

BOURNEMOUTH, CHRISTCHURCH AND POOLE JOINT COMMITTEE
15 December 2017

PRESENT:

Councillor Janet Walton	Borough of Poole - Chair
Councillor John Beesley	Bournemouth Borough Council - Vice-Chair
Councillor David Flagg	Christchurch Borough Council - Vice-Chair
Councillor Blair Crawford	Bournemouth Borough Council
Councillor Philip Broadhead	Bournemouth Borough Council
Councillor David Brown	Borough of Poole
Councillor Deborah Croney	Dorset County Council
Councillor Anne Filer	Bournemouth Borough Council
Councillor Mike Greene	Bournemouth Borough Council
Councillor May Haines	Borough of Poole
Councillor Trish Jamieson	Christchurch Borough Council
Councillor David Jones	Dorset County Council
Councillor Jane Kelly	Bournemouth Borough Council
Councillor Robert Lawton	Bournemouth Borough Council
Councillor Drew Mellor	Borough of Poole
Councillor Pat Oakley	Bournemouth Borough Council
Councillor Karen Rampton	Borough of Poole
Councillor Mike White	Borough of Poole

OFFICERS:

Andrew Flockhart, Chief Executive, Borough of Poole
David McIntosh, Chief Executive, Christchurch and East Dorset Councils
Jane Portman, Managing Director, Bournemouth Borough Council
Debbie Ward, Chief Executive, Dorset County Council
Ian Milner, Strategic Director, Christchurch Borough Council
Julian Osgathorpe, Joint Executive Director, Corporate Services
Adam Richens, Service Director, Strategic Finance - Chief Financial Officer
Tanya Coulter, Service Director, Legal and Democratic & Monitoring Officer
Georgia Turner, Head of Communications and Marketing

The meeting commenced at 10.00 am

Note: To see a copy of the public reports that were considered by the Committee at this meeting please visit:

<https://bcpjointcommittee.wordpress.com/meetings/>

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25. APOLOGIES

Apologies for absence were received as follows:

- Councillor Beverley Dunlop, Bournemouth Borough Council. Councillor Pat Oakley would act as her substitute for this meeting.
- Councillor Nicola Greene, Bournemouth Borough Council. Councillor Anne Filer would act as her substitute for this meeting.
- Councillor John Challinor, Borough of Poole. Councillor Mike White would act as his substitute for this meeting.

26. DECLARATIONS OF INTEREST

There were no declarations of disclosable pecuniary interests by the Joint Committee Members.

27. CONFIRMATION OF MINUTES

A Dorset County Council Member referred to Clause 16 of the minutes of the meeting held on 21 November 2017 and the reference to representation from the Council which he felt was ambiguous as he was a Member of the Joint Committee.

A Member suggested that when the minutes from the Joint Committee were published on the website that it should be made clear that they were subject to confirmation by the Joint Committee at the next meeting.

DECISION MADE:

That the minutes of the meeting on 21 November 2017 be confirmed taking account of the above comments.

28. PUBLIC ISSUES

A Dorset County Council Member reported that a number of public questions had been submitted for the meeting but some questions were denied in accordance with the Bournemouth Borough Council Constitution. He asked for clarification as he could not find reference in the minutes of the Joint Committee that the above Constitution had been agreed as the relevant standing orders and procedure rules. Tanya Coulter, Monitoring Officer reported on the distinction for public questions compared to questions from Councillors. She indicated that the Committee were able reaffirm the use of the relevant standing orders/procedure rules.

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DECISION MADE:

That the Joint Committee reaffirm the use of the Bournemouth Borough Council Constitution.

The Joint Committee were informed that the following public questions had been received:-

- a. MA Rodger
- b. Susan Chapman
- c. Elliot Marx

A copy of the questions and answers can be viewed at the following link:-

<https://www.bournemouth.gov.uk/councildemocratic/CouncilMeetings/Previousquestionsdocs/public-questions-15-december-2017.pdf>

29. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY PANELS/COMMITTEES

The Committee was informed that the Bournemouth Borough Council LGR/Shared Services O&S Panel on 11 December 2017 had agreed the following recommendations for submission to the Committee:

On consideration of the reports of the Bournemouth, Christchurch and Poole Joint Committee, the Bournemouth LGR/ Shared Services O&S Panel recommends that the task and finish group on civic functions includes consultation with present and past mayors to inform its recommendations.

