

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
CABINET

Minutes of the Meeting held on 10 April 2024 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

Present virtually: Cllr M Cox

Also in attendance: Cllr P Canavan, Cllr S Carr-Brown and Cllr G Farquhar

Also in attendance: Cllr S Bartlett (Chair of the Overview and Scrutiny Board) and Cllr L Dedman

127. Declarations of Interests

There were no declarations of interest made on this occasion.

128. Confirmation of Minutes

The Minutes of the meeting held on 6 March 2024 were confirmed and signed as a correct record.

129. Public Issues

Cabinet was advised that there had been no petitions submitted but that one question and two statements had been received from members of the public in relation to Agenda Item 7 (Disposal of Land at Wessex Fields, Riverside Avenue).

Public Question received from Conor O'Luby

The draft Local Plan says Wessex Fields 'would provide at least 2000 new jobs', a figure based on building a roads flyover (A338-Wessex Fields Link application). Strategic Transport Policies T1 and T2 make it clear that all new development must prioritise active travel and public transport. How does the Cabinet square this contradiction?

Response by the Leader of the Council, Councillor Vikki Slade

The new draft local plan does not state that there is a need for 2000 jobs on the Wessex Fields site, that reference goes back to the previous local plan which is prior to the existing extensions to the hospital and other improvements.

The local plan does recognise that the types of jobs that are required on that site being primarily around research and health and suggests that any residential development should be in the form of key worker housing. Therefore, by establishing jobs which have associated onsite homes we would expect that most of these new workers and residents would be walking or cycling to work.

It's also worth noting that the site is well connected to public transport and active travel routes and there is really no contradiction in terms of prioritisation of active travel for this site.

Public Statement received from Siobhan Harrington, CEO, University Hospitals Dorset, NHS FT

This is a win-win decision. The land has unique value to NHS & partners.

Health-led campus leads to high-quality jobs, like research & education.

We need more homes, especially for the NHS key workers, who will walk to work.

UHD is an environmental custodian who can make this a net zero site.

This proposal is popular, common-sense use of the land. It's supported by neighbouring landowners.

We're local, with a long-term view. We have every interest in making this work.

Expert opinion has set the price, following the due process, so a fair deal for taxpayers.

We've developed a joint vision for the site, over many years. BCP are no longer leading on developing the site, UHD is best placed to progress this.

UHD's track record includes £24m Pathology Hub, £13m for electrical upgrade, Net-zero buildings. We are keen to further deliver, with partners, the vision for this site.

We recognise the severe financial pressures on BCP and appreciate that professionally managed Day Centres cost more than other types of day opportunities. That said they are 'tried and tested, and fit for purpose', and it is important when comparing alternatives to compare 'like for like'. I fear that the level of support and care presently provided by our Day Centres is unlikely to be present in many of the alternatives being considered.

Public Statement from Rob Whiteman, Chairman, University Hospitals Dorset, NHS FT (Statement will be read by Richard Renault)

We are keen to work in partnership for the benefit of all our residents. That means taking One Estate approach for best public value.

We've prepared a briefing for our stakeholders, on our intentions for Wessex Fields. As a public body we are putting this in the public domain.

https://www.uhd.nhs.uk/uploads/comms/uhd_-_wessex_fields_brief_to_bcp_apr_2nd_v1.pdf

We are very keen to meet and discuss this with any councillors and partners. This has been our first opportunity to address councillors. To help

explain why we are so keen to progress we also have this short video <https://youtu.be/A21heSdLqqE>

Public Statements from Alex McKinstry

Statement 1.

I absolutely welcome the proposal to sell 8 acres of disused arable land at Wessex Fields to the neighbouring landowner, which is of course the University Hospitals Dorset NHS Foundation Trust. Should the sale proceed, it will result in education and training facilities for up to 500 medical undergraduates, sorely-needed accommodation for frontline NHS staff, and long-term improvements to the NHS, benefiting the greater part of the conurbation. It is the best possible use for this land. The offer, moreover, is credible and deliverable, thanks to the Trust's partnership with Prime PLC, who have already delivered key worker housing at Dorchester, Yeovil, Southampton and elsewhere. This, then, is a tremendously attractive proposal, likely to yield positive, enduring results that are highly tangible.

