2023 were confirmed and signed as a correct record.

42. Public Issues

No public petitions or questions had been received on this occasion. The following public statements were received and were all read out on behalf of those submitting them by Democratic Services:

Mr Dave Bishop, relating to Agenda Item 7 - Housing Regeneration Schemes (Grants Close)

Our house backs directly onto this site and the construction will greatly affect our privacy.

The noise of construction would be an issue with heavy machinery and general building work which would obviously take a long time to complete.

This is already a highly populated area and parking is very bad at the best of times.

We also do not have the infrastructure to cope with more residents coming to the area.

At present, we have to wait over 3 weeks just to get a doctors appointment at the local surgery and yet more residents will just exacerbate this time.

This is a relatively high crime area and more housing will just add to that problem bringing more opportunities for thieves.

In conclusion, there are far better places to build houses rather than in an area already over populated.

Ms Elaine Turner, relating to Agenda Item 7 - Housing Regeneration Schemes (Grants Close)

I reside at No 27 Harrison Ave. In the time living here, a garage directly attached to my garden has provided protection. The concern is total loss to my privacy of having houses that will overlook my garden, and the major impact on light.

I also believe there will be an increase in noise, bbq's. I enjoy my garden and do not wish to be overlooked, have increased noise and decreased sunlight. There is a proposed alley way between the new houses and my garden.

I do not agree with this, given the anti-social behaviour and drug dealing going on in the area. We have limited parking as it is, where will all the new cars go. As a neighbourhood have had no say in this planning and development. As this is literally at the end of my garden, I will have no privacy, decreased sunlight, more crime and noise.

Ms Gill Parke, relating to Agenda Item 7 - Housing Regeneration Schemes (Grants Close)

I am writing as a resident of Springbourne to express my concern about the housing development in Grants Close, and more widely the proposed windfall developments in the Springbourne area.

We are one of the most densely populated areas of BCP so I am very concerned that you are proposing to build more housing in our area.

It appears from the documentation that you have not listened to residents concerns about the high number of drug related crime already in the area or the excessive number of HMOs.

There would be no access to emergency services to the development as has already been proved by the fire that has already occurred there- where the fire services had difficulty getting through.

The cost of this development is also a concern considering the £44 million shortfall the council is facing in the next financial year.

Ms Tina Thompson, relating to Agenda Item 7 - Housing Regeneration Schemes (Grants Close)

There has been some dismay about the planning decision made because it was made against public concern and a Councillor for the ward in which it will take place. The decision to award planning permission was made by officers and not subject to any external scrutiny. This decision made by officers cannot be overturned regardless of local concerns.

The level of scrutiny of applications made to the council, by the council should be a matter for consideration of automatic referral to planning committee. It gives a poor view of the council externally not to have scrutiny prior to an important decision for people living nearby.

It is of concern that this decision may set a precedent for other infill developments on garage or garden sites which will increase pressure on parking, public safety, and services in Springbourne.

Mr Graham Nicholson, relating to Agenda Item 7 - Housing Regeneration Schemes (Grants Close)

Your ridiculous idea of inserting two houses in a small pathway at the rear of my property. Once these houses are built how can a fire truck or ambulance get up there and turn around to get out? Any damage to what's mine will be costly to you. I don't want my property overlooked in any way.

Cllr Anne Filer, relating to Agenda Item 7 - Housing Regeneration Schemes (Grants Close)

This development and the way that it has been handled really disturbs me, on behalf of the residents of Grants Close. It seems to me that the voices of the nearby community have been heard, but not listened to by this Council, which has posited itself as a "Listening Council".

The quality impact assessment focusses entirely on the proposed new residents, and not at all on the impact on existing residents, many of whom have disabilities and vulnerabilities. Surely both should be taken into consideration when building infill development in a small area.

I do hope these points will be taken into consideration for all future similar developments in this small part of Bournemouth.

Mr Steve Alves (Chairman of Friars Cliff Residents Association (FCRA), relating to Agenda Item 9 - Phosphate sin the River Avon

One item close to FCRA hearts, with many Harbour users and wild swimmers, is water quality, namely item 9 on the agenda "Phosphates in the River Avon".

There has been extensive investigation and analysis of this issue, and residents are rightly concerned.

I note the recommendation of option 1, which is to be applauded. However sections 15 to 22 of the summary mention "credits" could be purchased as mitigation by developers.

If purchasing of such credits are used, the water quality may not worsen, but would remain at status quo with already unacceptably high phosphate levels.