The Panel also recommends that the Committee is mindful of the need to promote the use of plain English in its reports in order to assist public understanding and engagement with the LGR programme

A Member of the Joint Committee referred to an Overview and Scrutiny Committee held on Wednesday evening at Christchurch Borough Council and indicated that he would make arrangements for draft minutes to be circulated to the Joint Committee as soon as they were available. A Member of the Committee sought clarification on the advice provided to Members who sit on an Overview and Scrutiny Committee scrutinising a body of which they were a Member eg the Joint Committee. The Monitoring Officer advised that would be a matter for the individual authority to address.

DECISION MADE:

That the recommendations be received and noted.

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30. PROGRAMME UPDATE

The Committee considered a report by the Joint Executive Director circulated at '6'. The report provided an overview of the key programme activity undertaken on behalf of the Joint Committee. The Joint Executive Director reported that there were currently no risk, budget or resource issues to escalate.

Members were advised of the proposed arrangements for a workshop facilitated by the LGA on the Chief Executive recruitment workstream for all Members of the Joint Committee which was proposed following the next Joint Committee meeting on 15 January 2018. The Joint Executive Director reported that the workshop would be held from 12.30 pm and was expected to last approximately 2 hours.

DECISION MADE:

1. That the progress made since the last Joint Committee on approved workstreams be noted.
2. That the proposed activity to progress approved workstreams on the lead up to the next Joint Committee be noted.
3. That the format and content of this report to be used for future programme reporting be noted.
4. That the proposed workshop with the LGA following the Joint Committee on 15 January 2018 be noted.

31. CONSOLIDATED MEDIUM TERM FINANCIAL PLANS (MTFPs)

The Committee considered a report by the Chief Financial Officer for Bournemouth and Poole Councils circulated at '7'. Members were advised that a culture of strong financial management would be fundamental to the success of a new unitary authority in delivering services and meeting its statutory obligations. The Chief Financial Officer explained that this culture was set even before any Shadow Authority was formed by the Joint Committee's overview of a consolidated MTFP and ensuring that sovereign Councils were aware of any decisions which would have financial implications for the new unitary council.

The Chief Financial Officer explained that the report provided a high-level overview of the MTFPs for Bournemouth, Christchurch and Poole detailed at figure 1 in the report. He explained that figure 2 in the report shows the total forecast funding gap for Dorset County Council.

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The Joint Committee was advised that the information presented in figures 1 and 2 was based on the MTFPs of each Council as published and in the public domain. The Chief Financial Officer reported that there were a number of caveats in regard to this information as detailed in paragraph 8 of the report. He explained that Bournemouth and Poole made similar assumptions with each Council undertaking an annual budget process. The Chief Financial Officer highlighted the commitment to co-operate and that any decision would impact on the Shadow Authority and therefore significant risks should be highlighted. A Member in referring to figures 1 and 2 and paragraph 8 a) indicated that the information was not presented in a consistent format. A Member asked at what point would there be an understanding of the Dorset County Council elements for Christchurch. He referred to 8 c) of the report and asked for clarification on the Council tax basis for future years. The Chief Financial Officer reported that the MTFPs for Bournemouth and Poole have been drawn together based on 1.99% in line with the referendum limit similar to Dorset County Council with an expected £5 per annum increase for Christchurch Borough Council.

A Member raised a number of questions including:

- will the Committee be given an update on the financial position as opposed to the 7 November 2017?
- is the Committee likely to debate a cap on exit payments for staff?
- will the full financial position for Bournemouth and Poole be made available.

The Chief Financial Officer reported that in respect of a cap on exit payments government guidance was awaited from the DCLG on introduction. He reported that once budgets were set the Government would be advised of the financial position in addition further updates would be provided when budgets were set by sovereign Councils.