Statement 2.

I was also encouraged to hear that a second independent valuation has been commissioned for this site, to be carried out according to exacting RICS guidelines; the Council will therefore be getting "best consideration" for this site in line with established case law, notably *R (Salford Estates) v Salford City Council*, 17 May 2011. That is a fact, and it is a fact that can be held up before the entire planet. Marketing this site would generate unnecessary costs and delay for the Council and the Trust - there is no known private sector interest currently - and would not necessarily flush out a higher bid, as became apparent when the Council tried marketing land on the north side of Crescent Road in 2023. Then of course there is the massive socio-economic value of the current proposal, already alluded to.

Statement 3.

Finally, I'm impressed by the transparent manner in which these proposals are being discussed, with a three-hour scrutiny meeting held last week - entirely in open session - and a comprehensive 5,000-word report made available to the public, plus related correspondence. I well remember the less limpid "fire sales" of 2023, where the public weren't even told which sites were being disposed of until an officer let them slip; even then, the debate at full Council was characterised by Conservatives saying "I'm concerned we're getting into an awful lot of detail"; nor was it ever explained why those particular sites had been selected. No such puzzlement exists here. It would be congenial if the administration were to provide all councillors with the heads of terms agreements, valuation reports, and letters from supporting landowners, ahead of the full Council meeting of 23 April, where I hope this passes overwhelmingly.

130. Recommendations from the Overview and Scrutiny Committees

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.

131. Q3 Corporate Performance Report

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 'A' to these Minutes in the Minute Book.

Cabinet was advised that the Corporate Strategy sets out the objectives and outcomes that the Council's performance will be judged against and as such is a vital component of the Council's performance management framework, and that an understanding of performance against targets, goals and objectives helps us assess and manage service delivery and identify emerging business risks.

Cabinet was informed that BCP Council's priorities and values which underpin the development and delivery of services are set out in the Corporate Strategy, and that a new Corporate Strategy was approved by Cabinet in December 2023 and was adopted by council in January 2024.

Further to this Cabinet was advised that new delivery plans and key performance measures will be considered by Cabinet in May 2024, and that until then, performance is assessed on the actions and measures detailed in the Corporate Strategy adopted by Full Council in November 2019 and delivery plans that were revised in February 2022.

Cabinet was informed that the appended performance report shows progress with measures set out in the delivery plans and any additional measures agreed by Cabinet as part of the performance reporting process, for quarter three of 2023/24 (October to December 2023), and that individual exception reports provide explanations and planned actions to address under performance.

In relation to this Cabinet was informed that the appended report also provided a further update on the delivery plan actions, and that Appendix 2 shows a progress update as of March 2024, on the Council's response to being issued with a 'Best Value Notice' by the Department for Levelling Up, Housing & Communities (DLUHC) in August 2023.

RESOLVED that Cabinet: -

- (a) considered the Quarter Three performance report and delivery plan action updates and the exception reports relating to areas of under performance;**
- (b) noted the March 2024 progress update on the Council's response to being issued with a 'Best Value Notice'; and**
- (c) agreed that the next performance report Cabinet receives will be the Q1 report based on the new delivery plan and measures that will be agreed by Cabinet in May.**

Voting: Unanimous

Portfolio Holder: Dynamic Places

Reason

The Corporate Strategy sets out the objectives and outcomes that the Council's performance will be judged against and as such is a vital component of the Council's performance management framework. An understanding of performance against targets, goals and objectives helps us assess and manage service delivery and identify emerging business risks.

132. Disposal of Land at Wessex Fields, Riverside Avenue

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 'B' to these Minutes in the Minute Book.

Cabinet was advised that the report presented a proposal to dispose of council owned land at Wessex Fields, Riverside Avenue, Bournemouth BH7 7EE, on the open market, or through direct sale, at an agreed RICS Red Book Valuation, to the University Hospital Dorset NHS Foundation Trust.

The Leader invited the University Hospital Dorset NHS Foundation Trust to show a short video as part of their presentation, the video is available on the following link <https://youtu.be/A21heSdLqgE>.

