

## Appendix N Client Steering Group Approvals

**BOROUGH OF POOLE**

**CABINET**

**7 DECEMBER 2010**

The Meeting commenced at 7:00pm and concluded at 8:37pm

Present:

Councillor Ms Elaine Atkinson (Chairman)  
Councillor Mike White (Vice-Chairman)  
Councillors Peter Adams, Don Collier, Ron Parker, Neil Sorton and Janet Walton

Also in attendance:

Councillors Brooke, Chandler, Clements, Gillard, Mrs Haines and Mrs Long

Members of the public present at the Meeting: Approximately 3

CA82.10      APOLOGIES FOR ABSENCE – AGENDA ITEM 1

There were no apologies for absence.

CA83.10      DECISIONS OF THE PREVIOUS MEETING – AGENDA ITEM 2

DECISION TAKEN

That the Decisions of the previous Meeting of the Cabinet, held on 2 November 2010, having been previously circulated to all Members, be taken as read, confirmed and signed by the Chairman as a correct record.

CA84.10      DECLARATIONS OF INTEREST – AGENDA ITEM 3

There were no declarations of interest.

CA85.10      PUBLIC QUESTION TO CABINET – AGENDA ITEM 4

The following Question had been received from Mr Sprackling to the Vice-Chairman of Cabinet, Councillor White:

*"As at 07/09/10, £394,368 (£431,368 - £37,000 for the abortive costs for the proposed Parkstone Children's Centre, not "circa £25,000", quoted in the report) of the £0.775m (£1.6m - £0.825m) capital funding agreed by the Children's Services Capital Programme Board at its meeting on 23/10/08 remained "uncommitted". May I have a detailed breakdown of the monies committed at the date of the Cabinet meeting please?"*

Mr Sprackling, in attendance at the Meeting, agreed to take the Question as read and Councillor White gave his response as follows:

The Council was allocated a total of £2,771,941 Sure Start Early Years and Childcare Capital Grant (SSEYCG) for the three year period 2008/09 to 2010/11.

This comprised two grant areas as follows:

£1,604,316	Early Years Quality and Access capital grant
£1,167,625	Sure Start capital grant

By 31/3/10 (across 2008/09 and 2009/10) £266,805 Early Years capital grant and £387,087 Start capital grant was spent. This left a total balance of £2,118,049 remaining in 2010/11.

In August 2010 the Department for Education withdrew £825,000 of the Sure start Early Years and Childcare capital grant which left £1,293,049 remaining. This represented a cut of £500,835 to the Early Years Quality and Access capital grant and £324,165 to the Sure Start capital grant. In addition to the SSEYCG 2010-11 allocations £89,846 Borough of Poole capital was allocated to this area. This meant that there was £1,382,895 funding available in 2010/11.

Of the £1,382,895 total funding available in 2010/11, £951,527 was committed at the date of the Cabinet meeting on 7/09/10 as follows:

Branksome Children's Centre – 350 Poole Road	£524,131
Merley PreSchool	£297,263
Turlin Moor PreSchool	£ 86,583
Wise Owls PreSchool	£ 41,258
Minor Awards to settings	£ 2,292
<b>Total Commitments</b>	<b>£951,527</b>

Mr Sprackling responded, stating that his Question had been completely misunderstood and the figures he required were those as at Cabinet that evening, i.e., 7<sup>th</sup> December 2010.

Cllr White undertook to ensure this information was supplied to Mr Sprackling.

**DECISION TAKEN**

That the figures from the 7<sup>th</sup> September to 7<sup>th</sup> December 2010 be forwarded to Mr Sprackling by Councillor White.

CA86.10

**ASSESSMENT OF PERFORMANCE OF ADULT SOCIAL CARE 2009 TO 2010 – AGENDA ITEM 5**

**DECISION TAKEN**

That Cabinet:

- (i) Note the outcomes of the Assessment of Performance and the measures taken by Social Care to address key issues raised by CQC in the 2008/09 Annual Performance Assessment.
- (ii) Refer the full Assessment of Performance report for detailed consideration to the Health and Social Care Overview and Scrutiny Committee.
- (iii) Require a report to Cabinet in March 2011 on progress made against the 2009 CQC Inspection Action Plan.
- (iv) Require a report to Cabinet in June 2011 on progress made improving the quality of residential homes and home care agencies in Poole (i.e. those Care regulated by CQC).
- (v) Record its recognition of the work of Borough of Poole employees, partner agencies and service users/carers in delivering and contributing to care and support and making the significant improvements required by last year's Annual Performance Assessment and the CQC Service Inspection.

**For: Unanimous**

**REASON FOR THE DECISION**

To consider the Care Quality Commission's (CQC) Annual Performance Assessment of Poole's Adult Social Care.

**PART OF THE PUBLISHED FORWARD PLAN**                      No

**KEY DECISION**                      Yes

**PORTFOLIO AREA**                      Social Care

**DISCUSSIONS/OPTIONS**

Councillor Adams, the Portfolio Holder, introduced this Report, explaining that CQC's judgement during 2009/10 of Poole Adult Social Care Services was that it performed "well" on a scale ranging from poor, adequate, well and excellent. Councillor Adams drew Cabinet's attention to the improvement from last year's assessment of performance in which Poole was identified as one of eight "priority for improvement" Local Authorities nationally, which were all graded as "adequate".

Councillor Adams referred to the improvement made in relation to Adult Safeguarding, noting that action had been taken to strengthen the line management of practitioners and first line managers responsible for Safeguarding, more qualified staff had been recruited to the Learning Disability Team and specialist Adult Safeguarding Lead Practitioners had been appointed and Practice Guidance was being developed in relation to protection planning. An Independent Safeguarding Expert had continued to

audit regularly the quality of Safeguarding work and to report findings to the Chief Executive, and the Strategic Director – (Adult Social) Care. These audits, as well as those carried out by Social Care staff had continued to show sustained improvements in Safeguarding practice and management oversight with all Safeguarding work audited to date of an “adequate”, “good” or “excellent” standard.

Cabinet joined with the Portfolio Holder in congratulating staff on the work undertaken in reaching these standards.

CA87.10 ANNUAL PERFORMANCE ASSESSMENT: CHILDREN’S SERVICES – AGENDA ITEM 6

DECISIONS TAKEN

That Cabinet:

- (i) Note the outcomes of the Annual Performance Assessment and recent inspections.
- (ii) Refer the Annual Performance Assessment report to the Children’s Overview and Scrutiny Committee for monitoring of an agreed action plan.
- (iii) Require Officers to act on the identified areas of improvement.
- (iv) Thank employees for their contribution to achieving a positive assessment outcome, in particular congratulating those involved in Adoption and Fostering and the input of Poole’s Foster Carers also be acknowledged.

REASON FOR THE DECISION

To consider Ofsted’s Children’s Services Assessment Letter.

PART OF THE PUBLISHED FORWARD PLAN No

KEY DECISION Yes

PORTFOLIO AREA Children’s Services

DISCUSSIONS/OPTIONS

The Portfolio Holder, Councillor Mrs Walton, introduced this Report, explaining that within this Financial Year Children’s Services had had an Inspection of Fostering and Adoption Services and an unannounced Inspection of Contact Referral and Assessment Arrangements. The Annual Assessment had a four point scale, from one to four, and Poole Children’s Services had received a judgment of scale three “Performed Well”. This was consistent with the Grades achieved over the last few years, with the majority

of Children's Services referred to as "good" and strong leadership was identified in the areas of Safeguarding and Services for Looked After Children.

Cabinet noted the key areas for improvement, in particular, the need to improve the educational achievement of young people from low income families. Cabinet was pleased to note that judgment of the Inspection of Fostering and Adoption Service had been judged as "outstanding".

The Portfolio Holder moved an Amendment as detailed in the Decisions Required Section, wishing the Children and Young People's Overview and Scrutiny Committee to monitor the Action Plan arising from the Inspection at (ii) and also to congratulate all those involved in Adoption and Fostering on the excellent result of the Inspection.

CA88.10

CARBON REDUCTION COMMITMENT: ENERGY EFFICIENCY SCHEME-  
AGENDA ITEM 7

DECISIONS TAKEN

That Cabinet:

- (i) delegate authority to the Carbon Management Programme Board in consultation with the Head of Financial Services, to undertake trading activity to ensure the Council can meet its obligations in relation to the carbon emissions trading scheme
- (ii) approve the conclusions as set out in Section 9 of the Report, which will be managed by the Council's Carbon Management Board.
- (iii) note the approach to charging schools, including academies, for their liabilities under the Carbon Reduction Commitment Tax if regulations allow (Section 5.5 of the Report).
- (iv) approve devolving the amount set aside for the CRC tax within Service Units to those units as a means of incentivising energy reduction (Section 5.6 of the Report).

**For: Unanimous**

REASON FOR THE DECISION

To allow Cabinet to consider the Council's obligations under the Carbon Reduction Commitment Energy Efficiency Scheme (CRC) and recognise the key scheme principles and financial implications for the Council.

PART OF THE PUBLISHED FORWARD PLAN Yes

KEY DECISION Yes

PORTFOLIO AREA Environment

DISCUSSION/OPTIONS

Councillor Collier, the Portfolio Holder, introduced this Report, explaining that the CRC Energy Efficiency Scheme was a new mandatory Carbon Emissions Trading Scheme which had commenced in April 2010. It was part of a package of measures within the Climate Change Act which aimed to save over four million tonnes of CO<sub>2</sub> by 2020. The Scheme targeted large energy users that had a total half hourly metered electricity consumption recording during the 2008 qualifying period of over 6,000 megawatts and covered all core energy use thereafter. The Council had exceeded this threshold and was required to participate in the Scheme by registering its interest before 1<sup>st</sup> September 2010. The Economy Overview and Scrutiny Committee, on 6 September 2010, had considered the Scheme's complexities and the potential financial bonuses attached to the Scheme. There had been changes to the Act following the Government's Comprehensive Spending Review, some of which still required clarification. Participating organisations would need to monitor emissions and purchase allowances for every tonne of carbon dioxide emitted. The purchasing of allowances would now commence in July 2012 and was based upon the Council's 2011/12 energy usage. Current trading estimates indicated a trading price of £12 per tonne of CO<sub>2</sub> and financial bonuses had now been removed, effectively creating a Green Tax.

Councillor Collier drew Cabinet's attention to the penalties for non compliance, detailed at paragraph 4.3 of the Report and of the detailed financial implications, detailed at paragraph 5 to 5.7 of the Report.

Councillor Collier stressed the importance of engagement with schools to ensure data sharing and ongoing reduction in energy consumption in order to realise potential energy savings, which was doubly important for schools who become independent of the Local Authority.

Cabinet noted that further work was needed to incentivise Units and Schools to further reduce their carbon emissions.

CA89.10 COUNCIL BUDGET MONITORING 1 APRIL 2010 TO 31 OCTOBER 2010 – AGENDA ITEM 8

DECISIONS TAKEN

That Cabinet

- (i) note the contents of the Report;
- (ii) approve the Budget transfers (virements) as set out in Section 7.5 and 8.22 of the Report to Cabinet;
- (iii) approve the actions proposed in Section 4.2 referring to progress in implementing the agreed Budget proposal with regard to non-pay benefits to staff (including car mileage); and paragraph 10.1 relating to the Head of Leisure Services providing an outturn report in respect of the Crematorium Capital Scheme.

## RECOMMENDATION TO COUNCIL

That Council be requested to approve the Budget transfers (virements) as set out in Section 7.4 and 8.21 in the Report to Cabinet relating to the Day Services Redevelopment Project and within the Housing Revenue Account the tower block improvements of £1,100,000.

**For: Unanimous**

## REASON FOR THE REPORT

To compare the Council's performance against Budget for the period 1<sup>st</sup> April 2010 to 31<sup>st</sup> October 2010 and the forecast financial outturn for the year.

PART OF THE PUBLISHED FORWARD PLAN                      Yes

PORTFOLIO AREAS                      All

## DISCUSSIONS/OPTIONS

Councillor Ms Atkinson, Leader of the Council introduced this Item explaining that there was a typographical error at Exhibit 1 under the General Fund Position, "February 2010" should be deleted and "1 April 2010" inserted to read "in year pressures since 1 April 2010". She then drew Cabinet's attention to the ongoing process to mitigate against a previously forecast £0.5 million overspend for the year and to rebalance the budget which had yielded a further £437,000 savings in October. Additional efficiencies within School transport and rental income had contributed to the reduction in the forecast overspend for the year to £68,000.

Despite the positive direction of travel, significant pressures remained within Adult Social Care and in a number of income streams which were volatile to predict and therefore could add further pressure to the amounts already assumed within the budget forecast she drew Cabinets attention to the fact that there was a £1,928,000 total in year service pressure.

Cabinet also noted budget variances in excess of £100,000 as detailed in the Report she thanked the Head of Financial Services and her team and the Chief Executive and Strategic Directors for the way staff were positively tackling budget pressures.

The Leader of the Council then turned to paragraph 6.6 of the Report explaining the with regard to Capital, the Councils current Capital Programme Budget for 2010/11 was £45.6m compared with the original budget for the year of £46.9m. The decrease of £1.3m had arisen from a combination of slippage from previous years, re profiling to future years, reduction in grant funding as part of the Government's public spending cuts and various additions to the programme funded by Capital Grants and other sources.

At 6.5 of the Report Cllr Ms Atkinson referred Members to the current position with regard to the Playbuilder Grant for 2010/11 noting that the Grant had



been cut in October from £592,000 to £370,000. The Secretary of State for Education had written to the Council to notify it of the cut, together with confirmation that the Grant was now unringfenced and could therefore be spent in support of any Capital Scheme based on local priorities. Cabinet concurred with the proposal that no additional commitments against the Playbuilder grant funding should be made until the Council had had the opportunity to consider its Capital priorities as part of the review of its Medium Term Financial Plan.

Councillor Ms Atkinson allowed Councillor Brooke to address the Meeting with regard to Playbuilder funding.

Councillor Brooke addressed Cabinet explaining that the Council had received a significant proportion of the Playbuilder funding money back from Government and whilst he acknowledged it was unringfenced he felt there was an expectation from Government that it should be used for play within the Capital Programme. He felt it was wrong if areas lost out as a number of areas had been identified in the Schemes and work had yet to commence as the funding had been withdrawn.

In response, Cllr Mrs Walton the Portfolio Holder and the Council's Play Champion stated that the Council was delighted that the money was returned but that it was significantly less and that currently options on how to allocate the funding were being considered by the Playbuilder Working Party.

Councillors Clements then referred to the letter sent from Councillor Trent to the Leader and Portfolio Holder in which Councillor Trent was also lobbying for use of Playbuilder funding on previously identified schemes. Councillor Ms Atkinson and the Portfolio Holder stated they had not received any correspondence from Councillor Trent.

Councillor Sorton, the Portfolio Holder for Leisure, commented that whilst understanding what Members were saying with regards to the refunded money for Playbuilder funding, there was a budget deficit and the Council had to consider use of these funds against other calls on the Capital Programme.