We should be looking to reduce phosphates to below existing levels rather than trading off credits merely to build more housing.

Therefore on behalf of residents I request that the council actively look to improve water quality by not allowing developers the use of such credits whilst we wait for the levelling up bill.

43. Recommendations from the Overview and Scrutiny Board

Cabinet was advised that there were no additional recommendations from the Overview and Scrutiny Committees on items not otherwise indicated on the Cabinet agenda on this occasion.

44. Transformation Programme Update

The Portfolio Holder for Transformation and Resources presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

Cabinet was advised that a number of key achievements and milestones had been delivered since the inception of the programme and the last update in each of the principal elements of the programme; Organisational Design, Where and how we work and Supporting our Colleagues.

In relation to this Cabinet was advised that some of this is now so familiar to staff and Members that it is easy to overlook as we continue to thrive and operate in our new normal.

Cabinet was informed that significant time and investment had been put in to building the foundations from which we can continue to transform as an organisation, some of which may not be visible or obvious until such point as they are released for use and then quickly pass into familiarity with expectations and boundaries then pushed to the next improvement.

The Portfolio Holder thanked officers for their attendance to respond to any queries on technical aspects of the paper.

A non-Cabinet Member Councillor highlighted issues that residents have had in contacting the Council by their preferred method, via telephone and whether there was a timetable for resolving this. The Portfolio Holder advised that in the preceding month Cabinet had approved a new software system to manage this process which should be implemented in December. Additional in-person hubs were also being established and further solutions were being made available for digital engagement.

RESOLVED that: -

- (a) Cabinet noted the progress made on the implementation of the Council's Transformation Programme; and**
- (b) Cabinet noted the Financial Implications set out in paragraphs 41 to 43.**

Voting: Nem. Con.

Portfolio Holder: Transformation and Resources

Reason

To report a progress update on the Council's Transformation Programme.

45. 3 Housing Regeneration Schemes – Craigmoor Avenue, Rochester Road and Grants Close, Bournemouth

The Portfolio Holder for Housing and Regulatory Services presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

Cabinet was advised that these schemes are being brought forward through the Council Newbuild Housing and Acquisition Strategy (CNHAS), a direct housing delivery route approved by Full Council in November 2021, and that the proposal presented is for all three sites to be progressed.

Cabinet was informed that the sites have very similar characteristics, being built at a similar time to a similar standard and designed by the same architect but are split into Individual approval recommendations - so each site - whose individual budget is less than £1m, can be assessed on its own merits by Cabinet.

Cabinet was advised that these proposals replace unsustainable homes/underutilised garages which carry significant maintenance requirements should they be retained and renew them with replacement family homes built to a highly sustainable standard.

In relation to this Cabinet was informed that overall, the proposals present a net gain of 2 new affordable homes which will be let to those with a housing need, and that detailed reports were attached as appendices on all three proposed schemes; Rochester Road – 2 houses, Craigmore Avenue 2 houses and Grants Close 2 houses.

	Homes	Types	Bed's	Tenure	Total scheme costs in	Additional subsidy per scheme for Social Rent	Contractor proposed	Change in 50yr surplus if social rent
Rochester Rd	2	Houses	2	affordable	£598k	(£120k)	CWT	(£184k)
Craigmore Ave	2	Houses	3	affordable	£680k	(£153k)	CWT	(£281k)
Grants Close	2	Houses	2	affordable	£597k	(£120k)	CWT	(£218k)
Totals	6				£1,875k	(£393k)		(£683k)

A non-Cabinet Member highlighted a number of planning issues with the proposed development in Grant's Close. The Leader advised for clarity that the decision to be taken by Cabinet was in relation to funding for the proposals rather than particular planning issues. In response to this the Portfolio Holder welcomed communication from any local resident who experienced issues particularly during the construction phase and advised that the Council would respond.

A Cabinet member highlighted the importance of the social impact of the provision of the housing schemes to provide affordable housing and the transformable effect these would have on people's lives. Cabinet was advised that the housing was all being built to Passiv House standards.

