



OFFICER DECISION RECORD

This form should be used to record Executive decisions taken by Officers.

Type of Decision:	Major Operational Decision*		
	<p>Highlighted sections apply to this ODR:</p> <p>A Major Operational Decision is an Officer decision which is not a Key Decision and which is likely to meet one of the following criteria:</p> <ul style="list-style-type: none"> (a) it will result in the Council incurring expenditure, including the loss of income – in excess of £100,000, with the exception of operational expenditure identified within the agreed Service Plan and Service Budget; (b) it is a decision which has been specifically delegated to Officers – for example to conclude an agreement or contract within the outline terms agreed by the Cabinet; and/or (c) it is a decision which is controversial and/or politically sensitive in nature or is, in the opinion of the Director, of such significance that a published record of the decision would ensure transparency and accountability in relation to decision making within the Council. 		
Decision Maker:	Jess Gibbons, Chief operating Officer		
Service Area:	Environment/Infrastructure	Date:	14 February 2024
Contact Name:	Martin Whitchurch	Tel No:	01202 128467
E-mail:	Martin.whitchurch@bcpcouncil.gov.uk		

Subject:	Decision making in reference to the environmental improvements in Poole Park, with a temporary closure to motor vehicles of an entrance into Poole Park, following trial closure and public consultation. All other entrances remain open to all users.
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Decision taken:

1. In place of the originally planned Officer Decision, to take a report to BCP Council Cabinet setting out the findings of the trial and proposing options for consideration for Cabinet to decide the future access arrangements for the park. This report will come forward at the earliest opportunity, preferably April Cabinet but at the latest May 2024.
2. To maintain the temporary closure of the Poole Park entrance adjacent to Twemlow Avenue/Whitecliff following the 28 day trial closure to motor vehicles and the 28 day consultation period, while Officers review and assess the consultation responses, the vehicle movement data, and while a disability assessment by DOTS disability is undertaken.

Options considered:

Officers have sought to maintain consistency and transparency in the making of this decision. The following options have been considered:

- Use of an **officer decision record** following the completion of the consultation analysis, vehicle movement data and disability assessment.
 - This option has been discounted.
 - Originally Officers anticipated making an Officer decision by the end of February. Over 5,000 responses have been received to the consultation and officers wish to give all responses due consideration.
 - Responses and interest in the trial have come from residents across multiple Wards in BCP indicating the strategic nature of the park as a resource for BCP residents.
- Take report to **cabinet** for consideration.
 - This option is recommended.
 - Given the scale of response to ensure transparency and accountability in decision making this decision should now be made by Cabinet in public.

- It has been put on the Cabinet forward plan for May, but Officers are working to bring this forward to April

A decision is also required on the retention, or re-opening, of the trial closure point.

- **Retain the closure** throughout the decision-making process.
 - BCP Council confirmed during the consultation period that the park entrance would remain closed to motor vehicles during the assessment of the consultation responses, originally stated as end of February.
 - Retaining the closure maintains some consistency and avoids re-opening and then, potentially, closing again.
 - Allows for continued liaison with specialist groups, such as DOTS disability.
 - Allows DOTS disability to undertake a disability assessment including disabled parking under trial conditions.
 - This option is recommended as it ensures accurate data on the disability impacts is gathered and consistency is maintained in the process up to the formal decision now to be taken by Cabinet.
- **Reopen the park entrance** to motor vehicles, as per pre-trial opening times, following the completion of the trial.
 - This option has been discounted as it would not allow DOTS disability to complete an assessment under trial conditions.
 - Retaining the closure is consistent with the initial aims of the consultation, to establish if it improves the park environment.
 - To be consistent in our approach reopening of the park entrance up to the decision making by Cabinet has been discounted.

Reasons for the decision:

This decision is being made to provide consistency, transparency and accountability in the process, communication and assessment of this trial closure and final decision.

Background:

- Poole Park is a heritage listed park, in a Conservation area. Opened in 1890, the road was originally designed for horse and

carriage, but now provides access to the park, including as a through route between Poole Town Centre and the Whitecliff area.

- The road in Poole Park is not adopted highway.
- The park is closed to vehicles 7.30 am – 10am Mon-Sat, to reduce the impact of rush hour traffic and parking, creating a car-free environment. The closure of vehicles has been in place since at least the 1980's.
- The trial closure of one of the three vehicle entrances has not prevented any vehicle from still being able to access all areas of the park.
- The car parks and parking areas have been unaffected, all car parks and access to concessions will still be accessible by vehicles.