CA90.10

MEDIUM TERM FINANCIAL PLAN 2011/12 – 2013/14 UPDATE REPORT:  
AGENDA ITEM 9

DECISION TAKEN

That Cabinet RECOMMEND to Council that

- (i) the work undertaken since July 2010 and the work still on-going to re-balance the Council's Budget position for 2010/11 further to the in-year cuts in funding announced by the new Government following the May elections be noted (*Section 4, paragraphs 4.1 – 4.4 of the Report*);
- (ii) the work undertaken to re-refresh and roll forward the MTFP up to 2013/14 and the current forecast position as set out in Exhibit 1 based on the assumptions made for financial planning purposes at this time

- pending the publication of detailed settlement figures be noted (*Section 5, paragraphs 5.1 – 5.6 of the Report*);
- (iii) endorse the proposal to set aside the year-end facility to carry forward any in-year under-spends in light of the Council's financial position as advised by the CFO (*Section 5, paragraph 5.7 of the Report*)
  - (iv) note the implications of the CSR, in so far as they can be determined and the action taken to seek clarity from the Department for Communities and Local Government regarding the likely funding consequences to this Council be noted (*Section 6, paragraphs 6.1 – 6.5 of the Report*)
  - (v) approve the establishment of a corporate fund to meet the extraordinary one-off costs of re-organisation due to significant planned reductions in Government funding over the period of the MTFP be approved (*Section 8, paragraphs 8.5 – 8.6 of the Report*)
  - (vi) approve scheduling the resources set-a-side to support the Efficiency Review Programme as a specific earmarked reserve separate to the Risk Management Fund in the interests of clarity and transparency be approved (*Section 8, paragraph 8.7 of the Report*);
  - (vii) the interim findings of Lord Hutton's review of public sector pensions and current discussions with the Actuary regarding the basis for future employer's contributions be noted (*Section 9, paragraphs 9.1 – 9.6 of the Report*)
  - (viii) approve the principles and actions proposed in determining the Capital Programme (*Section 10, paragraphs 10.1 – 10.2 of the Report*)
  - (ix) approve the proposal to finance a medium term loan of up to £150k to the Coastal Credit Union to enable the organisation to develop an automated banking system to the benefit of the wider community in a way that is consistent with the strategic aims of the Council (*Section 10, paragraphs 10.3 of the Report*)
  - (x) the current status of work to review the Council's Housing Stock options further to recent Government announcements regarding the future of council housing finance be noted (*Section 11, paragraphs 11.1 – 11.3 of the Report*)
  - (xi) the key matters arising from public consultation exercises held to date, including the use of the on-line Budget Simulator conducted for the first time this year be noted (*Section 12, paragraphs 12.1 – 12.2 of the Report*)
  - (xii) confirm that it is satisfied with the approach taken this year to the budget consultation process (*Section 12, paragraphs 12.1 – 12.2 of the Report*).
  - (xiii) the need for Management Team and Portfolio Holders to ensure that final proposals for service savings, efficiencies and capital programme priorities are ready for inclusion in the final MTFP to be reported to Cabinet in February 2011 be noted (*Section 13, paragraphs 13.1c of the Report*).

**For: Unanimous**

REASON FOR THE DECISION

To note progress since July 2010 in the developing of the Medium Term Financial Plan together with consideration proposals from the Chief Finance Officer who set aside year end facility to carry forward any in year under spends in light of the Councils current financial position:

- To consider the implications of the Comprehensive Spending Review
- Propose to create a specific fund to meet the extraordinary costs associated with the base in the organisation now expected over the period of the forthcoming Medium Term Financial Plan
- The interim findings of Lord Hutton's review of Public Sector Pensions
- Current discussions with the Actuary regarding the basis for future employer's contributions
- Capital Resourcing issues and arrangements for reviewing and managing the current Capital Programme
- A proposal to finance a Medium Term loan to the Coastal Credit Union to enable the organisation to develop an automated banking system for the benefit of the wider community
- The current status of work to review the Council's housing stock options further to recent Government announcements regarding Council Housing finance and key matter arising from the Public Consultation exercises held to date including the use of the on line budget simulator conducted for the first time this year.

PART OF THE PUBLISHED FORWARD PLAN                      Yes

KEY DECISION                      Yes

PORTFOLIO AREAS                      All

DISCUSSIONS/OPTIONS

Councillor Ms Atkinson, Chairman, introduced this Report explaining that work had been ongoing to ensure the Council successfully balanced its 2010/11 Budget. She drew Cabinets attention to exhibit 1 the revised summary forecast position as at 1 November 2010 together with the outcome of the Comprehensive Spending Review.

It was noted that the detailed financial settlement for Local Government had yet to be published and was much later than in previous years which would put greater pressure on the Council in achieving its normal budget timetable in the New Year.

The position of the use of General Reserves and Contingencies was also discussed and as detailed in paragraph 8 of the Report.

Pension costs still remained an unknown as Lord Hutton had been charged with considering how short term savings could be made and how Public Sector pensions could be made more sustainable and affordable in the long term however it was noted that this was an interim Report.

Councillor Ms Atkinson was particularly pleased to support the Coastal Credit Union in its assistance for funding for the development of in house banking facilities to better support its operation and out reach across the local community. The Credit Union was seeking an unsecured loan facility from the Council to cover the costs of its own banking facilities which would enable it to better attract investors its an initiative very much in keeping with the Strategic aims of the Authority and was consistent with the spirit of the Governments Big Society and Localism Agenda.

Councillor Ms Atkinson explained that there would be chance to debate all of these issues in greater detail at Council.

Cabinet joined in supporting the work and ethics of the Coastal Credit Union particularly at the time of year where those on local incomes may be tempted to borrow money at extremely high interest rates from unscrupulous lenders and this facility sought by the Credit union would help overcome such issues.

CA91.10

UPTON COUNTRY PARK: REPORT OF THE VICE CHAIRMAN (IN THE CHAIR) ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

DECISION TAKEN

- (i) That Cabinet approve the outcomes to be achieved at Upton Country Park as outlined at Section 3.2 of the Report of the Head of Leisure Services and including that Option 1 be not pursued as an unrealistic option.
- (ii) That Cabinet approve the investigation of the procurement approval and the Management options for Upton Country Park as outlined in Section 9.1 of the Report of the Head of Leisure Services and that any investigation of disposal of the farm building shall be by way of a long lease.
- (iii) That the above options be investigated in detail to ensure the likelihood of delivering the key outcomes needed for the site and at the same time as the management options are investigated the procurement approach be investigated in detail and reported to the January Meeting of the Environment Overview and Scrutiny Committee.

**For: Unanimous**

REASON FOR THE DECISION

To consider the recommendations of the Environment Overview and Scrutiny Committee.

PORTFOLIO AREA Environment

DISCUSSIONS/OPTIONS

Councillor Chandler, the Vice Chairman of the Environment Overview and Scrutiny presented his Report to the Meeting and referred Cabinet to the preferred options.

The Portfolio Holder, Councillor Sorton concurred with the proposal and moved an amendment at 3.6 of the Report deleting “be preferably” and inserting “shall be” to read “the disposal of the farm buildings shall be by way of a long lease”. Cabinet concurred with the Amendment as detailed in the Decisions Taken Section of these Decisions.

CA92.10

THE BOROUGH OF POOLE LICENSING ACT 2003 POLICY STATEMENT 2011: REPORT OF THE VICE CHAIRMAN (IN THE CHAIR) OF THE ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

DECISION TAKEN

That Cabinet recommend to Council approval of the draft Borough of Poole Licensing Act Statement of Policy 2011 for the next three years commencing the 7 January 2011.

**For: Unanimous**

**NOTE: Councillor Ms Atkinson declared a personal interest in this item as a resident of Ashley Cross.**

REASON FOR THE DECISION

To make a recommendation to Council as there was a statutory requirement to adopt a new Policy Statement every three years.

PART OF THE PUBLISHED FORWARD PLAN Yes

KEY DECISION No

PORTFOLIO HOLDER AREA Environment

DISCUSSIONS/OPTIONS

Councillor Chandler, Vice Chairman of the Environment Overview and Scrutiny Committee introduced his Report to Cabinet explaining that this issue had been considered by the Environment Overview and Scrutiny Committee at its Meeting on 18 November 2010 and it had agreed to recommend this to Cabinet for Council consideration.

Councillor Collier, the Portfolio Holder for Licensing, explained that these were a legal requirement every three years for the Council to review its Statement

of Policy with regard to licensing. He congratulated the work of the Environment and Consumer Protection Unit in carrying out the Borough's Licensing function and explained that the Council worked well with the Police and the Licensees and referred Cabinet "Poole Safe" scheme which he felt was an excellent and involved Licensees, the Licensing officers and the Police all working together.

Councillor Collier explained that there were some minor problems across the Borough with licensing and that some areas were reaching capacity, in particular Ashley Cross where there are a large number of licensed premises and, in the future there would need to be an assessment of whether there was need for further control in that area and if so Policy changes would be required.

Cabinet unanimously supported the recommendation to Council.

CA93.10

SHORELINE MANAGEMENT PLAN REVIEW (SMP2) – AGENDA ITEM 15

DECISION TAKEN

That Cabinet approve the revised Shoreline Management Plan

**For: Unanimous**

REASON FOR THE DECISION

To seek approval for the adoption of the revised Shoreline Management Plan (SMP2).

PART OF THE PUBLISHED FORWARD PLAN      No

KEY DECISION      Yes

PORTFOLIO AREAS      Environment

DISCUSSIONS/OPTIONS

The Chairman, with the consent of the Meeting, allowed the Agenda to be varied in order that all Councillor Chandler's items as Vice Chairman in the Chair of Environment Overview and Scrutiny Committee, were taken together.

Councillor Chandler introduced his Report explaining that there was a minor amendment to the Shoreline explaining that this Plan was not a statutory document but it was required to be adopted by Coast Protection Authorities, such as the Borough of Poole. The minor amendments to the original Document were detailed at paragraph 3.6 of the Vice Chairman's Report.

Councillor Collier the Portfolio Holder, drew particular attention to the amendment for the length of coastline between Lake Pier and Rockley Point which had been changed to selected "hold the line" to allow natural erosion of

the coast adjacent to Ham Common and protection of the coast adjacent to Rockley Caravan Park.

Councillor Collier explained that “hold the existing line” as a Policy option meant that the relevant maritime authority would keep the line of defence as it was by maintaining existing defences or changing the standard of protection.

The main objectives of the Shoreline Management Plan were to:

- set out the risk of coastal flooding and erosion for Poole and Christchurch Bays and Harbours over the next 100 years
- To identify preferred policies for managing those issues and the consequences of putting them into practice and to inform others in order that future land use takes account of these risks

CA94.10

POLICY OF THE PROVISION OF FIRE SPRINKLER SYSTEMS IN SCHOOLS FOR 2012/13: REPORT OF THE CHAIRMAN OF THE CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE – AGENDA ITEM 12

That Cabinet approve the installation of sprinklers in line with locally adopted policy, which allows a decision on implementation will be taken on the basis of the results of the Department for Education cost/benefit assessment, where there is life safety, significant loss of service of the Council is required to do so because of the statutory or insurance requirement.

For - Councillors Ms Atkinson, Collier, Parker, Sorton, Mrs Walton and White (Cllr Adams was not present when the vote was taken).

REASON FOR THE DECISION

To consider the recommendations from the Children’s Services Overview and Scrutiny Committee.

PART OF THE PUBLISHED FORWARD PLAN No

KEY DECISION Yes

PORTFOLIO AREA Children’s Services

DISCUSSIONS/OPTIONS

In the absence of the Chairman of the Children and Young People Overview and Scrutiny Committee on a Mayoral engagement, the Portfolio Holder, for Children’s Services, Councillor Mrs Walton, presented this Item.

Councillor Mrs Walton explained that this issue had been considered by the Children Services Capital Programme Board on the 21 October 2010 and was unanimously supported in both forums.

The Portfolio Holder advised that in respect of schools it was Council policy to assess the need for incorporating sprinkler systems in all new and major

refurbishment projects for schools by using the Department for Education Fire Sprinkler Assessment. Cabinet concurred with the proposal to consider fitting Fire Sprinkler systems in major refurbishments of schools a decision to be taken on the basis of the results of the Department for Education Cost Benefit Analysis.

CA95.10 SCHOOL ADMISSION ARRANGEMENTS FOR THE ACADEMIC YEAR 2012/13: RPORT OF THE CHAIRMAN OF THE CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE – AGENDA ITEM 13

DECISION TAKEN

That Cabinet approve:

The unchanged Co-ordinated Admissions Scheme, admission Policies and published admission number for the Academic Year 2012/13 and consultation being carried out on the proposed amended wording for Voluntary Controlled Schools and the increase in the published admission numbers (PANs) for Baden Powell and St Peters Middle School and Hamworthy First and Nursery.

**For: Unanimous**

REASON FOR THE DECISION

To seek approval for the Schools Admission arrangements for the Academic year 2012/13.

PART OF THE PUBLISHED FORWARD PLAN Yes

KEY DECISION Yes

PORTFOLIO AREA Children and Young People

DISCUSSIONS/OPTIONS

Councillor Mrs Walton, in the absence of the Chairman of the Children and Young Peoples Overview and Scrutiny Committee presented this item.

Children and Young People Overview and Scrutiny Committee at its Meeting on the 16 November 2010 had considered this Report and revised Apendices. It was noted that Poole Admissions Forum had determined that the Co-ordinated Admissions Scheme for 2012/13 should be the same as the Scheme adopted for 2011/12 and, as such there was no need for consultation to be undertaken. There were no proposed changes from the Admission Policies adopted for Nursery classes or Secondary Schools for 2012/13. The Children and Young Peoples Overview and Scrutiny Committee supported the unchanged Co-ordinated Admissions Scheme, Admission Policies and Published Admission numbers for the Academic year 2012/13.

Consultation was to be carried out in respect of the proposed amended wording for the over subscription criteria for the Voluntary Controlled Schools,



referring to church Membership and the increase in the Published Admission Numbers for Baden Powell and St Peters Middle School (additional 30 places) and Hamworthy First and Nursery (additional 30 places).

CA96.10 “FAIRNESS FOR ALL” EQAULTY SCHEME ANNUAL REVIEW:  
SEPTEMBER 2009 – 2010

DECISION TAKEN

That Cabinet:

- (i) Approve the Annual Review of the “Fairness for All” Action Plan (September 2009-10) and recommend future improvements and
- (ii) Approve the revised “Fairness for All” Policy
- (iii) That the progress on the approved Action Plan be monitored and assessed by the Communities Overview and Scrutiny Committee.

**For: Unanimous**

REASON FOR THE DECISION

To adopt the “Fairness for All” Policy which had been updated to reflect the new Equality Act requirements which came in to force in October 2010.

PART OF THE PUBLISHED FORWARD PLAN No

KEY DECISION Yes

PORTFOLIO AREAS All

DISCUSSION/OPTIONS

Councillor Mrs Walton, the Council’s Equalities Champion, introduced this Report explaining that this “Fairness for All” Scheme was the Council’s second Equalities Scheme Policy and Action Plan. It provided the Borough of Poole’s vision for promoting Equality and celebrating diversity for all and with the people of Poole and set out the Councils commitment to meet Equality legislation and the Equality Framework for Local Government criteria.

This Scheme was approved by Cabinet in September 2009 and the Council was required to undertake an annual review.

Councillor Mrs Walton informed Cabinet that during this period there had been a change to the legislative framework with the introduction of the Equality Act in October 2010 and this required the Council to update its policy.

As part of the Boroughs need to continue to address Equality and Diversity in it’s work a small number of key improvements had been identified as detailed at Paragraph 4.2 of the Report to Cabinet. Councillor Mrs Walton suggested

and Cabinet concurred, that the Action Plan should be monitored and its progress assessed by the Communities Overview and Scrutiny Committee.

CA97.10 LEGAL ENFORCEMENT POLICY: REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

DECISION TAKEN

This Item was withdrawn.

CA98.10 RESULTS OF CONSULTATION ON GOVERNANCE ARRANGEMENTS: LOCAL GOVERNMENT AND PUBLIC INVOLVMENT IN HEALTH ACT 2007: REPORT OF THE CHAIRMAN OF THE COUNCIL EFFICIENCY AND EFFECTIVENESS OVERVIEW AND SCRUTINY COMMITTEE

DECISION TAKEN

That Cabinet recommend to Council the adoption of “An indirectly elected Leader from within the ranks of existing Councillors appointed on a 4 year fixed term who appoints Members to the Cabinet”, subject to the Council making a provision in it’s Constitution to be able to remove the Leader by resolution before the end of his/her term as Leader.