RESOLVED that Cabinet approved: -

- (a) the development of 2 x 3 bedroom affordable rented homes at Craigmoor Avenue at a total scheme cost (Capital Budget) of £680,000;**
- (b) the development of 2 x 2-bedroom affordable rented homes at Rochester Road at a total scheme cost (Capital Budget) of £598,000;**
- (c) the demolition of underutilised garages at Grants Close and the development of 2 x 2-bedroom affordable rented homes at a total scheme cost (Capital Budget) of £597,000;**
- (d) awarding of the build works to the in-house Construction Works Team - subject to capacity and acceptable budget compliance; and**
- (e) delegation to relevant Service Director to undertake an external procurement process should the in-house team not be able to comply with the budget and/or have insufficient capacity.**
- (f) the delegation to the relevant Service Director, in consultation with the Chief Finance Officer of the authority to enter into the Contracts for build works, - provided that all key parameters (including delivery within the approved capital budget) are met.**

Voting: Nem. Con.

Portfolio Holder: Housing and Regulatory Services

Reason

This proposal supports the redevelopment of three sites which contain assets which carry significant maintenance requirements if retained and the opportunity to provide additional affordable housing to meet housing need.

46. Local Government & Social Care Ombudsman Annual Report 2022/23

The Leader of the Council and Portfolio Holder for Dynamic Places presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

Cabinet was advised that The Local Government and Social Care Ombudsman (LGSCO) provides an independent and impartial service to investigate complaints about Councils, or actions taken by another body on behalf of the Council.

In relation to this Cabinet was informed that the LGSCO provides a report annually which details the number of enquiries, investigations and resolved complaints for each authority in the previous financial year, and that BCP Council's annual report for 2022/23 is attached as Appendix A.

Cabinet was advised that the report shows that the number of complaints upheld by the LGSCO is comparable to that of like organisations, and that compliance with recommendations is at 100% - compared to 99% average in others.

In addition Cabinet was informed that it notes that we were below average for providing a satisfactory remedy to complaints before they reached the LGSCO and notes delays in receiving responses from the Council, which we are working to ensure improves in the future, and that it also includes some detail on the number of complaints to BCP Council during 2021/22 however, inconsistencies within identification, recording and monitoring of complaints remained a challenge so detailed analysis was not possible.

Cabinet was further advised that Adults and Children's Social Care complaints follow a different statutory process and that their reports will be reviewed separately at Overview and Scrutiny committees.

RESOLVED that Cabinet received and noted the content of the report.

Voting: Nem. Con.

Portfolio Holder: Leader of the Council and Portfolio Holder for Dynamic Places.

Reason

To ensure good oversight of complaint management.

47. Phosphates in the River Avon

The Leader of the Council and Portfolio Holder for Dynamic Places presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Cabinet was advised that this report sought agreement to adopt the advice from Natural England that all new developments should be nutrient neutral in respect of phosphates to protect the River Avon Special Area of Conservation (SAC) and Ramsar site.

In relation to this Cabinet was informed that this would require all applicants seeking planning permission for new homes in the Christchurch area to demonstrate they have secured phosphate mitigation measures before the planning application could be registered. This was an additional up-front requirement placed upon applicants.

Cabinet was further advised that the report set out our proposed interim approach while clarity on the national picture set out in the Levelling Up and Regeneration Bill is understood, and that through the BCP Local Plan we will develop a strategy to prevent housing sites becoming stalled and provide certainty to the market.

It was noted in relation to the public statement credits could be used to provide more effective measures to support better water quality. Cabinet was advised that this was an extremely important issue that was required to ensure that the natural environment could be protected. The advice from Natural England was that the impact of development in Christchurch was minimal in comparison to areas further up the river. The Cabinet was advised on the number of developments being impacted by the proposals.

RESOLVED that: -

- (a) Cabinet approved the proposed change to the planning application validation requirements to require applicants seeking a net increase in homes in the Christchurch area to demonstrate they have secured phosphorous mitigation; and**
- (b) Cabinet noted that this approach will be reviewed in line with the development of the BCP Local Plan and Royal Assent of revisions to the Levelling Up and Regeneration Bill, and revisions to the approach will be brought back to Cabinet.**

Voting: Nem. Con.

Portfolio Holder: Leader of the Council and Portfolio Holder for Dynamic Places

Reason

The Council as competent authority under the Habitats Regulations needs to be certain that the adverse impact of phosphates from new development upon water quality can be mitigated.

48. Christchurch Civic Offices

The Portfolio Holder for Finance presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' to these Minutes in the Minute Book.

Cabinet was requested to consider the disposal of the Christchurch Civic Offices.

In relation to this Cabinet was informed that a series of meetings of the cross-party asset disposal working group had taken place, and that working within the principles developed to determine future asset disposals as endorsed by Cabinet had considered the Christchurch Civic Offices.