DECISION MADE:

1. That having considered the MTFP position the caveats as set out in paragraph 8 of the report be noted.
2. That the intention to provide a further update report once the 2018/19 budgets of the relevant Councils have been approved be noted.
3. That the Chief Financial Officers will now highlight in reports to the relevant sovereign Councils any decisions which will have significant financial implications for the proposed new Unitary Council be noted.

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4. That once the Shadow Authority has been established that the Chief Financial Officers highlight to the Shadow Authority any sovereign Council decisions which will have either a significant financial impact or involves significant financial risk exposure to the new Unitary Council be noted. Such matters will be included in the regular MTFP update reports.

32. DISAGGREGATION

The Committee considered a report circulated at '8' on disaggregation. The Chief Executive, Dorset County Council reported on the progress with this workstream since the Joint Committee had approved the principles for disaggregation at the last meeting on 21 November 2017.

The Committee was advised that the pilot service assessment was in progress and on time. The Chief Executive, Dorset County Council explained that the purpose of the pilot was to test the methodology to ensure that financial/service based issues were properly assessed. Members were advised that the Oversight Group would meet next week for the lead officers who will oversee the process and resolve issues and report to the Joint Committee meetings in January,

A Member raised the following questions:

1. What was the cost in 2016/17 of services provided by Dorset County Council to residents in Christchurch and to how many users was each service provided; what is the estimated cost of those costs for 2017/18?
2. What was the yield of income to Dorset County Council from the council tax precept on residents in Christchurch in 2016/17 and what is the projected yield for 2017/18?
3. Will the Joint Committee publish the outcome of the study into the financial impact of disaggregation of services provided by Dorset County Council to Christchurch residents consequent upon the creation of a new unitary authority comprising Christchurch, Bournemouth and Poole?

The Chief Executive, Dorset County Council reported that she was not able to respond to the above questions immediately but, following a question from the Chairman, indicated that she would aim to make responses available prior to the next meeting of the Joint Committee.

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A Member of the Committee reported on the concern and fear for residents that the impact of any change in service would result in a change in company and carer. He asked that this be avoided. The Chief Executive, Dorset County Council explained that the principles of disaggregation meant that service users should not suffer whilst there was no guarantee that specific care companies were maintained.

A Member highlighted paragraph 8 of the report on the management of risk. He asked, in view of the importance of this piece of work, how the risks would be reported to the Committee early enough and how those risks would be managed. The Chief Executive, Dorset County Council reported that the Task and Finish Group would work with the Oversight Group with risk assessments completed which would form part of the reporting arrangements.

A Dorset County Council Member suggested in light of the above questions that if Members do have significant questions they were submitted in advance of the Committee. The Chairman supported this approach and emphasised that the public should be aware of such responses.

DECISION MADE:

That the progress of the disaggregation planning and high level plan be noted.

33. COUNCIL TAX HARMONISATION

The Committee considered a report by the Chief Financial Officers for Bournemouth, Poole and Christchurch Councils circulated at '9'.

Councillor Beesley the Chairman of the Council Tax Harmonisation Task and Finish Group set out the parameters and progress made on the work undertaken by the Group. He indicated that at the last meeting there had been a clear steer that no Borough's Council Tax levels would rise at a rate exceeding the Government's referendum limit. The Chairman of the Task and Finish Group referred to the variables set out in paragraph 2 of the report which included the period over which harmonisation would occur, freezing or reducing Council tax for Christchurch residents and Council Tax foregone (Council Tax which cannot be collected). Members were advised that 18 models had been developed but due to the decision of the Committee in November a number of options were ruled out as they exceeded the parameters with five available options. The Chairman of the Task and Finish Group indicated that no conclusions have been reached at this stage in light of the work required on disaggregation and the MTFPs.

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The Chairman of the Task and Finish Group referred to paragraph 8 of the report which set out the outcomes in meeting the principles agreed by the Joint Committee. Members were advised that harmonisation could be undertaken by the end of year 7 with an increase of £29 per annum for Poole Council Taxpayers, £24 per annum for Bournemouth Council Taxpayers and a saving of £948 over the 7 Year period for Christchurch Council Taxpayers. The figures related to band D properties at current referendum levels.