**For: Unanimous**

REASON FOR THE DECISION

To consider the results of the consultation and to make a recommendation to Cabinet for consideration by Council on the new models of Governance a requirement of the Local Government and Public Involvement in Health Act 2007 by the 31 December 2010.

PART OF THE PUBLISHED FORWARD PLAN No

KEY DECISION No

PORFOLIO AREA Resources

DISCUSSIONS/OPTIONS

Councillor Mrs Haines, the Chairman of the Councils Efficiency and Effectiveness Overview and Scrutiny Committee introduced her Report explaining that the Committee at it’s meeting on the 6 December 2010 had considered the Report of the Head of Legal and Democratic Services noting there was a choice of two options for Governance. Cabinet was also reminded that the Councils form of Governance could not continue in its current form as there was a change in legislation.

At the Overview and Scrutiny Committee some concerns had been raised about frequent changes either in Leadership or in the Portfolios of individual Cabinet Members. The ability for the Council to make provision in it’s

Constitution to be able to remove the Leader by resolution before the end of his/her 4 year term as Leader was unanimously supported together with the option to adopt the Leader an executive (Cabinet) model.

Cabinet concurred with the proposals for recommendation to Council.

CA99.10

ANNUAL AUDIT LETTER – AGENDA ITEM 18

DECISION TAKEN

That the letter of the District Auditor be accepted and the following noted:

- (i) an unqualified opinion on the Councils financial statements on the 30 September 2010 has been given. The Commission note that the Accounts were well prepared and they are good systems of internal control. In addition the Council is making satisfactory progress in implementing International Financial Reporting Standards to an unqualified conclusion on the Councils arrangements to secure Economy Efficiency and Effectiveness in its use of resources for 2009/10 (the Value for Money conclusion) has been given and the District Auditor note that much good progress has been made in further strengthening the Councils arrangements in respect of Medium Term Financial Planning, understanding the Councils costs, Procurement and Risk Management.

**For: Unanimous**

REASON FOR THE DECISION

To present to Members the Annual Audit Letter compiled by the Audit Commission.

PART OF THE PUBLISHED FORWARD PLAN No

KEY DECISION Yes

PORTFOLIO AREAS All

DISCUSSIONS/OPTIONS

Councillor Miss Atkinson, the Leader of the Council and Portfolio Holder for this area of responsibility introduced this Report explaining that it summarised the Audit Commissions findings from the 2009/10 Audit noting that an unqualified opinion on the Councils 2009/10 financial statements within the statutory target date had been given.

Both Councillors Collier and Miss Atkinson felt that the very good “financial bill of health” received from the District Auditor on 2009/10 period was to no small part to the work undertaken by they late Councillor Dr Leverett and the Head and Officers of Financial Services. The Leader congratulated the Head of

Financial Services and her team on the work undertaken in order to ensure the Council had such a robust financial management.

Attention was drawn to Paragraph 5 of the Annual Letter where it was stated that Poole was a relatively low funded Council receiving a lower proportion of the funding from Central Government (28% compared with 47% for similar Councils any additional funding requirement falls disproportionately on local Council Tax payers). The announced freeze in Council Tax increases for the next 2 years further increases pressure on the Councils ability to deliver its services.

CA100.10

PROPOSAL TO THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND FOR A REVIEW IN THE NUMBER OF COUNCILLORS FOR THE BOROUGH OF POOLE: REPORT OF THE LEADER OF THE COUNCIL - AGENDA ITEM 19

DECISION TAKEN

That Cabinet support a proposal for recommendation to Council to request the Boundary Commission to conduct a review and consider the number of Councillors serving the Borough of Poole.

**For: Unanimous**

REASON FOR THE DECISION

To consider seeking a Boundary Review

PART OF THE PUBLISHED FORWARD PLAN                      No

KEY DECISION                      No

PORTFOLIO AREAS                      Resources

DISCUSSIONS/OPTIONS

Councillor Ms Atkinson, introduced her Report explaining that she thought it would be prudent to lodge a request for the Council to seek a review of the Council's electoral arrangements with particular regard to the number of Councillors serving the Borough. Other Cabinet Members felt that there was a need for a review but that no proposal should be made on the number of Councillors serving the Borough and Councillor Adams proposed an amendment with which Cabinet concurred deleting "reduction to" and inserting "consider the number of Councillors serving the Borough of Poole".

Cabinet unanimously recommended this amended proposal for consideration by Council.

CA101.10 CHANGING MEMBERSHIP OF ADULT SOCIAL SERVICES  
PERSONALISATION BOARD – AGENDA ITEM 20.

DECISION TAKEN

Cabinet noted that the Head of Legal and Democratic Services had been informed that as Councillor Miss Atkinson was no longer Portfolio Holder for Adult Social Care she wished Councillor Adams to replace her on the Board as the new Portfolio Holder on the Board of Adult Social Services Personalisation as the new Portfolio Holder with responsibility for Adult Social Services.

CA102.10 URGENT BUSINESS – AGENDA ITEM 21

In accordance with Section 100(B)4 of the Local Government Act 1972 the Chairman allowed consideration of the following item of Urgent Business as a decision was required before the next scheduled Meeting of the Cabinet:

CA103.10 EXCLUSION OF THE PUBLIC AND PRESS

**RESOLVED, that in accordance with Section 100(A)(4) of the Local Government Act 1972, the Public and Press be excluded from the Meeting for the following item of business in accordance with Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as the public interest in withholding information this item outweighs the public interest in disclosing it.**

**For – Unanimous**

CA104.10 RESPONSE TO ROK BUILDING LTD ( ROK) GOING INTO  
ADMINISTRATION AND THE COMPLETION OF WORKS: REPORT OF THE  
PORTFOLIO HOLDER OF SCHOOLS FOR THE FUTURE – CONFIDENTIAL  
AGENDA ITEM 21

DECISION TAKEN

- (i) To delegate to the Chief Executive, in consultation with the Leader and Portfolio Holder, the most appropriate approach to the completion of works with the least risk to the Council. This will include decisions made with the advice of the Monitoring Officer, Chief Financial Officer and the Head of Property Services in regard to termination or novation of the existing contracts or the procurement of contracts for further works to meet service need.
- (ii) To authorise officers to extend the incumbent consultants' contracts to complete the construction projects beyond the limit set in paragraph 61 of Appendix 2 of the Financial Regulations (variations in excess of £50k or more than 10% of the original value, whichever is the lower) without the necessity for a separate Waiver request.

(iii) To note that no separate Waiver will be required to support the emergency works procured (in line with paragraph 87 of Appendix 2 of the Financial Regulations which allows officers to enter into contracts without a waiver in the case of an emergency where there is a risk of danger to safety or the Council's interests) to cover Health & Safety issues and to allow schools to continue to function.

(iv) To approve urgent and emergency additional expenditure of:

£117,070 at Poole Grammar School - it is anticipated that these costs will be fully funded by the existing performance bond.

£132,500 at Lilliput School - it is anticipated that the majority of these costs will be funded by the existing performance bond and the remainder from savings within the project budget.

£111,059 in respect of Branksome Children's Centre (including a sum for contingency) - some of these costs will be met from existing resources within the project and the Early Years programme, the remainder will be met from the virement of up to £50,174 from the Children's Services General Contingency.

NOTE: These decisions will be acted upon directly after Cabinet has considered them. This is because of the urgency to act to protect the Council against financial risks and to end the disruption to service delivery in the buildings concerned as soon as possible

**For: Unanimous**

#### REASON FOR THE DECISION

To seek decisions to ensure the completion of works which RoK Building Ltd (RoK) had contracted to undertake on behalf of the Council and to protect the Council's interest in respects of works which have been completed by RoK.

PART OF THE FORWARD PUBLISHED PLAN                      No

KEY DECISION                      Yes

PORTFOLIO AREA                      Building Schools for the Future

#### DISCUSSIONS/OPTIONS

Cabinet considered an urgent confidential report introduced by Councillor White, the Portfolio Holder, and noted the background in which RoK Construction Company had gone into administration on the 8 November 2010 and Price Waterhouse Coopers had been appointed to act as administrator. Cabinet noted that the Council had 5 ongoing contract with RoK for construction works. On the 8 November Officers of the Council had taken action to secure the 3 sites where RoK were still responsible for the site at:

Poole Grammar  
Lilliput First School  
Branksome Children's Centre.

Cabinet noted the information on the contracts from associated issues detailed in paragraph 5 of the Confidential Report.

Cabinet was appraised of arrangements for completing works with the minimum risks to the Council at paragraph 6 of the Confidential Report and the financial and legal implications were also identified.

Cabinet unanimously concurred with the proposals.

**CHAIRMAN**

**BOURNEMOUTH BOROUGH COUNCIL CABINET  
23 June 2010**

**PRESENT:** Councillor Stephen MacLoughlin - Leader of the Council and Chair of the Cabinet; Councillor John Beesley - Deputy Leader of the Council, Vice-Chair of the Cabinet, and Resources; Councillor Bob Chapman - Major Projects; Councillor Malcolm Davies - Education and Children's Services; Councillor Anne Filer - Leisure and Tourism; Councillor Nicola Greene - Culture and School Development; Councillor Nick King - Service Development; Councillor Robert Lawton - Environment and Transport; Councillor David Smith - Community.

An apology for absence on Local Government business was received from Councillor Douglas Spencer - Housing, Health and Social Care.

**ALSO PRESENT:** Councillors Derek Borthwick, Stephen Chappell, Michael Griffiths, Ian Lancashire, Pat Lewis, Allister Russell, Richard Smith, Roger West and Ron Whittaker.

The meeting commenced at 10.30 a.m.

**PUBLICATION DATE: 25 JUNE 2010**

**Note:** Under Rule 16 of the Overview and Scrutiny Procedure Rules, the deadline for Members to 'call-in' decisions set out in Section II of these minutes will expire on 2 July 2010. Decisions will not be carried out until after that date.

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

[http://www.bournemouth.gov.uk/main/minutes\\_Agendas/Cabinet\\_Reports.asp](http://www.bournemouth.gov.uk/main/minutes_Agendas/Cabinet_Reports.asp)

**SECTION I - BUSINESS RECOMMENDED TO THE COUNCIL**

**REPORT OF EXECUTIVE GATEWAY BOARD**

**116. RECOMMENDED CHANGES TO THE CAPITAL PROGRAMME - RESOURCES**

The Cabinet considered a report from the Executive Gateway Board providing an update on the projects considered as part of the Gateway process by the Board on 11 June 2010.

Alternative Options Considered and Rejected - None.



**Bournemouth Borough Council Cabinet, 23 June 2010**

**DECISION MADE:**

**Recommended to Council:**

1. That the following change to the recommendation adopted by the Council on 8 June 2010 be approved:
  - St. Michael's CE VC Primary School - Phase 1 Expansion - Increase in allocation from £3.2M to £5.53M and not £3M to £5.28M as previously reported.
2. That approval be given to the following changes to the Council's Planning and Transport Capital Programme, it being noted that a further change request will be submitted to the Cabinet on 21 July 2010 to reflect the reduction in Government capital funding for 2010/11:
  - Various minor changes to budgets and funding - including North South cycle route Christchurch Road to Seafront and Kings Park Phase 3, St. Katherine's cycle route, A338 Prince of Wales Overbridge, Gervis Place, The Triangle, and Braidley Road - the requested changes increasing the Planning and Transport Programme budget to £2,107,891 - from £2,044,019 previously approved by the Cabinet and Executive Gateway Board in April 2010 - including a further £150,000 of approved funding transferred to the Town Centre Master Vision Triangle project.
  - New major capital projects as set out at Table A to the Appendix of report totalling £3.603M subject to confirmation of the reductions required following the announcement of reduced transport grant funding of £0.72M by the Government.

**Reasons for Recommendations:**

1. The Executive Gateway Board considers that the proposals are robust and affordable and the associated benefits are deliverable.
2. With regard to the Planning and Transport Capital Programme, the various minor changes and new major schemes detailed in Table A of the Appendix contribute to the Council's investment priority of 'Transportation & Connectivity'. The projects will also support: the 'Better Planning' priority by producing proactive planning policies and by improving town centre transport; the 'Efficient Council' priority by improving value for money, getting the most from the Council's capital assets, and partnering with others to provide services more efficiently; and the Council's 'Improving our Environment' priority by reducing traffic congestion, improving the quality of existing public space and taking an active role to respond to climate change. Finally, initiating these projects now will also meet Local Transport Plan targets and ensure eligibility for Sustran funding.

**Bournemouth Borough Council Cabinet, 23 June 2010**

**KEY DECISIONS ON MATTERS INCLUDED  
IN THE COUNCIL'S FORWARD PLAN**

**117. CAPITAL OUTTURN 2009/10 - RESOURCES**

The Cabinet considered a report on the capital outturn for 2009/10.

Alternative Options Considered and Rejected - None.

**DECISION MADE:**

**Recommended to Council:**

1. That the 2009/10 Capital outturn of £44,119,218 as set out in paragraph 5.1 and at Appendix A to the report be approved.
2. That the financing of the Capital Programme as set out in paragraph 5.7 of the report be approved.
3. That the slippage requests of £9,983,350 as set out in Appendix D to the report be approved and the 2010/11 Capital Programme be changed for this capital slippage.
4. That the retention of unspent funding within the Feasibility Fund, the Backlog Maintenance Fund, and the Disability Discrimination Act Fund, be noted.
5. That the Prudential Code Indicators, detailed in Appendix E to the report, be approved and applied in 2010/11.

**Reasons for Recommendations:**

1. To report on the delivery of the 2009/10 Capital programme as measured through the closedown of the 2009/10 financial accounts and obtain approval on how this capital spending will be financed.
2. To consider and approve the carry forward of capital budgets on committed but under spent schemes into the 2010/11 Capital Programme.

**Bournemouth Borough Council Cabinet, 23 June 2010**

**118. CHRIST THE KING RC PRIMARY SCHOOL - PRIMARY CAPITAL PROGRAMME - CULTURE AND SCHOOL DEVELOPMENT**

The Cabinet considered a report concerning the Christ the King RC Primary School Primary Capital Programme project approved by the Council in June 2008 as part of its Primary Strategy for Change.

The Cabinet Member with the portfolio for Culture and School Development stated that the funding for the project from the Primary Capital Programme was £1.5M.

Alternative Options Considered and Rejected:

To construct a link between the School building and the temporary class rooms.

**DECISION MADE;**

**Recommended to Council:**

That the inclusion of the Christ the King RC Primary School project within the Council's Capital Programme be approved.

Reason for Recommendations:

To acknowledge that:

1. The Council approved and submitted to the Department for Children, Schools and Families a Primary Strategy for Change to qualify for grant funding from the national Primary Capital Programme in June 2008. The remodelling of Christ the King RC Primary School has been approved by the Council as within the first phase of projects.
2. The full Business Case was considered on 21 May 2010 by the Executive Gateway Board as part of the Gateway 2 project review. The Board considered the proposals to be robust and affordable and the associated benefits to be deliverable.
3. Approval for Inclusion in the Council's Capital Programme is required if funds are to be released and the project progressed.

**Bournemouth Borough Council Cabinet, 23 June 2010**

**119. BOURNEMOUTH AND POOLE PLAY STRATEGY 2010-2015 -  
EDUCATION AND CHILDREN'S SERVICES**

The Cabinet considered a report concerning the preparation of an updated Bournemouth and Poole Play Strategy for 2010-2015.

Alternative Options Considered and Rejected - None.

**DECISION MADE:**

**Recommended to Council:**

That the Bournemouth and Poole Play Strategy and related action plan for 2010-2015 be approved.

Reasons for Recommendation:

To acknowledge that:

1. The updated Bournemouth and Poole Play Strategy sets out how the principles of the National Play Strategy will be implemented locally to improve play opportunities that will contribute to better outcomes for children, families and local communities across Bournemouth and Poole.
2. Action arising from the Strategy contributes to objectives in the Council's Priorities to improve the quality of existing space, develop more cohesive communities and to give children and young people the best possible start in life.