Cabinet was informed that the application of these principles means that the council should now be looking to dispose of the former civic offices in Christchurch.

A Cabinet member commented on the public access through the site and that it was also part of the national cycle network, that this should be protected and enhanced if possible.

RECOMMENDED that Council after consideration of any feedback from a consultation with Christchurch Town Council, approve the disposal of the former civic offices in Christchurch on such terms to be approved by the Chief Financial Officer, also acting in his capacity as Corporate Property Officer, in consultation with the Portfolio Holder for Finance.

Voting: Unanimous

Portfolio Holder: Finance

Reason

To obtain approval for the disposal of the former civic offices in Christchurch.

49. SEND Programme of Expansion - Broadstone First School

The Portfolio Holder for Children and Young People presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'F' to these Minutes in the Minute Book.

Cabinet was advised that the number of children and young people assessed as requiring a place at a specialist education provision in the BCP area has increased in recent years and that this has increased expenditure on high needs.

Cabinet was informed that as part of the Council's strategy to address growth and associated financial pressure, a programme of expansion of specialist school provision across the conurbation is being implemented to help provide local access to cost effective places and thereby to reduce the Council's reliance on costly independent placements.

Cabinet was advised that in order for this to be successful the programme will need to provide additional places:

- across the BCP area
- Across reception to Post 16 year groups
- Meet the profile of needs that we have an identified as a challenge in sufficiency of places.

Cabinet was informed that Broadstone First School, an academy run by the Castleman Academy Trust, is one of the schemes in the expansion programme where there is excellent opportunity to provide additional resource base places for children with autism spectrum condition (ASC), and that detailed feasibility analysis shows that the academy would be capable of accommodating 20 SEND places from September 2024 provided modifications and extensions to the existing school buildings are undertaken.

Cabinet was advised that unless schemes such as this are implemented the Council will have no option other than to continue with expensive independent placements to meet its legal duty to provide specialist places.

Cabinet was informed that the recommendation of this report therefore was to approve the budget detailed in Appendix 1 (Exempt) which was needed to grant fund the building works and related processes required for the creation of 20 SEND places at Broadstone First School.

RECOMMENDED that Council approves the capital budget set out in Appendix 1 (Exempt), which is funded from DfE grant monies, to enable the construction works and related processes to be undertaken to create the facilities for 20 SEND places at Broadstone First School.

Voting: Unanimous

Portfolio Holder: Children and Young People

Reasons

1. Approval of the 20 SEND places at Broadstone First School and the requisite budget for the relevant constructions works and processes will enable the Council to:
 - (a) meet its legal duty to provide places for pupils with special educational needs and disabilities (SEND)
 - (b) meet its priority to expand the availability of specialist school places to:
 - i. provide local places for pupils with special educational needs and disabilities (SEND)
 - ii. to achieve savings as part of the Council's High Needs Block Deficit Recovery plan.
 - iii. to improve inclusion across mainstream provision as part of the Graduated Pathway Programme
2. The provision of 20 SEND places at Broadstone First School will complement the SEND service being provided through the 23 SEND places already available at Broadstone Middle School. The combination of provision will create a cohesive SEND support service for pupils from age 4 through to age 13.

50. Traffic Order Proposal, Goods Yard Development Loading Bay Proposal (P39 2023)

The Portfolio Holder for Climate Response, Environment and Energy presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'G' to these Minutes in the Minute Book.

Cabinet was advised that the Council had received funding from the developer as part of the Section 106 agreement to implement a loading bay on Moor Road to enable a safe place for deliveries to be carried out to the Goods Yard Public House, and that Cabinet were therefore requested to consider the proposed traffic order.

RESOLVED that Cabinet approve the making and sealing of the Traffic Orders as advertised and implement the restrictions outlined in Appendix 1 of the report.

Voting: Unanimous

Portfolio Holder(s): Leader of the Council and Portfolio Holder for Dynamic Places
Deputy Leader of the Council and Portfolio Holder for Connected Communities
Climate Response, Environment and Energy

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

Cabinet was informed of two urgent decisions which were taken by the Chief Executive since the last Cabinet meeting, as follows:

The appointment to the Interim Monitoring Officer and the appointment of the Corporate Director for Wellbeing.

52. Cabinet Forward Plan

The Leader advised that the latest Cabinet Forward Plan had been published on the Council's website.

The meeting ended at 11.43 am

CHAIRMAN

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