Members were informed that paragraph 8 details the Council Tax foregone set based on harmonisation by the end of year 7. The Joint Committee was informed that the maximum number of years for harmonisation was 10 but the Task and Finish Group would look at a model of 5 years. The Chairman of the Task and Finish Group reported that once the work on disaggregation was undertaken a preferred option would be submitted to the Joint Committee for a decision.

A Christchurch Council Member requested that recommendation 2 in the report be taken separately in light of the impact for Christchurch residents. A Member who was also on the Task and Finish Group expressed his support for the last bullet point in recommendation 2 but was surprised at the possible lack of support for a freeze or reduction for Christchurch residents. A Dorset County Council Member commented on the prudent approach of Dorset County Council and referred to the early public question from MA Rodger and in doing so stressed the importance of getting the financial model right in order to finance adult social care. He indicated that he would not oppose the report but further updates in the new year were vital.

A Christchurch Council Member outlined his concerns and indicated that if you take any protected characteristics under the Equalities Act and apply across the conurbation that cannot support the proposed format. He referred to equal tax banding from day one with residents paying the same amount of council tax for the same services.

A Poole Council Member raised a number of questions:

1. What is the likelihood that the end of year 7 will be acceptable to the DCLG? The Chief Financial Officer reported that the DCLG was expecting a proposal within 10 years.
2. Why is Bournemouth and Poole Council Tax indicated in the report per annum and Christchurch Council reflected as a lump sum can they all be per annum over a 7 year period? In acknowledging that further work was required on the modelling the Chief Financial Officer indicated that a further report would be submitted to the Committee at a later date.

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3. How does £10.3m compare to the business case and information presented to the public and requested that this information was included in the report. A Member indicated that the £10.3m was taken from Future Dorset proposals which was confirmed by the Strategic Director, Christchurch Council.
4. Can I see the detail of the models/workings on how conclusions have been reached by the Task and Finish Group or do I need to log a FOI request? The Chairman of the Task and Finish Group explained that the purpose of reporting back at the meeting today was an interim measure. He explained that depending on the disaggregation work and the MTFPs the Task and Finish Group would be bringing back the workings to the Joint Committee. Members of the Task and Finish Group commented on the above including one Member indicating that the information can be made available but at this stage it was work in progress and may not be the preferred model which must be borne in mind. A Member indicated that here was a judgement on what residents wanted, the driver for the proposed changes and that the two-tier system was less efficient.

The Chairman in presenting the recommendations suggested an amendment to recommendation 2 by deleting '..... include within the representation to the Secretary of State confirmation.....' and replacing with 'provide assurance to the DCLG'

A Poole Council Member moved that detailed workings considered by the Task and Finish Group, notes of the workings and reasons be provided to the Joint Committee. This motion was not seconded and the Chairman confirmed that it was already the intention to provide this information.

It had previously been suggested that the bullet points at recommendation 2 be taken separately. This motion was not carried and the Chairman wished to be recorded as abstaining.

DECISION MADE:

1. That the content of the report and request for a further update in the new year once the disaggregation and MTFP work had been progressed further be noted.
2. That Members provide assurance to the DCLG that a Council Tax Strategy is well advanced to ensure that;
 - No Council Taxpayer will see an increase greater than the Government's referendum limit and therefore pay no more than they would have done had there been no LGR;

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- Harmonisation across all areas is achieved within ten years;
- Council Taxpayers in the Christchurch area see a freeze or reduction in their council tax throughout the harmonisation period.

Note - Councillor David Brown wished to be recorded as abstaining from the decision at 2 above.

34. THE STRUCTURAL CHANGE ORDER - REPORT OF THE TASK AND FINISH GROUP

The Committee considered a report by the Chief Executive, Borough of Poole circulated at '10'. The report detailed the Task and Finish Group's responses to nine questions which related to issues in the Order and upon which the DCLG had asked for the Joint Committee's views.