**120. NEW CHARITY SCHEME FOR LOWER CENTRAL GARDENS TRUST  
- LEADER OF THE COUNCIL**

The Cabinet considered a report which updated Members, both acting as Local Authority for Bournemouth and as Trustee for the Lower Central Gardens Trust, on the proposed Trust and Trustee function arrangements for the Lower Central Gardens Trust following the recent land settlement with the Meyrick Estate.

The Cabinet noted that the proposals set out in the report would need to be confirmed by either the Charity Commission and Parliament or the Charity Commission alone, by way of a Charity Scheme.

**Bournemouth Borough Council Cabinet, 23 June 2010**

The Cabinet discussed the two options set out in the report for the establishment of a new Charity Scheme for the Lower Central Gardens Trust. These options related to the making of a Charity Scheme under either Section 16 or Section 17 of the Charities Act 1993. The Cabinet was informed that a meeting of the Lower Central Gardens Trust Board had taken place this morning to consider the report. The Board had agreed to advise the Cabinet that it supported the recommendation set out at paragraph 2.2 of the report to seek to obtain a new Charity Scheme under Section 17 of the Act.

Councillor Stephen Chappell commented on the potential implications for the Council of the recent case of *D. Maidment and Another v The Charity Commission* referred to in paragraph 5 of the report. He also expressed the view that the Council should be seeking to obtain a new Charity Scheme under Section 16 of the Act as opposed to the recommended Section 17 option. The Officers replied to the issues which had been raised regarding the implications of the Maidment case on Charity Law. The Officers also explained the particular benefits of seeking to obtain a new Charity Scheme under Section 17 of the Act.

**Alternative Options Considered and Rejected:**

To take the necessary steps to obtain a new Charity Scheme under Section 16 of the Charities Act 1993.

**DECISION MADE:**

**Recommended to Council:**

1. That, acting as Local Authority, the Council note the contents of the report, in particular the financial and revenue implications set out in paragraph 9.
2. That, acting as Trustee for the Lower Central Gardens Trust, the Council give authority to the Chief Executive, in consultation with the Chairman of the current Trust Board, to take the necessary steps to obtain a new Charity Scheme for the Lower Central Gardens Trust under Section 17 of the Charities Act 1993 and then to implement this new Charity Scheme.

**Reason for Recommendation:**

To put in place a legal framework for the administration of the reconstituted Lower Central Gardens Trust Board following the land settlement with the Meyrick Estate and reflecting the latest Local Authority Laws and Charity Laws' requirements.

**Bournemouth Borough Council Cabinet, 23 June 2010**

**121. SHORELINE MANAGEMENT PLAN - HURST SPIT TO DURLSTON HEAD - ENVIRONMENT AND TRANSPORT**

The Cabinet considered a report on a review carried out of the first Shoreline Management Plan - SMP1 - completed in 1999. A draft SMP2 had been prepared for the coastline between Hurst Spit and Durlston Head and had been approved in principle on 14 October 2009 prior to public consultation. The Cabinet noted that the public consultation was now complete and no policy changes from the draft SMP2 were proposed for Bournemouth.

The Cabinet Member with the portfolio for Environment and Transport highlighted the long term importance of the SMP2 in protecting Bournemouth's coastline. The Cabinet Member thanked Dr. David Harlow, the Council's Coast Protection Manager, for his work in the development of the SMP2. Dr. Harlow replied to a number of questions from Members on the policies contained within the SMP2 and the provision of funding from the Department for Environment, Food and Rural Affairs to carry out those policies.

Alternative Options Considered and Rejected - None.

**DECISION MADE:**

**Recommended to Council:**

That, subject to minor changes to text and layout being approved by the Cabinet Member with the portfolio for Environment and Transport, the final Shoreline Management Plan 2 be adopted.

**Reasons for Recommendation:**

To acknowledge that:

1. The SMP2 will contribute to the Council's priorities by informing better planning, improving our environment, responding to climate change and maintaining the quality of the shoreline.
2. The Department for Environment, Food and Rural Affairs requires that SMP2s are in place for the entire coastline of England and Wales.

**Bournemouth Borough Council Cabinet, 23 June 2010**

**KEY DECISIONS IN ACCORDANCE WITH  
THE 'GENERAL EXCEPTION' RULES**

**122. TOWN CENTRE MASTER VISION - LOCAL ASSET BACKED  
VEHICLE - SELECTION OF PARTNER - LEADER OF THE COUNCIL**

The Cabinet considered a report setting out the results of the European Union procurement procedure the Council had carried out to select a private sector partner for the Local Asset Backed Vehicle - LABV. The Cabinet also considered non-public documents which gave an evaluation of the final submissions made by the three short listed bidders and the proposed delegation policy of the LABV.

The Leader of the Council commented on the procurement exercise which had been extremely encouraging with high quality bidders investing significant sums and showing great enthusiasm for development opportunities in Bournemouth.

Councillor Michael Griffiths requested that no decision be made at this time on the selection of the preferred bidder because he considered that inadequate public consultation had taken place on the objectives of the TCMV and the sites proposed for redevelopment. The Cabinet was advised of the consultation which had taken place to date and noted that future development proposals in respect of specific sites would be subject to the usual planning procedures.

The Programme Director and the Programme Leader for the TCMV replied to a number of questions relating to the TCMV and its delivery. These included:

- Clarification that the Town Centre Master Vision Board had not been involved in the bidding process which had been carried out in accordance with the statutory EU procurement procedures.
- The operation of the LABV in the context of its Business Plan and individual Site Development Plans.
- The current position relating to the development contract with the Trevor Osborne Property Group in respect of the proposed Pavilion development scheme.

The Leader of the Council emphasised the importance of the LABV as a mechanism to achieve substantial regeneration potential and significant private sector investment in the future of Bournemouth.

**Bournemouth Borough Council Cabinet, 23 June 2010**

Alternative Options Considered and Rejected:

To not proceed with the LABV partnership.

**DECISION MADE:**

**Recommended to Council:**

1. That the results of the procurement process be noted.
2. That Morgan Sindall Investments be appointed as the preferred bidder for the role as private sector partner in the Local Asset Backed Vehicle.
3. That delegated authority be granted to the Chief Executive, in consultation with the Leader of the Council, to:
  - A. fine tune and clarify the legal documentation with Morgan Sindall Investments.
  - B. prepare a draft Local Asset Backed Vehicle Business Plan and present this to the Council for approval in autumn 2010.

Reasons for Recommendations:

To acknowledge that:

1. The Town Centre Master Vision is a key priority for the Council. The Local Asset Backed Vehicle is a key delivery mechanism for implementing the Vision. European procurement rules require the bidders to be scored according to agreed criteria and for the Council to consider appointment of the highest scoring bidder.
2. Delegated authority is required for the Chief Executive, in consultation with the Leader, to oversee the final fine tuning and clarification stages of the procurement exercise with Morgan Sindall Investments.
3. There is a need to prepare a draft Local Asset Backed Vehicle - LABV - Business Plan which will include arrangements for approval of individual site development plans for those projects the LABV intends to develop over the first three years of this 20 year project. These plans will be subject to full Council approval prior to formation of the LABV.



**Bournemouth Borough Council Cabinet, 23 June 2010**

Note: Under Section 100(A)(4) of the Local Government Act 1972, the public, including the press, was asked to leave the meeting for the consideration of part of the above item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighed such interest in disclosing the information.

**123. PRIVATE SECTOR HOUSING RENEWAL AND DISABLED FACILITIES GRANTS - CAPITAL PROGRAMME 2010/11 - HOUSING, HEALTH AND SOCIAL CARE**

The Cabinet considered a report concerning the annual allocation by the Government of Private Sector Renewal Grant and Disabled Facilities Grant.

Alternative Options Considered and Rejected:

1. To do nothing.
2. To implement alternative amounts between the individual grant areas.

**DECISION MADE:**

**Recommended to Council:**

That approval be given to include within the Council's 2010/11 Capital Programme grant aided support totalling £1.82M funded by dedicated Government grants.

**Reason for Recommendation:**

To acknowledge that the Council is required to take action to improve private sector housing. This includes delivering adaptations in the homes of people who are disabled, improving the energy efficiency of homes and reducing fuel poverty, increasing the number of homes meeting the 'Decent Homes Standard' and taking action to bring empty homes back into use. This project is delivered annually in accordance with the Private Sector Housing Renewal Strategy, Policy for Giving Grants for Home Improvement 2010/2012.

**Bournemouth Borough Council Cabinet, 23 June 2010**

**SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS**

**124. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**125. SIGNING OF MINUTES**

**DECISION MADE:**

That the minutes of the meetings held on 26 April and 26 May 2010 be confirmed and signed.

Reason for Decision:

To comply with the Council's Constitution.

**126. PUBLIC QUESTIONS**

No requests to ask public questions had been received for this meeting.

**127. DEPUTATIONS**

No deputation requests had been received for this meeting.

**128. PETITIONS**

No requests to present petitions had been received for this meeting.

**129. MATTERS REFERRED TO THE CABINET FOR RECONSIDERATION  
UNDER THE COUNCIL'S CALL-IN PROCEDURES**

There were no items.

**130. REPORTS FROM OVERVIEW AND SCRUTINY PANELS**

There were no items.

**Bournemouth Borough Council Cabinet, 23 June 2010**

**131. REPORTS FROM STATUTORY BOARDS**

There were no items.

**KEY DECISION ON MATTER INCLUDED  
IN THE COUNCIL'S FORWARD PLAN**

**132. MEDIUM TERM FINANCIAL PLAN 2011/12-2015/16 AND  
2011/12 BUDGET GUIDELINES - RESOURCES**

The Cabinet considered a report on the Medium Term Financial Plan for 2011/12 to 2015/16 and Budget guidelines for 2011/12.

The Cabinet Member with the portfolio for Resources commented on the overall financial constraints of the Medium Term Financial Plan over this 5 year period and stressed the need to ensure that a coherent strategy was applied in establishing and moderating the 2011/12 Budget.

The Cabinet Member replied to questions from Members on the Council's budget strategy in the light of the measures to reduce public spending announced by the Chancellor of the Exchequer in his Budget speech yesterday.

Alternative Options Considered and Rejected - None at this stage.

**DECISION MADE:**

1. That the uncertain financial environment confronting Bournemouth, both locally and nationally, be noted.
2. That the role of Executive Directors in leading on the preparation and completion of suitable budget information to enable the completion of the Budget update report for the Cabinet in October 2010 be confirmed.
3. That the in-house Business Improvement Team report to the Cabinet in October 2010 on the proposed areas for in-improvement reviews with the aim of identifying additional budget savings and service improvements for 2011/12 and future years.
4. That, in view of the likelihood of reduction to Government grants, the requirement of the Financial Framework to have an exit strategy for short life external funding including Area Based Grants and Specific Grants, be confirmed.

**Bournemouth Borough Council Cabinet, 23 June 2010**

Reasons for Decisions:

1. To acknowledge that the Council has a statutory duty to approve a budget and set Council Tax in February 2011, prior to the commencement of the financial year on 1 April 2011. This report sets the framework for preparing the budget for 2011/12 and reviewing and updating the Medium Term Financial Plan to cover the period 2012/13 to 2015/16.
2. To enable the Council to consider how to manage potential funding reductions and budget pressures.

**133. MATTERS REFERRED FOR INCLUSION ON THE PUBLISHED FORWARD PLAN**

Alternative Options Considered and Rejected - None.

**DECISION MADE:**

1. That the following issue be included on the Council's Forward Plan because it involves the making of a 'key decision' under the Council's criteria:

**LEADER OF THE COUNCIL**

Waterfront Building - Planning Brief - To consider a report on the adoption of a planning brief for the Waterfront building site following public consultation at the Cabinet meeting on 8 September 2010.

2. That the following changes to the Forward Plan be approved:

**LEISURE AND TOURISM**

Leisure Strategy - Report on an updated Leisure Strategy incorporating the Green Spaces Strategy, Seafront Strategy and outcome of the Sport and Recreation Facilities review now expected to be considered by the Cabinet on 21 July 2010 - previously scheduled for 23 June 2010.

Dog Byelaws - Parks and Open Spaces - Report on consultation undertaken in respect of proposals to revise the Dog Byelaws for Bournemouth's Parks and Open Spaces date now to be confirmed - previously scheduled for 23 June 2010.

**Bournemouth Borough Council Cabinet, 23 June 2010**

Reason for Decisions:

To comply with the statutory requirement to produce a revised Forward Plan on a monthly basis.

**134. MATTERS THAT ARE NOT INCLUDED ON THE COUNCIL'S FORWARD PLAN UNDER THE 'SPECIAL URGENCY' RULES**

There were no items.

The meeting closed at 11.54 a.m.

---

Contact: David Harrison, Principal Democratic Services Officer  
☎ 01202 451104 ✉ [david.harrison@bournemouth.gov.uk](mailto:david.harrison@bournemouth.gov.uk)

Please note that the next ordinary meeting of the Cabinet will take place at the Town Hall at 10.30 a.m. on Wednesday 21 July 2010.

It is recommended that you check this information with David Harrison nearer the scheduled date of the next meeting in case the arrangements have been changed.

**AT A MEETING OF THE BOROUGH  
OF BOURNEMOUTH COUNCIL  
27 July 2010**

**PRESENT:** The Mayor - Councillor Barry Goldbart; The Deputy Mayor - Councillor Beryl Baxter; Councillors Ron Whittaker, Ben Grower, Bob Chapman, Basil Ratcliffe, Stephen MacLoughlin, Philip Stanley-Watts, Michael Everingham, Anne Rey, Ted Taylor, Stephen Chappell, Richard Smith, Michael Filer, David Smith, Malcolm Davies, Anne Filer, Roger West, John Beesley, Sue Levell, Lynda Price, Pat Lewis, Nick King, John Trickett, Christopher Rochester, David Kelsey, Eddie Coope, Carol Ainge, Mark Anderson, Elaine Cooper, Rod Cooper, Nicola Greene, Sue Anderson, Beverley Dunlop, Ian Lancashire, David Shaw, Derek Borthwick, Heather Drayton, Bob Lawton, Allister Russell, Andrew Morgan, Nigel Cowley, Chris Wakefield, Cheryl Johnson, Douglas Spencer, Richard Powell.

Also Present: Mr. Roy Wardle - Independent Chair of the Standards Committee; Mr. Michael Parkinson - Independent Member of the Standards Committee.

The meeting started at 7pm

## **86. The Rifles Freedom March**

The Mayor asked the Council to join with him in congratulating the 'Council team' that organised the Rifles Freedom March event on Sunday 26 July 2010. The 'team', led by David Harrison, Principal Democratic Services Officer, included officers from the BIC, Facilities Management, Mayoral Support, Member Support, Parks Operations, Planning and Transport and Seafront Services and Events.

The Mayor added that he was making separate arrangements to meet and thank each member of the 'team' for their contribution to this excellent event.

### **DECISION MADE:**

That the Council place on record its thanks and appreciation of the work carried out by all those members of staff who contributed to the success of The Rifles Freedom March.

## **87. Signing of Minutes**

The minutes - records of decisions - from the Annual Council meeting held on 28 May 2010 and the Ordinary Council meeting held on 20 April 2010 were confirmed.

**AT A MEETING OF THE BOROUGH OF BOURNEMOUTH COUNCIL, 27 July 2010**

**88. Declarations of Interest**

The Chief Executive reported that the following Members had disclosed a personal, and where relevant prejudicial, interest in the matters set out below:-

<b>Councillor</b>	<b>Clause</b>	<b>Name of Body</b>	<b>Description of Personal Interest</b>	<b>Is this Personal Interest Prejudicial</b>
Ron Whittaker	137	Cabinet	School Governor	No
Nicola Greene	71	Planning Board	Parent of child who attends St. Michael's School	Yes
Chris Wakefield	149	Cabinet	Employed by the Friends of Shelley Manor	Yes
Pat Lewis	71	Planning Board	Member of Dorset Wild Life Trust	No

**89. Public Questions**

It was noted that there were no public questions for this meeting.