The Chair of the Overview and Scrutiny Board, Councillor Bartlett addressed the Cabinet advising that the Board at their recent meeting had provided in-depth and probing scrutiny on this item following which the Board had been largely in favour of the disposal of the land to the University Hospitals Dorset NHS Foundation Trust and had proposed the following recommendation for consideration by Cabinet: -

1. *Approve the disposal of the council owned land at Wessex Fields to the University Hospitals Dorset NHS Foundation Trust on such terms to be approved by the Director of Finance acting in his capacity as Corporate Property Officer, in consultation with the Portfolio Holder for Finance.*

(Majority Decision)

The Cabinet thanked the Overview and Scrutiny Board for their robust scrutiny following which a number of other Members addressed the Cabinet in support of the recommendation to dispose of the land to the University Hospitals Dorset NHS Foundation Trust.

Cabinet stressed the importance of the active travel and of the key worker housing, which they were further advised would be open to all NHS staff with the aspiration of providing high-quality longer-term homes to retain newly qualified staff.

RECOMMENDED that Council: -

Approve the disposal of the council owned land at Wessex Fields to the University Hospitals Dorset NHS Foundation Trust on such terms to be approved by the Director of Finance 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 land at the Wessex Fields site located at Riverside Avenue:

- The sale will generate a capital receipt to support the funding of the Council's Transformation Investment Programme.
- The council could achieve specific socio-economic benefits as the purchase by the hospital could unlock substantial health benefits for the wider area.
- Disposal of the site to University Hospitals Dorset NHS Foundation Trust could evidence best value in financial terms, as the capital receipt would be determined in accordance with a RICS Red Book Valuation.

133. 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 'C' to these Minutes in the Minute Book.

Cabinet was advised that the report provided an update on the progress of the transformation programme of the BCP Council, which consists of three main elements: organisational design, where and how we work, and supporting our colleagues.

In relation to this Cabinet was informed that the report highlighted the achievements and benefits of the programme, such as the implementation of the new Dynamics Finance and Operations system, the launch of the new customer journeys on the Dynamics Customer Engagement system, the development of the new People Strategy and the negotiation of the pay and reward offer with the trade unions, and that further to this the report also outlined the challenges and risks that the programme faces, such as data quality issues, the complexity and volume of the remaining customer journeys and processes that need to be developed and transferred to the new customer engagement system, the impact of the organisational change on the staff and the exit strategy from the transformation funding.

In addition, Cabinet was advised that there were a number of appendices that provided more details on the programme, such as the data and analytics case study, automation of manual processes, programme costs, benefits realisation and savings.

Members addressed the Cabinet expressing a desire to be provided with a list of buildings that the Council owns broken down by Ward so they may be aware of the specific buildings within their wards.

Further to this a request was made as to whether any of the work around the vacation of surplus corporate properties and the work in relation to community hubs could be accelerated or members provided with a clear plan and timeline.

Cabinet highlighted the significant work which had been carried out to date and it was raised that it was unfortunate that residents don't have more visibility of the programme which is now coming into a hugely successful part of the programme.

Further to queries raised the Portfolio Holder advised that the request for the list of properties by ward would be taken forwards.

RESOLVED that: -

Cabinet noted the progress made on the implementation of the Council's Transformation Programme.

Voting: Unanimous

Portfolio Holder: Transformation and Resources

Reason

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

134. Modification to Cemetery Rules and Regulations

The Deputy Leader of the Council and Portfolio Holder for Dynamic Communities 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 requested to approve a modification to the BCP Council's Cemetery Rules and Regulations approved by Cabinet in June 2022 following notification by a religious faith group of a typing omission relating specifically to Regulation 3, Section 3.12 against the subsequently printed and published version dated 1 September 2022.

Cabinet was advised that whilst requesting consideration for approval for this modification Officers had taken the opportunity to further enhance the Rules and Regulations providing additional information on exhumation practices subject to law provision and further minor changes to align with corporate financial regulations and corporate/national changes in circumstances.

In presenting the report the Deputy Leader proposed that recommendation (c) as below: -

- (c) *Regulation 3, Section 3.12 – Single or bulk purchase of graves by funeral directors/arrangers or religious or non-religious faith group representatives to their group members or families they represent will not be permitted.*

be deferred to enable consultation to take place with the faith groups to establish the impact this will have for them.