Councillor Drew Mellor, Chairman of the Task and Finish Group outlined the proposals relating to the name of the new Authority retaining the names of the three Councils in alphabetical order - Bournemouth, Christchurch and Poole. He reported on the Shadow Authority which was a technical vehicle and the proposal that all 120 members of the three existing councils for the area should be Members of the Shadow Authority. The Chairman of the Task and Finish Group reported on the proposal for the executive arrangements and the shadow executive committee comprising of 16 Members which reflected the principles that shaped the Joint Committee and provided for a balance of representation from Bournemouth, Christchurch and Poole. He also commented on the proposal to engage representatives of Dorset County Council. The Committee was referred to paragraph 14 of the report which outlined proposals for the legal status of the new authority and was advised that the Task and Finish Group recommended a Borough Council with County functions. The Chairman of the Task and Finish Group reported that the next meeting of the Group would be on 4 January 2018.

The Chairman of the Task and Finish Group in response to a question relating to paragraph 11 of the report explained that it was recommended to operate within the Bournemouth Council's Constitution and standing orders as it provided an opportunity for public engagement which was fundamentally important.

A Poole Council Member referred to the shadow executive committee and political balance of that body with opposition representation. The Monitoring Officer reported that there was no requirement for it to be politically balanced and the approach of other structural change orders had been to move away from that criteria to allow for minority representation.

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The Poole Council Member made a move to request that the Shadow Executive Committee was politically balanced - there was no seconder for that motion.

The Monitoring Officer in response to a question reported that a further report would be submitted in January setting out proposals on the way in which Members were nominated and elected to the Shadow Executive Committee.

DECISION MADE:

1. That the recommendations made by the Task and Finish Group as set out in the report be agreed and that these decisions are communicated to the DCLG.
2. That the Task and Finish Group be requested to consider the other issues about the Order which are not yet resolved and to report back to the Committee on these.

35. ELECTORAL ARRANGEMENTS

The Committee considered a report by the Chief Executive, Borough of Poole circulated at '11'. The Chief Executive reported on new electoral arrangements in supporting the creation of a new Council in Bournemouth, Christchurch and Poole in Dorset. He explained that a full review would take 16-18 months but bespoke arrangements for Dorset would require work to be done quickly to enable the review to be conducted and completed. The Chief Executive reported that the Local Authorities in Dorset would need to undertake initial work as detailed in the report.

The Committee was advised of the initial preparatory work as detailed below:

- i. A 5 year electoral forecast (to November 2023)
- ii. The size of both councils - formulated by the councils following the LGBCE's published guidance - together with a rationale
- iii. Proposals for ward boundaries developed by the councils

It was suggested that the existing Structural Change Order Task and Finish Group consider i and ii above and a new Task and Finish Group be established to look at iii. The Chief Executive, in response to a question, confirmed that the DCLG was asking all Local Authorities to deal with i above and submit by the end of January. A Member clarified the implications of the above.

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A Poole Council Member fully supported a full electoral review and sought clarification on public and community involvement asking for sufficient time for stakeholder and community engagement. The Chief Executive, Borough of Poole reported that the electoral boundary commission would start work in June 2018 draft proposals would be published for consultation with a final recommendation by November 2018.

The Chairman clarified the work that would be undertaken by the Structural Change Order Task and Finish Group and the role of the proposed new Task and Finish Group.

DECISION MADE:

1. That the report on electoral arrangements that could be put in place for the Bournemouth, Christchurch and Poole area in the event of the Secretary of State making a final decision to implement the local government reorganisation proposals in Dorset and Parliament approving the legislation be noted.
2. That a Task and Finish Group be established to work with officers to develop the work described in this report at 12 (iii)
3. That a further report on this be submitted to the Joint Committee.

Note Councillor David Jones wished to be recorded as dissenting from the decision at 1 above

36. FORWARD PLAN FOR THE JOINT COMMITTEE

The Joint Committee considered the Forward Plan, circulated at '12'.

DECISION MADE:

That the Forward Plan be received and updated in light of decisions taken by the Joint Committee.

The Chairman thanked the Leader of Christchurch Borough Council for their hospitality in hosting the Joint Committee.

The meeting closed at 11.50 am.

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