**90. Deputations - Planning application for 2 Somerville Road - see also clause 85 below**

- a. The Council agreed that a deputation be received from David Barnes of the Genesis Design Studio on behalf of the applicant. The deputation asked the Council to approve the demolition of 2 Somerville Road in accordance with the guiding principles of National Planning Policy HE9. This would allow a necessary project to go ahead which has, on balance, an overriding greater community benefit than the proposed loss.

**DECISION MADE:**

That in accordance with Procedure Rule 22 the matter be deferred until the Planning Board recommendation is considered by the Council under Agenda item 6.

**AT A MEETING OF THE BOROUGH OF BOURNEMOUTH COUNCIL, 27 July 2010**

- b. The Council agreed that a deputation be received from Mr. David King and Mrs. Rachel Palmer of 'Trees for Dorset'. The deputation referred to the damaging impact on the Conservation Area of the loss of trees as a result of the proposal and asked the Council to support the recommendation of the Planning Board.

**DECISION MADE:**

That in accordance with Procedure Rule 22 the matter be deferred until the Planning Board recommendation is considered by the Council under Agenda item 6.

- c. The Council agreed that a deputation be received from Mr. Andrew Lawson on behalf of local residents. The deputation referred to national planning guidance which suggested a presumption in favour of the conservation of heritage assets such as 2 Somerville Road unless it could be demonstrated that the substantial harm or loss was necessary in order to deliver substantial public benefits that outweigh that harm or loss. The deputation stated that it could not identify substantial public benefits from the proposal only a substantial loss to the wider community of Bournemouth.

**DECISION MADE:**

That in accordance with Procedure Rule 22 the matter be deferred until the Planning Board recommendation is considered by the Council under Agenda item 6.

- d. The Council agreed that a deputation be received from Mr. Graham Exon, Chair of the Governors of St. Michaels CE - VC - Primary School. The deputation stated that the proposal was badly needed to help the school provide extra classrooms to accommodate the increase in pupil numbers. The proposal would also help to address other problems with the existing school including heating and lighting issues, undersized classrooms and a much needed increase in play space for the children. The deputation added that a Children's Centre would also be provided for the benefit of the community.

**DECISION MADE:**

That in accordance with Procedure Rule 22 the matter be deferred until the Planning Board recommendation is considered by the Council under Agenda item 6.

Note - Councillor Nicola Greene left the meeting during the full Council's consideration of this item.



**AT A MEETING OF THE BOROUGH OF BOURNEMOUTH COUNCIL, 27 July 2010**

**91. Presentation of Petitions-** see also clause 85 below

Local residents, Rekha Shah and Mrs. Brown, presented a petition that contained the signatures of 508 people in connection with the recommendation of the Planning Board on 2 Somerville Road. The petition asked the Council to stop the loss of

- a. the 100 year old Beech tree in the grounds of St. Michael's School and 2 Somerville Road and
- b. a further 28 trees in order to expand the school.

**DECISION MADE:**

'That the contents of petition be considered when the recommendation of the Planning Board on 2 Somerville Road is debated under agenda item 6.'

Note - Councillor Nicola Greene left the meeting during the full Council's consideration of this item.

**92. Cabinet**

- a. The report of the Cabinet held on 23 June 2010 was presented and its adoption moved.

The Deputy Leader of the Council with the consent of the Council amended the following clause as indicated:

**Clause 116 - Recommended changes to the Capital Programme**

In the first bullet point under recommendation 2, delete the words 'St. Katherine's cycle route' and replace with the words 'Wick Lane surfacing improvements'.

**DECISION MADE:**

That the report as amended be adopted.

- b. The report of the Cabinet held on 21 July 2010 was presented and its adoption moved.

**DECISION MADE:**

That the report as amended be adopted.

**AT A MEETING OF THE BOROUGH OF BOURNEMOUTH COUNCIL, 27 July 2010**

**93. Planning Board - see also clauses 84 and 85 above**

Note - Before the full Council considered this item the Monitoring Officer advised Councillors that they should restrict their debate to the planning application before them for Conservation Area consent for demolition of the existing building at 2 Somerville Road and resist making reference to a separate planning application for alterations and extensions to St. Michael's School which had already been determined.

The report of the Planning Board held on 21 June 2010 was presented and its adoption moved.

**CLAUSE 71 - PLANNING APPLICATION FOR 2 SOMERVILLE ROAD**

Councillor David Smith moved and Councillor Stephen MacLoughlin seconded:

- a. 'That the Council do disagree with the recommendation and adopt the following recommendation as set out at Paragraph 7.0 of the report of the Service Director for Planning and Transport circulated to all Members of the Council:

**Refer to the Secretary of State then GRANT, subject to the following condition:**

**1. Demolition to be continuous with redevelopment works**

The demolition hereby approved shall only be undertaken in one continuous uninterrupted operation with redevelopment works, in accordance with planning application 7-2010-3204-J and only after all necessary details for the redevelopment have been agreed in writing by the Local Planning Authority, where directed to do so by conditions of that planning application, if approved.

Reason: To prevent premature demolition of the existing building and in accordance with PPS5: Planning and the Historic Environment and Environmental Policy Q of the Structure Plan.'

- b. That under Council Procedure Rule 46 the Council do agree to resolve itself into a Committee of the whole Council for the purpose of:
  1. receiving an officer presentation on the planning application
  2. a question and answer session
  3. debating the planning application'

The Motion at b. above was carried on the Mayor's casting vote - 23 in favour, 22 against.

**AT A MEETING OF THE BOROUGH OF BOURNEMOUTH COUNCIL, 27 July 2010**

**Voting for:** The Mayor - Councillor Barry Goldbart; The Deputy Mayor - Councillor Beryl Baxter; Councillors Ron Whittaker, Ben Grower, Bob Chapman, Basil Ratcliffe, Stephen MacLoughlin, Philip Stanley-Watts, Michael Everingham, Anne Rey, Ted Taylor, Richard Smith, Michael Filer, David Smith, Malcolm Davies, Anne Filer, Roger West, John Beesley, David Kelsey, Bob Lawton, Nigel Cowley, Chris Wakefield, Douglas Spencer.

**Voting against:** Councillors Stephen Chappell, Sue Levell, Lynda Price, Pat Lewis, Nick King, John Trickett, Christopher Rochester, Eddie Coope, Carol Ainge, Mark Anderson, Elaine Cooper, Rod Cooper, Sue Anderson, Beverley Dunlop, Ian Lancashire, David Shaw, Derek Borthwick, Heather Drayton, Allister Russell, Andrew Morgan, Cheryl Johnson, Richard Powell.

The Council then proceeded to meet in accordance with the procedure set out in the Motion at b. above.

---

The meeting was adjourned from 8.47pm until 9pm

---

The Council then resolved to come out of its 'Committee' stage and revert to being a formal meeting of the full Council for the vote on the Motion to amend the recommendation of the Planning Board at a. above.

**DECISION MADE:**

The Motion at a. above was not carried - 21 in favour, 22 against, 1 not voting .

**Voting for:** The Deputy Mayor - Councillor Beryl Baxter; Councillors Ron Whittaker, Ben Grower, Bob Chapman, Stephen MacLoughlin, Philip Stanley-Watts, Anne Rey, Ted Taylor, Michael Filer, David Smith, Malcolm Davies, Anne Filer, Roger West, John Beesley, David Kelsey, Derek Borthwick, Bob Lawton, Allister Russell, Nigel Cowley, Chris Wakefield, Douglas Spencer.

**Voting against:** Councillors Basil Ratcliffe, Michael Everingham, Stephen Chappell, Richard Smith, Sue Levell, Lynda Price, Pat Lewis, Nick King, John Trickett, Christopher Rochester, Eddie Coope, Carol Ainge, Mark Anderson, Elaine Cooper, Rod Cooper, Sue Anderson, Beverley Dunlop, Ian Lancashire, David Shaw, Heather Drayton, Andrew Morgan, Cheryl Johnson.

**Not Voting:** The Mayor - Councillor Barry Goldbart;

**AT A MEETING OF THE BOROUGH OF BOURNEMOUTH COUNCIL, 27 July 2010**

Councillor Anne Rey moved and Councillor Nick King seconded:

‘That the Council do disagree with the recommendation and that it be amended by the addition of the following words after the words ‘planning Policy Statement 5 - PPS5’:

‘that in refusing the Conservation Area consent the applicant be informed to revisit and revise the former planning application so that any possible new planning application does not involve demolition of the historic part of 2 Somerville Road and adjoining T22 Beech tree.’

Note - these paragraphs will be added to the formal decision notice as an informative note.

The Motion was carried - 29 in favour, 9 against, 6 not voting

**Voting for:** Councillors Ron Whittaker, Basil Ratcliffe, Philip Stanley-Watts, Anne Rey, Stephen Chappell, Richard Smith, Anne Filer, Sue Levell, Lynda Price, Pat Lewis, Nick King, John Trickett, Christopher Rochester, David Kelsey, Eddie Coope, Carol Ainge, Mark Anderson, Elaine Cooper, Rod Cooper, Sue Anderson, Beverley Dunlop, Ian Lancashire, David Shaw, Derek Borthwick, Heather Drayton, Allister Russell, Andrew Morgan, Chris Wakefield, Cheryl Johnson.

**Voting against:** The Deputy Mayor - Councillor Beryl Baxter; Councillors Ben Grower, Bob Chapman, Stephen MacLoughlin, Michael Everingham, Ted Taylor, David Smith, Malcolm Davies, Roger West.

**Not Voting:** The Mayor - Councillor Barry Goldbart; Michael Filer, John Beesley, Bob Lawton, Nigel Cowley, Douglas Spencer.

**DECISION MADE:**

That the report as amended be adopted

Note - Councillor Nicola Greene left the meeting during the full Council's consideration of this item.

**AT A MEETING OF THE BOROUGH OF BOURNEMOUTH COUNCIL, 27 July 2010**

**94. Motion**

Councillor Pat Lewis moved and Councillor Carol Ainge seconded:

‘That in the Authority’s role as a Caring Council the Chief Executive be instructed to ensure, through Service Directors, that the DVD ‘Caring Together’ funded by the Department of Health and made by Bournemouth Borough Council, Borough of Poole and NHS Bournemouth and Poole be shown to all appropriate staff as part of their training and development plans.’

**DECISION MADE:**

The Motion was adopted unanimously.

**95. General Questions**

- a. It was agreed that the reply to the following question on the general work and procedures of the Council would be provided in writing:

Councillor Ted Taylor to the Cabinet Member for Education and Children’s Services - Councillor Nicola Greene - on ‘Building School’s for the Future’.

- b. It was agreed that that the following question on the general work and procedures of the Council will be carried over to the next meeting:

Councillor Philip Stanley-Watts to the Cabinet Member for Environment and Transport - Councillor Michael Filer - on ‘Free Park and Ride service to Boscombe Pier’.

Note: To see a copy of the questions and replies please visit:

[www.bournemouth.gov.uk/Council/questionsandreplies/council\\_questions.asp](http://www.bournemouth.gov.uk/Council/questionsandreplies/council_questions.asp)

**96. Questions on Decisions Taken Under Delegated Powers**

There were no questions for this meeting.

AT A MEETING OF THE BOROUGH OF BOURNEMOUTH COUNCIL, 27 July 2010

**97. Questions on the Discharge of the Functions of the Dorset Fire Authority and the Dorset Police Authority**

**a. Questions on the Discharge of the Functions of the Dorset Police Authority**

It was agreed that the reply to the following question on the Dorset Police Authority would be provided in writing:

Councillor Stanley Watts to the Council's representative on the Dorset Police Authority - Councillor Basil Ratcliffe - on 'extra policing for the summer season'.

**b. Questions on the Discharge of the Functions of the Dorset Fire Authority**

There were no questions for this meeting.

**98. Mayor's Communications**

The Mayor highlighted the Charity cricket match that was being held on 30 August 2010.

Councillor Ratcliffe left at 9.20pm and returned at 9.30pm

The meeting finished at 10.40pm

Contact: Kevin Neale, Democratic Services Manager

Telephone 01202 454689

Email: [kevin.neale@bournemouth.gov.uk](mailto:kevin.neale@bournemouth.gov.uk)

Please note that the next ordinary meeting of the Council will take place at the Town Hall at 7pm on 14 September 2010.

It is recommended that you double-check this information with Kevin Neale nearer the scheduled date of the next meeting in case the arrangements have changed.

## COMMUNITY SERVICES COMMITTEE

Wednesday 08 December 2010 from 6pm to 8.20pm

**464 Present:** Councillor Mrs Derham Wilkes (Chairman); Councillors, Duckworth, Hall, Mrs Jamieson, Jamieson and Honorary Freeman Councillor Lofts (Vice-Chairman).

**465 Apologies:**

Apologies for absence were received from Councillor Geary (The Mayor), Councillors Davies, Griffiths, Neale, Nottage and Mrs Spencer.

**466 Minutes:**

The Minutes of the last meeting held on 20 October 2010 were confirmed as a correct record and signed.

**467 Declarations of Interest:**

Councillor Hall and Jamieson declared an interest in Item 7 - Friars Cliff - Additional Beach Huts, as they both sit on Planning Control Committee. They stated that in order to avoid predetermination they would refrain from taking part in the debate and vote.

**468 Local Development Framework: Annual Monitoring Report 2009/10:**

Members considered a written report, presented by the Senior Planning Officer, seeking approval to submit the Annual Monitoring Report (AMR) to Government Office South West (GOSW).

The Officer introduced the Annual Monitoring Report and stated that The Planning & Compulsory Purchase Act 2004 introduced the legal requirement for local authorities to produce an Annual Monitoring Report (AMR) every year. The purpose of the AMR was to review actual progress of Local Development Document (LDD) preparation against the timetable and milestones in the Local Development Scheme. It was also required to assess the extent to which policies within Local Development Documents were being implemented. As there were no policies yet in place in LDD's prepared under the new planning system, the AMR this year was still monitoring the performance of the existing "saved" policies within the Local Plan.

The Officer further stated that the implications for monitoring under the new Coalition government were, as yet, unknown. So far there had been no reference to monitoring in any policy statements or circulated letters to Chief Executives, although there was reference to the need to continue to publish the 5 Year Housing Land Supply. The Coalition

Government had not, to date, issued detailed guidance on changes to the planning system but had made it clear the LDF process should not be abandoned.

The Senior Planning Officer then gave a detailed précis of the structure of the AMR and stated that work had progressed well on the coverage of the contextual and national core output indicators with both having positive findings. The level of data collection had been maintained in this year's AMR with few gaps to redress.

The final version of the AMR would need to be submitted to GOSW by 31<sup>st</sup> December 2009. As soon as possible after this, the report would be published on the Council's website and copies made available for inspection.

A Member asked from where information such as NEETS was derived and how the information would be used. It was reported that the NEETS information was supplied by CONNEXIONS. The Strategic Director stated that the information within the AMR was put to good use as the evidence would help shape the Council's Corporate Plan and priorities over the next four to five years.

Members agreed that the AMR was a valuable report which helped to compare with other areas. In thanking the Officer, they further acknowledged the amount of work involved in producing the document and, therefore, proposed, seconded and unanimously -

RESOLVED - That the Annual Monitoring Report be submitted to GOSW by the deadline of 31<sup>st</sup> December 2010.

**469 Response to the Bournemouth Dorset and Poole Draft Minerals Core Strategy:**

The Planning Policy Team Leader presented a report informing Members of the current consultation on the Bournemouth, Dorset and Poole Draft Minerals Core Strategy and the implications for future minerals working in the Borough of Christchurch.