Members addressed the Cabinet requesting the following areas be looked at in respect of cemeteries: -

- Positive feedback with regards to the branding but could the reasons for the requirement for keeping dogs on leads be explained within the signage to help educate people.

- Ensure there are sufficient dog waste bins.

Cabinet raised the following areas for further consideration: -

- Hours of burial, could consideration be given to enable more families to be able to hold a burial on a Saturday.
- Children under the age of 12 not being allowed unless supervised by a responsible adult (could this be dependent on circumstances)
- Clarification of the charges relating to infants and children
- Greater explanations regarding the reasoning behind the prohibition of plastic tokens being left

The Deputy Leader thanked Members for their comments and advised that these would be reviewed, and that with the deferral of recommendation (c) as set out above to come back to a future meeting that any further changes could be included within that report.

RESOLVED that Cabinet reviewed and approved the following updated sections of the Cemetery Rules and Regulations:-

- (a) Regulation 3, Section 3.9 – changes to payment terms from 30 days to 7 days from date of invoice;**
- (b) Regulation 3, Section 3.9 – notification that cash or cheque payments will not be accepted;**
- (c) Regulation 3, Section 3.14 – Reclaimed graves, where available, are offered for purchase in our Cemeteries and are subject to the conditions of Regulation 3.13;**
- (d) Regulation 7, Section 7.8 – Control of Dogs, previous reference to an Open Spaces Protection Order, removed;**
- (e) Final paragraph, reference to Her Majesty's Secretary of State changes to His Majesty's Secretary of State; and**
- (f) New addition of Regulation 5 relating to exhumation.**

Voting: Unanimous

Portfolio Holder: Connected Communities

Reason

To provide correct and updated guidance to users of our cemeteries that align with legislative requirements and corporate financial regulations.

The meeting adjourned at 12.17pm

The meeting reconvened at 12.30pm

135. Future of Public Health in BCP Council

The Portfolio Holder for Health and Wellbeing 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 advised that Public Health Dorset operates under a shared service agreement with Dorset Council, and that under BCP Council's

corporate strategy, there are opportunities to better discharge the council's public health functions outside the shared service agreement.

In relation to this Cabinet was informed that the report therefore proposes the termination of the shared service agreement and a programme to shape the future public health function.

In proposing the recommendations, the Portfolio Holder acknowledged that the Health and Adult Social Care Overview and Scrutiny Committee had not yet had the opportunity to scrutinise the report and with this in mind proposed the following additional recommendation: -

- (a) *Cabinet invites the Health and Adult Social Care Overview and Scrutiny Committee to assess options for configuring public health functions within the councils corporate structures to maximise community benefit as outlined in paragraph 5. And to report findings to the Corporate Director for Wellbeing by the end of May to inform this work ahead of any job design or appointments process.*

The Chair of the Health and Adult Social Care Overview and Scrutiny Committee addressed the Cabinet advising that the report had recently been circulated to the Committee with comments being fed back to himself, with the following comments being raised by members of the Committee: -

- A request for a deferral of this item to the subsequent meeting of the Cabinet in order that the Committee may consider the report prior to Cabinet meeting.
- Question as to why we are doing this.
- A comment questioning whether the sequence is right in terms of how this is being considered.
- Further information within the report regarding evidence supporting the proposal.

The Chair of the Health and Adult Social Care Overview and Scrutiny Committee thanked the Portfolio Holder for the additional recommendation.

Members addressed the Cabinet welcoming the additional recommendation and advising that they would have liked more information within the report in terms of evidence in respect of why this is the proposal.

Cabinet members stressed the importance of public health and highlighted that the council would still be working jointly with other healthcare partners, but that this proposal would give public health a much stronger focus within BCP Council ensuring we can provide the service our residents require.