Consultations undertaken:

Internal consultation:

- Leader, Cabinet and CMB (including CEO, Monitoring Officer and S151) at a meeting on 12 February 2024
- Council Services: Legal, Insights, Communications, Environment, Commercial, Infrastructure.

Due to the nature of this decision relating to decision-making process and operational practice during the assessment of the consultation responses no external consultation was deemed necessary or appropriate.

Note: It is the responsibility of the 'Responsible Officer' – that is the Officer making the decision – to obtain the comments and signature of the Chief Finance Officer and Monitoring Officer **before** taking the decision and then send the completed record of the decision to Democratic Services for publication.

Finance and Resourcing Implications:

Background Information:

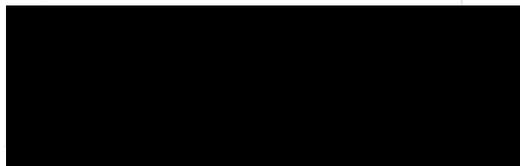
Maintaining the closure during the assessment of consultation responses and taking a report to Cabinet for final decision has no new financial impacts outside of existing Officer resources.

Name: Adam Richens

Date:

20/02/24

Signature (of Chief Finance Officer):



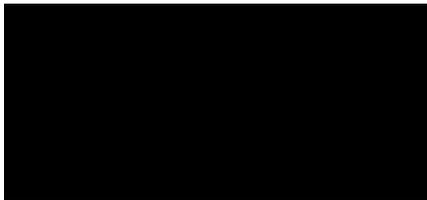
Legal Comments:

This decision is in line with the Council's constitution whereby the decision making of the temporary closure following trial

closure of the Poole Park entrance adjacent to Twemlow Avenue/Whitecliff to motor traffic has generated a considerable amount of public engagement which in the opinion of the Director, is of significance such that a published record of the decision would ensure transparency and accountability in relation to decision making within the Council.

Name: Janie Berry Date: 26 February 2024

Signature (of Director of Law and Governance):



Risk Assessment:

Reputational – The trial closure of this park entrance has created a huge amount of interest; there is some misinformation being shared on social media about what the closure is and what it means to motor vehicles. Officers have worked hard to communicate clearly what is being trialled and the remaining entrances to the park and protection of this valuable public open space.

The continuation of the closure while we assess the consultation responses may lead to some challenge that the Council are pre-empting the final decision. We are seeking to mitigate this risk through consistency and transparency in our decision-making process.

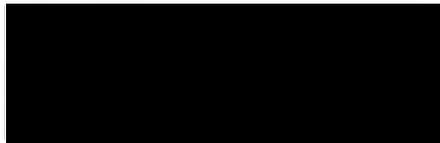
Accessibility - To build on the EIA, complete a disability assessment to inform the decision-making process.

Health and Safety - No health and safety concerns have been identified.

Name: Martin Whitchurch

Date: 19/2/24

Signature (of Officer Completing Assessment):



Impact Assessments:

N/A

Information for publication

Communication has already been made public on the Cabinet decision and continued closure of the park entrance while we consider the timeline and consultation responses.

None

Any declaration of interest by the Officer responsible for the decision

Nature of Interest

None

Note: No Officer having any personal financial interest in any matter should take a decision on that matter. Other interests of a non-disqualifying matter should be recorded here.

Any conflict of interest declared by a Cabinet Member who is consulted by the Officer taking the decision

Name of Cabinet Member

Nature of interest

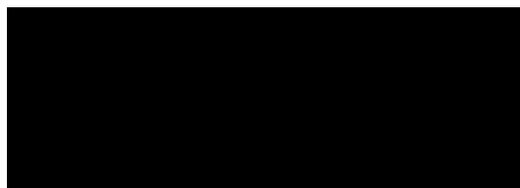
Details of any dispensation granted by the Monitoring Officer

None

Decision taken by: (print name and designation)

Jess Gibbons Chief Operations Officer

Signature:



Date of Decision:

26/2/24

Date Decision Effective:

**Date of Publication of record of Major Operational decision:
As shown on web site**

Note: A record of this decision should be kept by the Service Area within which the decision falls.