The Officer explained that the Minerals Core Strategy set out the vision, objectives, spatial strategy and policy framework for minerals development in Bournemouth, Dorset and Poole. The document also set out the framework for minerals development in terms of future scale and pattern of minerals working and how this would be managed.

Consultation on the Minerals Core Strategy had commenced on the 29<sup>th</sup> October and ended on the 17<sup>th</sup> December 2010. The Council had previously responded to the 'issues and options' stage of consultation on the Minerals Core Strategy in January 2008. At this stage the Council had set out an objection to possible minerals working to the east of the Borough on the basis of highways, environmental and



amenity impacts. The Council had also separately responded to the Dorset, Bournemouth and Poole Minerals Site Allocations 'issues and options' document in Dec 2008.

The Planning Policy Team Leader then presented a précis of the document for consultation, highlighting the key points including the apportionment of sand and gravel for the plan period to 2028 and site selection criteria which would inform the appraisal of sites for consideration in the minerals site allocations document. He further acknowledged that transport was a key issue and asked Members to agree the draft response prepared by the Planning and Policy Team Leader.

A Member asked if the effect of gravel extraction on the water table and run off to the River Mude and on to Christchurch harbour had been investigated. The Officer replied that adequate safeguards were in place for the impact of run off and that Officers were satisfied on that issue.

It was, therefore, proposed, seconded and unanimously -

RESOLVED - That the draft response on the Bournemouth, Dorset and Poole Draft Minerals Core Strategy be approved.

**470 CBC Response to Consultation of the Dorset-wide Common Housing Allocation Policy:**

Members received a report detailing the initial responses to the consultation of the Dorset-wide Common Allocation Policy.

Members were advised that in 2008 negotiations had begun with other Housing Services across Dorset in order to deliver a means of offering Choice Based Lettings (CBL) to Christchurch residents in line with legislation which required Councils to have a system in place by 2010. The deadline of April 2010 for implementation had, however, been waived for Christchurch on the basis that they were part of the wider Dorset initiative. In July of this year Members had approved for consultation a Dorset-wide Common Allocation Policy for housing. A Joint Member Seminar with East Dorset Members had been held on 5<sup>th</sup> October at which Members were fully briefed on the proposal for Choice Based Letting and the associated Dorset-wide Common Allocation Policy.

Members received details of the results of the public consultation and noted that feedback was very encouraging for the emerging policy, particularly in respect of the idea that the policy is fairer and more transparent for applicants.

The Housing Services Manager then gave details of a proposed response from the Council and stated that that in order to make clear that the Council is not restricting choice there should be a “statement of Choice” at the beginning of its policy as follows:

“Applicants can express a preference on where they wish to live by requesting certain areas or all”

It was further suggested that the current sanction which threatens to remove applicants from the register if they refuse an offer which is not in their first area of choice be removed.

The Officer advised that, given that these proposals improve choice for applicants and that all applicants on the register had recently been consulted on the joint allocations policy, it could be shown that the majority support the increased choice which would result. There would, therefore, be no further requirement for consultation on these interim changes.

In summary, the Officer asked Members to support the development of the new policy, as drafted, as it enhanced the current Allocation Policy which is operated in the Borough. The clearer guidance for officers in banding applicants and the openness and transparency that the policy offers applicants in understanding their position on the register was to be welcomed. Members comments would be passed onto the Project Board and a final version of the policy would be returned to Members early in the New Year for consideration

The Housing Services Manager asked Members to note that the Government had recently issued a consultation paper and, whilst it was too early to evaluate the impact on the Dorset-wide policy, assured Members that the outcome of the paper would be taken on board.

Members were pleased with the number of positive responses received and it was, therefore, proposed, seconded and unanimously -

- RESOLVED -
- 1) That the feedback on the consultation exercise on the proposed Dorset-wide Common Allocations Policy be noted and that representations to the CBL Project Board be made;
  - 2) That the proposal to include a “statement of choice” in the Council’s own Allocations Policy as an interim measure pending the introduction of a joint allocations policy and CBL be agreed.

#### **471 Friars Cliff - Additional Beach Huts:**

Members were advised that in 2002 the Council had successfully added 22 beach huts as a rear row behind the huts at Friars Cliff. This

had raised a small capital receipt and an ongoing revenue benefit from annual licence fees. Some research on possible locations for additional beach huts had shown there was a possibility of adding more huts at Friars Cliff, subject to statutory consents and some capital investment by the Council. The Senior Beaches and Open Spaces Officer, in circulating a map showing the location, stated that, contrary to the report, there were only spaces for eight additional beach huts.

The capital outlay was estimated to be £35,000 - £40,000. Site surveying had recently been undertaken so that the work could be properly costed to provide a clearer budget estimate. The scheme itself would be subject to competitive tender to finalise project costs, and then business case preparation, before looking to obtain capital resources should the scheme be considered viable. There would also be planning, marketing and other costs in the order of £5,000.

The likely selling price of huts might be in the order of £10,000 - £12,000 (inc VAT at 20%) so there was a possible net capital gain (subject to investment and other ancillary costs) and annual revenue benefit of between £4,000 and £5,000.

In terms of statutory consents, planning permission would be required and this was a fundamental first step for the project. As the optimum time for marketing new huts would be in the period around Easter next year, it was important to progress the project quickly. Members were therefore asked to agree to lodge a planning application for the new huts.

Members were pleased to see a proposal generating income for the Council and therefore proposed, seconded and duly -

RESOLVED - That the proposal for additional beach huts be agreed in principle and that a planning application seeking planning consent for the proposed new huts be lodged.

#### **472 Poole and Christchurch Bays Shoreline Management Plan Review (SMP2) – Adoption of Plan:**

The Coastal Engineering Team Leader gave a background to the Shoreline Management Plan (SMP) and stated that the first SMP for Poole & Christchurch Bays (SMP1) had been produced in 1999 with the principal objective of setting policy to promote sustainable management of erosion and flood risk over a period of 50 years. Since then significant progress had been made in understanding and mapping coastal processes. The current version, known as SMP2, was a high level non-statutory document guided and funded by Defra, which commenced in June 2007 with Bournemouth Borough Council established as the lead authority.

To achieve sustainable coastal defence management through SMP2 a Stakeholder Engagement Strategy had been undertaken. A draft SMP2 had been prepared and approved in principle by the Community Services Committee on 21<sup>st</sup> October 2009 prior to public consultation. Public consultation was now complete and the final SMP2 presented to Members for approval.

The Coastal Engineering Team Leader paid special tribute to Councillor Duckworth who had been instrumental in progressing the plan and further thanked him for his support throughout the process. Councillor Duckworth thanked the Officer and enquired as to the next stage. In response, the Coastal Engineering Team Leader stated that, once adopted, the National Review Board for the Environment Agency would accept the Shoreline Management Plans from around the country; after which the Council would be in a position to look to renew the shoreline defences in collaboration with New Forest District Council through a coastal defence strategy for Christchurch Bay.

Councillor Duckworth stated that the plan had taken a long time to come to fruition and involved a considerable amount of work. He was happy with the process and final document and therefore proposed the recommendation as set out.

Members agreed and further extended their thanks to the Officer and Cllr Duckworth; it was, therefore, seconded and unanimously –

RESOLVED - That the final Shoreline Management Plan (SMP2) be adopted.

**473 Purewell Conservation Area Appraisal – Revisions for Final Adoption:**

Members received a report seeking approval for the adoption of the Purewell Conservation Area Appraisal (CAA). It was noted that the appraisal was first recommended for adoption at Community Services Committee on 16<sup>th</sup> December 2009. The decision of the Committee had, however, been “called in” to Scrutiny Committee. Scrutiny Committee on 9<sup>th</sup> February 2010 resolved that Community Services Committee reconsider their decision to adopt the Purewell CAA. When the CAA was reviewed by Community Services Committee on 3<sup>rd</sup> March 2010 the decision was reconsidered, but Members agreed the decision to adopt be ratified by Council. On 20<sup>th</sup> July 2010 Council referred the decision back to Community Services Committee, subject to proposing further amendments and asked for re-consideration in respect of a number of statements. These had been considered by the Officers and changes outlined within the report.

The Planning Policy Manager stated that the Purewell Conservation Area Appraisal and Management Plan was a comprehensive assessment outlining the positive and negative characteristics which

should be taken into account when, for example, dealing with proposals for development. It also identified areas for improvement, as well as buildings which would benefit from being added to the local list. The Management Plan made recommendations on issues such as traffic calming, street improvements and vacant sites with the aim of enhancing the character of the Conservation Area. The revised Purewell CAA was, therefore, presented to Members for adoption.

Members agreed to the amendments and it was proposed, seconded and unanimously -

RESOLVED - That the Purewell Conservation Area Appraisal and Management Plan be formally adopted.

#### **474 Budget 2011-12:**

Members received a report, presented by the Group Accountant, explaining the overall budget position for the Committee by comparing the Revised Estimate for 2010/11 to the Original Estimate for 2010/11, and the 2011/12 Estimate to the Original Estimate for 2010/11.

Members noted that the indications from the recent Comprehensive Spending Review were that local authorities could expect to see a cut of up to 28% in central grant over the next four years. Details of exactly how this would be achieved and be phased had, however, still to be published. The Council had already taken steps to achieve the savings forecast as most likely to be required for 2011/12 through reorganisation, joint working and other efficiency savings and thus, as in previous years, the 2011/12 estimates were generally based on continuing the same level of services as provided in 2010/11.

The Group Accountant explained that Budget preparation had began in September, at which time the details of the joint management arrangements with East Dorset had not been finalised. The 2011/12 Budget reflected the change to a Joint Corporate Management Team; details of this structure had, however, yet to be finalised.

The Budget for 2011/12 has been prepared using the following underlying assumptions: that the general rate of inflation for goods and services would be 2% unless known to be otherwise; that inflationary pay awards for 2010/11 & 2011/12 would be zero; that the interest rate on balances would be 1.25%.

The Group accountant then detailed the variations within the budget and asked that Members agree for the Community Services Budget to be forwarded to the Resources Committee in February 2011 for consideration as part of the overall budget.

The Chairman of Resources thanked the Group Accountant and his team for the work in bringing the budget together and advised

Members that the support grant settlement from central Government would not be known until later this month. He further praised Officers in the Council for suggesting ways of making savings and implementing the ideas during this financial year.

It was, therefore, proposed, seconded and unanimously -

RESOLVED - That the information and explanations provided be noted and that the draft budget figures be approved and included within the overall budget forwarded to Resources Committee at its February 2011 meeting.

#### **475 Exempt Matters:**

Members noted that the following matters were confidential and it was, therefore, necessary for the Council to resolve to exclude the public from the meeting for those items.

RESOLVED – That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs of Part I of Schedule 12(A) of the Act indicated under the items.

#### **476 CCTV Review and System Upgrade:**

The Community and Planning Policy Manager presented an exempt report informing Members of the recommendations from the consultancy review of the Council's CCTV system.

Members were advised that when the Christchurch CCTV system had been installed in 1997, a "sinking fund" had been established for the eventual renewal of the system in the future. January 2010, consultants Global MSC Security had been appointed to undertake a complete review of the Christchurch CCTV system, and to report on how the system could be upgraded in light of technological improvements as well as looking at potential areas where the system could be expanded in response to requests for new cameras etc.

The Officer stated that the CCTV system performed a vital role in ensuring that Christchurch remains one of the safest places to live in the country. Although small, the system was proactively used as a crime and disorder tool, and liaison with the Police was excellent. The system was, however, dated and there was currently an opportunity to remove time expired equipment and make use of advances in new technology to build a CCTV system for the next decade. This would

also allow opportunities for possible joint service delivery and income generation to be considered.

Priorities, totalling £232,500.00, were outlined by the Officer, and it was noted that these were well within the “sinking fund”. The remaining money from the fund may either be used to procure a fibre network for the system if required, or to form the basis of a future sinking fund. It was noted that formal approval to release monies from the sinking fund would be obtained from Resources Committee.

Members asked a number of detailed technical questions regarding the proposals and future potential of the system and expressed concern that the system was not, at present, being utilised in Anti Social Behaviour enforcement. There was further concern that the full income potential of the system was not being explored, for example, by providing information, at a cost, to insurance companies. Members agreed that these issues should be reconsidered within the existing CCTV policy. It was, therefore, proposed, seconded and unanimously -

- RESOLVED -
- 1) That the upgrading of the CCTV system as identified, including the retention of consultants Global MSC Security to draft tender and contract documentation and provide ongoing advice, be approved.
  - 2) That the establishment of a further sinking fund to allow for future replacement or upgrading of the system at an appropriate date be endorsed.
  - 3) That the Head of Community and Economy be tasked with carrying out a review of the Council’s CCTV policy.

(Reason for Exclusion – Category 3)

#### **477 Regent Centre Digital Cinema and Lease Implications:**

Members received an exempt report, presented by the Property and Engineering Services Manager advising Members of a funding opportunity that would enable the Regent Centre (Christchurch) Ltd to install digital cinema. Approval was further sought to extend the lease in order to give 10 years security of tenure to enable this venture to proceed.

Members were advised that the Regent Centre had pursued a Council recommendation to seek third party funding or contribution towards installing digital cinema. A funding package was being pursued which would reduce the Regent Centres digital cinema costs but would require the Regent Centre to commit to showing digital films for ten years. Under current lease arrangements, the Regent Centre would not

be able to do this as they currently only have, in effect, a three year rolling lease with break clauses. To implement the proposal the Council would have to grant an extension to the lease by one or another mechanism.

The detailed terms and conditions of the funding package had yet to be received by the Regent Centre and it was suggested that once received, a copy be provided to the Council for consideration.

Members noted that, given the competing timescales of digital cinema contract “versus” committee cycle “versus” legal/governance process for formal extension, it might not be possible to support the returned contract with a final revised and agreed lease or formal letter of extension if final terms were not agreed. In this case, the Council may be required to issue a letter of comfort.

- RESOLVED -
- 1) In principle, the Council support the Regent Centre in the provision of digital cinema and the third party funding arrangements that they are seeking.
  - 2) Subject to receipt of a copy of the draft Regent Centre / third party funder contract and to the Council agreeing to relevant terms and conditions and any revisions to the current lease, the Council would be willing to grant a variation to the current lease to enable the Regent Centre to remain in occupation and be able to continue showing digital films for a period of ten years.
  - 3) No costs for the installation of digital cinema should fall on the Council.
  - 4) The Council issue a letter of support and comfort should it not be possible to agree a variation to the existing lease in accordance with the funding contract timescales.

(Reason for Exclusion – Category 3)

#### **478 Leases and Licences for Spaces in Car Parks:**

Property and Engineering Services Manager presented a report seeking approval to a framework for calculating rentals for those wishing to secure spaces within the Councils pay and display car parks.

The Officer stated that the Car Parks Task and Finish Group (T&FGp) had considered a way of calculating rentals for spaces in car parks on several occasions and the report provided a proposed framework for



future negotiations to let spaces under leases and licences. The previous approach of negotiating licences for car park spaces on an open market basis using historic loss of income models had produced additional revenue from under-utilised car parks. The income derived has been in excess of the loss of income from ticket sales at the time of negotiation. Some criticism had, however, been received over the transparency of the process.

Members were asked to note that “One size does not fit all” and charges levied in different situations needed to reflect different circumstances. The Officer stated that a totally transparent model for charging based on a formulaic approach to account for different factors had been found to be unacceptable as it would produce unsustainable cost increases to most users, was cumbersome and was not infallible.

The Officer, therefore, outlined a framework system, which stated the basis upon which the Council would negotiate to achieve open market rentals. The framework stated the base level and other factors which the Council would consider. It did not, however, quantify these factors, enabling flexibility in negotiations to derive a mutually acceptable rental.

After considerable debate Members agreed that the framework provided a platform from which a pricing model could be produced, but agreed that it needed further development.