RESOLVED that: -

- (a) **Cabinet agrees to give notice to Dorset Council of the intention to terminate the shared services agreement by 1 April 2025 (para 12);**
- (b) **The Chief Executive provides the written notice as soon as possible, in line with the terms of this report;**

- (c) **Cabinet seeks to work in partnership with Dorset Council to ensure a managed transition for both Councils, in line with the principles set out at para 8;**
- (d) **The Chief Executive, in consultation with the Corporate Director for Wellbeing, creates a new post of Director of Public Health and takes forward the appointment in line with the prescribed process, in partnership with OHID (para 10); and**
- (e) **Cabinet invites the Health and Adult Social Care Overview and Scrutiny Committee to assess options for configuring public health functions within the councils corporate structures to maximise community benefit as outlined in paragraph 5. And to report findings to the Corporate Director for Wellbeing by the end of May to inform this work ahead of any job design or appointments process.**

Voting: Unanimous

Portfolio Holder: Health and Wellbeing

Reason

These decisions provide a means to shape the future delivery of public health in BCP Council outside the shared service agreement. This contributes to the delivery of BCP Council's vision and ambitions around health and wellbeing in the Corporate Strategy.

136. **SEND Programme of Expansion - Canford Heath Infant and Junior Schools**

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 as part of the Council's SEND Improvement agenda, work is underway to increase the sufficiency of specialist places and promote inclusion in mainstream schools, and that within one of several schemes in development, the Council is working with Teach Trust to co-locate specialist places for children with speech, language and communication needs at Canford Heath Infant and Junior Schools.

Cabinet was informed that the scheme will provide a total of 35 resource base places for children with an Education, Health and Care Plan from January 2025, and that this is made up of 20 places at Canford Heath Infant School and 15 places at Canford Heath Junior School.

In relation to this Cabinet was informed that the scheme comprises internal remodelling and the co-location of purpose-built modular accommodation using the Council's high needs special provision capital grant funding allocated by the Department for Education.

RECOMMENDED that: -

the total project budget as contained in Appendix 1 (Exempt) be approved. This will enable the scheme to progress in line with the project programme set out in paragraph 18. The project is fully funded

from the Council's high needs specialist provision capital grant allocation.

Voting: Unanimous

Portfolio Holder: Children and Young People

Reason

In accordance with the Council's statutory duty, the project increases the availability of local places for local children and supports the Council's strategy to achieve cost savings in line with the Dedicated School Grant Recovery plan.

137. Safer Routes to School Traffic Regulation Order Review P43 2023 - Various Sites

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 subject to approval the proposal shall enable the implementation of various new Traffic Orders related to Safer Routes to School issues at various locations across the BCP area.

In relation to this Cabinet was informed that these proposals aim to create a safer environment and to encourage more travel, especially to and from Schools, by sustainable modes including such as walking and cycling, thereby reducing congestion and improving health and well-being overall.

RESOLVED that Cabinet: -

approved the Traffic Order to enable it to be made and sealed and to implement the restrictions which are outlined in Appendix 1.

Voting: Unanimous

Portfolio Holder: Climate Response, Environment and Energy

Reason

To consider the representations received following the advertisement of the Traffic Order and to approve the making and sealing of the Order. This will enable the implementation of new parking and waiting restrictions which have been designed to improve road safety, to ensure essential services can take place and to improve the flow of traffic and parking facilities available to the local community including schools.

No material negative impacts have been identified in relation to the restrictions to be implemented including to matters such as access to premises, amenities and use of the road by public service vehicles.

It is considered that the Traffic Order will help secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians and cyclists) and the provision of suitable and adequate parking facilities on the highway.

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

The Chief Executive advised that he had taken two urgent decisions in accordance with the Constitution since the last meeting of the Cabinet, these being: -

- **HR Support Pilots Project** - BCP's acceptance of a grant of up to £180,000 (plus vat) for the supply of 'Labour Market Participation Trials' to the Secretary of State for the Department for Business and Trade. The trials will be a pilot project to provide BCP based businesses with HR support predominantly around recruitment and retention.
- **Acceptance of Active Travel Capability Funding** - To accept £285,908 2024 Active Travel Capability Funding revenue (Tranche 4) from Active Travel England for walking and cycling projects.

Both decisions are available to view on the Councils website.

139. Cabinet Forward Plan

The Leader advised that the latest Cabinet Forward Plan had been published on the Council's website, and further to this urged for items to be registered as early as possible on the Forward Plan with the aspiration to have a at least a 12 month plan populated.

The meeting ended at 1.23pm

CHAIRMAN