- RESOLVED -
- 1) That the current situation, the concerns of the T&FG and the efforts to produce a formulaic resolution be noted.
  - 2) That the framework, set out in the report, be used as the basis for developing a pricing formula and review process.
  - 3) That Officers be asked to calculate the formula for submission and approval by this Committee.

(Reason for Exclusion – Category 3)

Chairman



Office: County Hall, Colliton Park  
Dorchester, Dorset DT1 1XJ  
Telephone: 01305 224192  
Fax: 01305 225130  
Minicom: 01305 267933  
Email: r.gould@dorsetcc.gov.uk  
Website: www.dorsetforyou.com

Dr David Harlow  
Coastal Protection Manager  
Town Hall Annex  
St Stephens Road  
BOURNEMOUTH  
Dorset  
BH2 6EA

PLANNING AND TRANSPORT			
Letter No	14144	File No	
DATE RECEIVED	28 OCT 2010		
Officer	DH	Reply	<input checked="" type="checkbox"/>
Copies		Filing Authority	

Home: Hillside Farm  
Poyntington, Sherborne  
Dorset DT9 4LF  
Telephone: 01963 220222  
Mobile: 07732 677824  
Date: 26 October 2010  
Your ref:  
My ref: RG/KB/LEX

Dear Dr Harlow

### Endorsement of the Poole & Christchurch Bays Shoreline Management Plan (SMP2) Review 2010

The importance of Dorset's natural environment is emphasised in the County's Sustainable Community Strategy in the corporate aim of "Safeguarding Dorset's environment now and for the future". With regard to the current review of the Shoreline Management Plans, Dorset County Council (DCC) supports the focus on more sustainable coastal management and the emphasis on working with natural processes on the coast. We support a policy of maintaining and introducing defences only where absolutely necessary. It is also recognised that where a 'hold the line' policy will change to managed realignment or no active intervention, this will improve the quality of the natural environment. This is reflected in the Poole and Christchurch Bays Shoreline Management Plan which appears to be a comprehensive, well researched document presenting a broad evidence base on which decisions about coastal defence policy have been made.

Looking beyond adoption of the SMP, effective implementation will be important, and continuing input from Dorset County Council will be necessary to support this. Key considerations which will inform DCC's ongoing input to the process of Shoreline Management Plan implementation are highlighted below:

In a very few areas there may well be a conflict between 'hold the line' policy and the protection of the natural environment that may be difficult to reconcile. While accepting the contents of the SMP, for any policy of 'hold the line' or 'managed realignment' involving flood or coastal engineering, it is understood that such development would be subject to planning control and the tests set to protect the natural environment in accordance PPS 9. Furthermore, we would expect to see quality play an important part in any engineered solution on landscape and amenity grounds.

For coastal defence and flood risk management to be delivered sustainably in the longer term, decisions have to be made on what critical infrastructure to protect. It is inevitable that the coast will erode and it is unrealistic to expect that all parts of the coast with property interests will be protected. Unfortunately this will mean that some coastal land and property will be lost. The recent Coastal Change Pathfinder Programme introduced by Defra in June 2009 begins to consider how coastal communities can adapt to these changes. Dorset County Council is leading on one of these Pathfinder projects, working with key communities along our coast to identify potential future issues arising from coastal erosion, and how communities and their infrastructure may adapt in the long term. It is hoped that the outcomes of this project will help inform coastal communities and local planning authorities on alternative solutions in adapting to coastal change.



Robert Gould: County Councillor for Sherborne Electoral Division



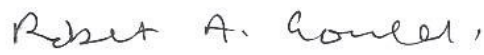
INVESTOR IN PEOPLE

Where possible, defences should be constructed in a design which is sympathetic or indeed complimentary to the surrounding environment. When structures begin to fail as they reach the end of their design life there must be provisions for their removal.

The recognition of the importance of Scheduled Monuments and other elements of the historic environment in the SMP document is welcomed. Much archaeology is as yet unrecorded (and indeed below ground and so invisible). For new defence schemes and where parts of the coast are rapidly eroding, archaeological assessments will allow informed planning decisions to be made. The undertaking of archaeological assessments on areas at immediate risk from erosion should be a matter of priority.

In conclusion, with due consideration of the comments above which include the careful consideration in implementing a 'hold the line' policy in areas of geological and biological sensitivity, future defence design, removal of failed structures and consideration of the aesthetic and important geological features of the Dorset coast, Dorset County Council are content to endorse the Poole and Christchurch Bays Shoreline Management Plan (SMP2) Review 2010.

Yours sincerely



Robert Gould  
Cabinet Member for Environment



*Hampshire County Council Poole and Christchurch Bay SMP Position*

Hi Dave

In earlier discussions as to whether to adopt/approve/endorse the SMPs (North Solent and Two Bays), HCC decided that it would not be appropriate to do either. The County Council's position will therefore be the consultation response sent earlier in the year, i.e. we welcomed the review of the SMP and broadly supported its policies. We will not be able to provide any further letters of approval and this will also be the case with the North Solent SMP.

Thanks  
Rachael

---

**From:** Dave Harlow [mailto:Dave.Harlow@Bournemouth.gov.uk]

**Sent:** 16 November 2010 15:05

**To:** Gallagher, Rachael

**Subject:** RE: Poole & Christchurch Bays SMP2

Rachael,

I wonder if I could ask Hampshire County Council to send me a letter, formally approving the SMP?

I am asking the Operating Authorities (the 5 District Councils plus the EA) to formally "Adopt" the SMP, by taking it to Cabinet & Council and formally adopting the SMP.

The 5 non-operating authorities (Hampshire CC, Dorset CC, Poole Harbour Commissioners, Natural England, National Trust) we are asking to "Approve" the SMP.

I will find out the DCC letter of approval, for inspiration, or a guide, if that helps!

Regards

David Harlow

Coast Protection Manager  
Planning & Transport



Tel: 01202 451389

e-mail: [david.harlow@bournemouth.gov.uk](mailto:david.harlow@bournemouth.gov.uk)

VISIT OUR WEBSITE: [www.bournemouth.gov.uk](http://www.bournemouth.gov.uk)

Fax: 01202 451007

Please save paper and only print what is necessary.

*Environment Agency position on Hampshire County Council adoption of the Poole and Christchurch Bay SMP*

David and Andy

Please see attached internal correspondence - in essence it says that there is no need for a County Council to sign-off the SMP unless they want to.

I hope that clarifies the situation

**Tim Kermode**

Coastal Engineer  
Environment Agency - Solent and South Down Area

Tel 01794 832722

Note - Phone will go to mobile if I am out of the office

---

**From:** Buffrey, Jenny  
**Sent:** 18 November 2010 14:08  
**To:** Dornbusch, Uwe  
**Cc:** Lane, Gary; Kermode, Tim; Watson, Neil; Thomson, Emma;  
(steve.jenkinson4@btinternet.com)  
**Subject:** RE: Poole & Christchurch Bays SMP2

Hi Uwe,

I can confirm that in some parts of the country County Councils who have been involved with their SMPs have felt there is benefit in them approving them. However, this was never an official requirement in the guidance that we are working to. Also, at this stage, we are not encouraging any circumstances where changes need to be made to documents unnecessarily. If a County Council does not feel inclined to approve unless changes are made to the documents, then we would just need to record that they participated in the development of the plan and leave it at that.

Hope this helps.

Thanks  
Jenny



tony.flux@nationaltrust.org.uk  
Direct line: +44 (0) 01297 480024  
Mobile: 07919 585859  
25<sup>th</sup> November 2010

## National Trust

Dr David Harlow.  
Coast Protection Manager, Planning & Transport Division  
Bournemouth Borough Council  
Town Hall  
Bournemouth  
Dorset  
BH2 6DY

Dear Dr Harlow,

### **Re: The Two Bays Shoreline Management Plan**

The National Trust owns and manages over 712 miles of coastline in England and Wales and the very first property to be bequeathed to the Trust (1895) was a small section of Welsh coastline. On this basis, the Trust has a wealth of experience in dealing with coastal issues and developing management strategies that will be fit for the future.

Locally, the Trust owns two exceptionally important sites, namely Brownsea Island and the Studland Peninsula. They are important to us intrinsically, ecologically and are sites that contribute much to the local communities both in cultural terms and in economic / tourism terms. Therefore it was always considered essential that the Trust remained fully engaged with the whole process of the Shoreline Management Plan review that has recently been concluded.

In our opinion the process has been carried out efficiently and rigorous attention has been paid to detail. As well as seeking advice and opinions from experts, the process has also been able to gauge opinions from a wide range of local residents and businesses. All this has resulted in a balanced set of policy options for each section of coast and this in turn, has resulted in good consensus between all those parties likely to be affected by the policy options selected.

It is therefore with great pleasure that I can, on behalf of the National Trust endorse the work carried out, the SMP documents produced and the results achieved and congratulate the team on a difficult task carried out with great care and goodwill.

Yours sincerely,

*Tony Flux*

Tony Flux  
Dorset Coastal Zone Projects Manager for the National Trust

National Trust  
West Dorset Office  
Filcombe Farmhouse, Muddyford Lane  
Morcombelake, Bridport  
Dorset DT6 6EP  
Tel: +44 (0)1297 489481  
Fax: +44 (0)1  
www.nationaltrust.org.uk

President: HRH The Prince of Wales  
Regional Chairman: Richard Wilkin LVO MBE  
Regional Director: Brendan McCarthy  
Registered office:  
Heelis, Kemble Drive, Swindon, Wiltshire SN2 2NA  
Registered charity number 205846

SW Region

Cont/d

2





ENGLISH HERITAGE

SOUTH WEST REGION

David Harlow  
Coast Protection Manager  
Planning & Transport  
Bournemouth Borough Council  
Town Hall Annexe,  
St Stephens Road  
Bournemouth  
Dorset  
BH2 6EA

Telephone 0117 9750702  
Fax 0117 9750740  
Email Andrew.Vines@english-heritage.org.uk

3<sup>rd</sup> November 2010

Dear Mr Harlow,

Re: Hurst Spit to Durlston Head Shoreline Management Plan 2

I am writing to confirm that English Heritage has participated fully in the consultation process for the Shoreline Management Plan and its Strategic Environmental Assessment, as a member of the Steering Group.

We appreciate that the shoreline management process continues. As the Government's statutory advisor on the historic environment, we look forward to playing an active part in the consultations required for the implementation of the Action Plan and individual schemes that relate to it.

Yours sincerely

Andrew Vines  
Regional Director SW

PLANNING AND TRANSPORT				
Letter Number	14217	File Ref		
DATE RECEIVED		- 8 NOV 2010		
Officer	DH	Reply	Yes	No
Copies		Filing Auth'd		

Please note that English Heritage operates an access to information policy. Correspondence or information which you send us may therefore become publicly available.





Date: 30 November 2010

Our Ref: Poole and Christchurch Bays SMP



Dorset and Somerset Team  
Slepe Farm  
Arne  
Wareham  
Dorset  
BH20 5BN

T 01929 557450  
F 01929 554752

201

To Whom It May Concern

**Re: Poole and Christchurch Bays SMP and IROPI**

Natural England **supports** the Poole and Christchurch Bays Shoreline Management Plan and the policies that have been put forward.

Natural England agree that it is not possible to conclude that the policies within the Shoreline Management Plan will not have an adverse effect on the following internationally important sites.

- Solent and Southampton Water Special Protection Area
- Solent Maritime Special Area of Conservation
- Dorset Heathlands Special Protection Area
- Dorset Heaths Special Area of Conservation
- Dorset Heathlands Special Protection Area
- Poole Harbour Special Protection Area
- Dorset Heaths Special Area of Conservation
- Dorset Heaths (Purbeck & Wareham) & Studland Dunes Special Area of Conservation
- Isle of Portland to Studland Cliffs Special Area of Conservation

We agree, however, that the least possible damaging plan has been put forward and we accept that there is a case for Imperative Reasons of Overriding Public Interest. We endorse the compensatory measures that have been advised, providing they are implemented.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely,

*Gerry Hamerley*

Date: 30 November 2010

Our Ref: Poole and Christchurch Bays SMP



Dorset and Somerset Team  
Slepe Farm  
Arne  
Wareham  
Dorset  
BH20 5BN

T 01929 557450  
F 01929 554752

201

To Whom It May Concern

**Re: Poole and Christchurch Bays SMP and IROPI**

Natural England **supports** the Poole and Christchurch Bays Shoreline Management Plan and the policies that have been put forward.

Natural England agree that it is not possible to conclude that the policies within the Shoreline Management Plan will not have an adverse effect on the following internationally important sites.

- Solent and Southampton Water Special Protection Area
- Solent Maritime Special Area of Conservation
- Dorset Heathlands Special Protection Area
- Dorset Heaths Special Area of Conservation
- Dorset Heathlands Special Protection Area
- Poole Harbour Special Protection Area
- Dorset Heaths Special Area of Conservation
- Dorset Heaths (Purbeck & Wareham) & Studland Dunes Special Area of Conservation
- Isle of Portland to Studland Cliffs Special Area of Conservation

We agree, however, that the least possible damaging plan has been put forward and we accept that there is a case for Imperative Reasons of Overriding Public Interest. We endorse the compensatory measures that have been advised, providing they are implemented.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely,

A handwritten signature in blue ink that reads "Gerry Hamerley".

Gerry Hamersley  
Area Manager  
Gloucestershire, Wiltshire, Dorset & West of England  
South West Region

**3 NOVEMBER 2010**

**NEW FOREST DISTRICT COUNCIL**

**CABINET**

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 3 November 2010.

- p Cllr B Rickman (Chairman)
- p Cllr E J Heron (Vice-Chairman)

**Councillors:**

- p G C Beck
- p Mrs D M Brooks
- e Mrs J L Cleary

**Councillors:**

- e Mrs M D Holding
- p C R Treleaven
- p C A Wise

**In Attendance:**

**Councillors:**

- Ms L C Ford
- Mrs M E Lewis
- B M F Pemberton
- L R Puttock
- A W Rice
- Mrs A M Rostand

**Councillors:**

- Mrs B Smith
- Mrs S I Snowden
- R A Wappet
- A Weeks
- P R Woods

**Also In Attendance:**

Mrs A Murphy, Housing Policy and Report Focus Group Representative.

**Officers Attending:**

D Yates, R Jackson, J Mascal, Ms J Bateman and Miss G O'Rourke and for part of the meeting A Colenutt, S Cook and Ms A Righton.

**32. MINUTES.**

**RESOLVED:**

That the minutes of the meeting held on 1 September 2010 be signed by the Chairman as a correct record.

**33. DECLARATIONS OF INTEREST.**

Cllr Rice declared an interest in minute No. 36.

**34. PUBLIC PARTICIPATION.**

No issues were raised during the public participation period.

**35. CHAIRMAN'S ANNOUNCEMENT – MR CHARLES CURRY.**

The Chairman announced with pleasure that Mr Charles Curry, the owner of the Lymington Times and New Milton Advertiser was celebrating his 90<sup>th</sup> birthday today. All members sent their very best wishes to Mr Curry on his special day.

**36. NORTH SOLENT SHORELINE MANAGEMENT PLAN AND POOLE AND CHRISTCHURCH BAYS SHORELINE MANAGEMENT PLAN (REPORT A).**

Cllr Rice declared a personal interest as Chairman of the North Solent Shoreline Management Plan Member Group. He did not consider his interest to be prejudicial. He remained at the meeting. He did not have a vote.

The Cabinet considered the final North Solent Shoreline Management Plan (SMP) and the final Poole and Christchurch Bays Shoreline Management Plan.

In considering the report the Environment Portfolio Holder thanked Cllrs Mrs Carpenter and Rice for the work they had personally undertaken in assisting with the formulation of the SMP's. He particularly thanked the member and officer team and Desmond Swayne, MP for the representations made to the Secretary of State. That had resulted in new funding of £300,000 being made available for investigation work on problems caused by ground water.

Members noted that whilst a 'No Active Intervention' category meant that public funding would not be available, that did not preclude landowners from continuing to maintain their own defences subject to the normal planning consents where appropriate.

**RECOMMENDED:**

***That the final North Solent Shoreline Management Plan and policies and the Poole and Christchurch Bays Shoreline Management Plan and policies be adopted, subject to obtaining Imperative Reasons of Overriding Public Interest (IROPI) from the Secretary of State in respect of each.***

**RESOLVED:**

That, subject to the agreement of the recommendation above, officers liaise with members and the relevant authorities and organisations to continue to work in partnership to ensure the actions in the Action Plans are monitored and delivered in a cost-effective and timely manner and inform emerging and future studies and schemes.

Action: Andy Colenutt/Steve Cook

**37. ELING WHARF AND FORESHORE – CONTAMINATED LAND (REPORT B).**

The Cabinet was updated with regard to the current situation and the progress of work on the contaminated land site at Eling Wharf and foreshore.

The Chairman said that he was pleased with the work that was being done and that the level of co-operation between the parties was a credit to all concerned.

Members noted that the foreshore had now been remediated and, subject to a full appraisal, might be reopened to the public in the spring.

**RESOLVED:**

- (a) That, in view of the fact that Burt Bolton Holdings have carried out extensive remedial works to the foreshore, any decision to formally determine this land as contaminated, be deferred subject to the full appraisal of the validation report of the samples taken from the land following initial remediation and the results of any post remediation monitoring;
- (b) That, in light of the fact that Burt Bolton Holdings have confirmed that they will voluntarily remediate the main site to a Part 2A compliant standard in line with best practice and statutory guidance and progress in that respect is being made through the Working Group and technical discussions, any decision to formally determine the main site as contaminated land at this time be deferred;
- (c) That, without prejudice to the outcome of (a) and (b) above, the District Council continue to work with Burt Bolton Holdings, the Environment Agency and the respective consultants to monitor conditions on the foreshore and monitor progress and discuss the ongoing remediation taking place on the main site; and
- (d) That officers report back to members if they consider significant progress is not being made in respect of the remediation of the main site and that they report back on the actual condition of the foreshore following the full appraisal of the validation report and the results of the post remediation monitoring, so that members can formally consider their options under Part 2A of the Environmental Protection Act 1990 relating to the determination of contaminated land.

Action: Carole Gallagher

**38. TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2009/10 – ANNUAL REPORT (REPORT C).**

The Cabinet considered the annual report of the Treasury Management Service together with the actual Prudential Indicators for 2009/10. They also considered proposals to amend the Council's Investment Strategy to facilitate better investment opportunities.

The Finance and Efficiency Portfolio Holder said that since the Treasury Strategy for 2010/11 had been agreed the investment situation had changed. It would be beneficial to the Council's investment operation if the Investment Strategy was now amended to expand the counterparty limits. This would enable the Council to mitigate risk whilst maximising income.

**RESOLVED:**

- (a) That the report be noted; and
- (b) That the following amendments be made to the Investment Strategy:-
  - (i) the counterparty limit for Barclays Bank, Lloyds TSB Bank and Nationwide Building Society be increased from £5m to £10m;
  - (ii) whilst retaining the general rule that the maximum that can be invested with any one counterparty at any one time be 20% of the total investment, an exception to be made if the investment is with Barclays Bank, Lloyds TSB Bank and Nationwide Building Society in which case it may be 100% of core funds subject to the £10m counterparty limit;
  - (iii) the limit that can be invested with the Money Market Fund (MMF) and with the Debt Management Office (DMO) be increased from £5m to £10m for each; and
  - (iv) the Church, Charity and Local Authority (CCLA) investment instruments be included in the list of authorised investment counterparties.

Action: Jan Hawker

**39. FINANCIAL MONITORING – OUTTURN PROJECTION BASED ON PERFORMANCE TO SEPTEMBER 2010 (REPORT D).**

The Cabinet considered the financial performance of the Council for the first six months of 2010/2011 and the potential outturn implications on a portfolio and committee basis.

The Finance and Efficiency Portfolio Holder detailed variations which had resulted in a net improvement of £43,000 in the General Fund Outturn Projection. The only new items of capital expenditure were funded either by developers' contributions or external sources.

**RESOLVED:**

- (a) That the revised outturn forecasts and their potential impact on the authority's revenue and capital budgets as set out in Report D to the Cabinet be noted;
- (b) That the updated Housing Revenue Account budget as set out in Report D to the Cabinet be noted; and
- (c) That the detailed variations as set out in Appendixes 1 and 2 of Report D to the Cabinet be noted.

Action: Alfons Michel

**40. MEDIUM TERM FINANCIAL PLAN 2010 – 2015 (REPORT E).**

The Cabinet were updated on the development of the Medium Term Financial Plan (MTFP) for 2010/2015 and the annual budget for 2011/2012.

Although the extent and scale of future changes were not known in sufficient detail, the Cabinet had been working with officers since May to prepare for what would become known in the next few months. This work had further developed the Savings and Efficiency Plan. When the grant details were known in December 2010 a detailed draft MTFP and budget for 2011/12 would be produced.

The Deputy Leader thanked the Finance and Efficiency Portfolio Holder for his work on ensuring that the Council was in a sound financial position with prudent reserves. Members also thanked officers for the detailed budget position presentation recently made to the Council which had kept them fully informed of the current situation.

**RESOLVED:**

That, subject to further details on grant settlements being received a further report on the Draft Medium Term Financial Plan and Annual Budget 2011/12 be made to the January meeting of Cabinet.

Action: Bob Jackson/Kevin Green

CHAIRMAN



Extract of Minutes of a meeting of the **PURBECK DISTRICT COUNCIL** held in the Council Chamber, Westport House, Wareham on Tuesday, 7 December 2010 at 7.00 pm.

Present:-

Councillor E L Osmond (Chairman)  
Councillor N Dragon (Vice-Chairman)

Councillors K M Barnes, D A Budd, N A H Cake, M Colvey, K W T Critchley, F H Drane, Mrs B R Ezzard, S R B Goldsack, M J Gracey, K J Green, G Holmes, P F Johns, M W J Lovell, Mrs G A Marsh, Mrs A Patrick, M W Pratt, B M Quinn, A J Starr, Mrs W M Starr, G M Suttle, W S Trite and P K Wharf.

#### 284 **Adoption of Shoreline Management Plans**

A report was considered which sought approval for the adoption of the Shoreline Management Plans. The District's coastline had been assessed within two Shoreline Management Plans (SMP) and both these plans had now been completed. The Poole and Christchurch SMP covered the District's coast from Lytchett Bay, in Poole Harbour, to Durlston Head. The remainder of the coast up to White Nothe, the western extremity of the District's coastal boundary, had been assessed within the Durlston Head to Rame Head SMP.

During discussion, Members wished to receive further information on the studies which would be required to implement the wider policies.

**RESOLVED** that the shoreline management plans covering the District's coastline be formally adopted.

.

The meeting ended at 8.55 pm.

Chairman

## Southern Regional Flood Defence Committee (SRFDC)

### Minutes of the Southern Regional Flood Defence Committee held on 6 October 2010 at Guildbourne House, Worthing

- Present:**
- |                            |                    |
|----------------------------|--------------------|
| Dr Mike Bateman (Chairman) | Mr Roland O'Brien  |
| Mr Ivor Llewelyn           | Mr David Green     |
| Cllr Colin Tandy           | Cllr Pieter Montyn |
| Cllr Roger Thomas          | Cllr Alan Rice     |
| Cllr Richard King          | Dr Ruth Kosmin     |
| Mrs Susan Pyper            |                    |
| Cllr Hugh Mason            |                    |
- Officers:**
- James Humphrys, Regional Director
  - Andrew Gilham, Regional FCRM Programme Manager
  - Noosh de Silva-Parker, FCRM Improvements Manager
  - Gary Lane, Strategic and Development Planning Manager
  - Mike O'Neill, Operations Delivery Manager (part)
  - Joss Carter, Regional Implementation Manager (part)
  - Tony Byrne, Hydrologist (part)
  - Stacia Miller, Acting External Relations Manager (part)
  - George Merrick, Regional Incidents and Emergency Planning Manager (part)
  - Fiona Green, External Relations Officer (Minutes)
- Guests:**
- Glen Westmore, Senior Natural Resources Advisor, West Sussex County Council
  - Michael Carlysmith, Flood Defence Trainee
  - Alan Hopkins, Skills and Resources Manager

#### 0450.0 Welcome and Introductions

0450.1 The Chairman welcomed everyone to the meeting particularly two new Members: Roland O'Brien who has been appointed by Defra and Councillor Pieter Montyn who represents West Sussex County Council. The Chairman also welcomed the guests to the meeting. Mr Lane advised that he would be representing the Coastal Group Chairs as they were unable to attend.

#### 0451.0 Chairman's Report

0451.1 The Chairman took the opportunity to advise Members on the rapidly changing situation with regard to legislation and finance. There were some interesting challenges ahead.

- 0451.2 Regional Flood and Coastal Committees (RFCCs) were expected to come into existence on 1 April 2011. A workshop was being held on 6 October 2010 to which elected Members were invited. It was not possible for Members to attend as it clashed with the RFDC meeting. However, the Chairman confirmed that he had submitted comments based on the discussion that had taken place at the special RFDC meeting held on 11 August 2010.
- 0451.3 It was important for Members to note that the way in which Flood Risk Management was funded would change. The Government was looking at alternative funding models. There would be increased emphasis on beneficiaries paying for protection. There would be a move to more local funding, one model which was being considered was 'payment by outcomes'. This was a formula driven model with a contribution from FDGiA with an expectation that the balance would be made up locally.
- 0451.4 It was likely that new funding models would be included in the new National Flood and Coastal Management Strategy that the Environment Agency was working on which would be published in draft in November. It would be subject to a 12 week consultation. The RFDC will want to respond formally to this consultation and the Chairman suggested the January RFDC meeting be extended to include a session in the afternoon to review the Strategy.
- 0451.5 It was likely that the Strategy would be approved in April 2011 with implementation in 2012. There would be a transitional period from the current funding arrangements to the new funding stream.
- 0451.6 Links to Lead Local Flood Authorities (LLFA) need to be considered when considering membership of the new RFCCs particularly as they would be producing preliminary flood risk assessments which the RFCC would have an opportunity to sign off.
- 0452.0 Declarations of Interest**
- 0452.1 There were no declarations of interest expressed.
- 0453.0 Apologies for absence**
- 0453.1 Apologies were received from Dr Tom Crossett, Councillor Andrew Bowles, Councillor Mike Harrison, Professor Bradbury, Councillor Ray Bolton, Councillor Tony Janio, Mr Ivor Llewelyn, Mr Barry Luck, Mr Stephen Gilbert, Mr Bryan Curtis and Mr Mark Tinnion.
- 0454.0 Minutes and Matters Arising**
- 0454.1 The Chairman said these would be dealt with at the end of the meeting.
- 0455.0 RFDC 10/10 B1 Update on FDGiA Allocation 2011/2012**

- 0455.1 Mr Gilham gave a presentation updating Members on the planning and preparation for the FDGiA allocation for 2011/2012.
- 0455.2 Mr Gilham described the timetable for agreeing the FDGiA allocation. The Government would be announcing department budgets for the next spending review on 20 October. It was anticipated that the Environment Agency would hear what that means for its budgets approximately a week later. Between 15-17 November, Regional Indicative allocations would be made available. The RFDC Finance Committee was due to meet on 17 November. It would be beneficial to move this meeting back a week to allow time to do some initial analysis on the draft Regional allocation.
- 0455.3 The Chairman advised that he had asked Dr Kosmin and Cllr Mason to join the Finance Sub Group. If any other Member wished to attend they would be more than welcome. At the January meeting the RFDC would be formally presented with the proposed programme for next year. The Environment Agency would approve the allocation on 3 February 2011.
- 0455.4 The Environment Agency have been planning to respond to two scenarios – flat cash and cash reducing by 25%. The implications of these two scenarios for the region had been submitted to the national team.
- 0455.5 Mr Gilham went on to discuss the Medium Term Plan (MTP) which was needs based. As in previous years, the need exceeds the budget that would be available. In 2010/2011 the Southern bid for £70 million and were allocated £50 million.
- 0455.6 Members questioned:
- How well did the Region do with FDGiA allocation in 2010/2011 compared to other Regions? *Mr Gilham said the Region did well as there were a number of major projects in the programme.*
  - There had been discussions in the press about the future of British Waterways. Would the Environment Agency be taking over this work? *Mr Humphrys believed it might be a case of the navigation work the Environment Agency undertakes moving across to British Waterways or similar organisation. A review was currently underway and the outcome awaited.*
  - Cllr Tandy questioned what the improvements at Dartford Creek Barrier were? *Mr Gilham undertook to follow this up with Cllr Tandy outside the meeting.*
  - Mrs Pyper asked for a copy of the presentation. This was agreed.
  - Was the 25 percent cut the worst case scenario or could it be worse and how will the cut be managed? *Mr Gilham said the Environment Agency was looking at how it did things and how they could be done more efficiently as well as alternative sources of funding. If the cut was more than 25 per cent it would be challenging.*

- How would staff be affected? *Mr Gilham said that in relation to the merger of Thames and Southern there would be some redundancies. In terms of the potential cut in budget of 25 per cent or more, there could be further staff cuts. Mr Humphrys confirmed that 158 posts need to be lost as a result of the merger. However, there were currently 130 vacancies. Obviously there would be skill set issues, but the number of redundancies should be reduced.* Mrs Pyper added that it was absolutely crucial for the Environment Agency to keep its highly skilled, specialised members of staff ie engineers.
- As the majority of flood risk management projects were undertaken by consultants, would the framework consultants' contracts be renewed? *Mr Gilham confirmed that the Environment Agency was reviewing its reliance on consultants and it had been particularly challenging over the past six months. More work was being undertaken in-house.*

0455.7 **Resolved:**

- (a) That the Committee note the planning for the FDGiA allocation 2011/2012 and associated timeline.

**0456.0 Progress report on Local Levy Programme 2010/2011**

0456.1 Mr Gilham reminded the Committee that the local levy programme was agreed annually and progress reported quarterly. The 2010/2011 programme was on track as at the end of August.

0456.2 The Committee were asked to support a request to contribute a further £30K for the Itchen Navigation Heritage Trail Project. This additional RFDC contribution would help to release over £200k of partnership funding.

0456.3 There were also two proposed changes to the indicative Local Levy Programme for 2011/12. A new project has been identified on the River Ouse in East Sussex called Sheffield Park River Restoration and Hook Lake revetment piling. Members were asked to approve them 'in principle' as funding to support future years Local Levy Programme has yet to be agreed.

0456.4 Cllr King confirmed, as chair of the Local Levy Sub Group, that he was happy with the proposals.

0456.5 Members questioned:

- If the match funding was not forthcoming for the Navigation Heritage Trail Project would that mean the local levy contribution would be returned? *Mr Gilham confirmed that to be the case.*
- Was the Sheffield Park River Restoration project the same project that the Chairman of the Sussex Ouse Restoration Trust (SORT) wrote to Members about expressing concerns? *Mr*

*Gilham was unsure as he had not seen the note in question. Mr Green had also received it and would forward a copy to Miss Green.*

**0456.6 Resolved:**

- (a) That the Committee note the progress on the Local Levy programme to the end of August 2010.
- (b) That the Committee approve the revised programme.

**0457.0 Strategy Sub Group Meeting 7 September 2010**

0457.1 Mr Gilham advised that the RFDC Strategy Sub-Group (SSG) met on 7 September. It discussed two Shoreline Management Plans (SMP), the first being the North Solent SMP. The SSG wished to assure themselves that should private landowners cease to maintain their frontages, the Environment Agency would not inherit any liabilities. That assurance had been given by the Environment Agency's legal team and Mr Green confirmed he was happy to recommend the RFDC approve the SMP.

0457.2 The SSG also considered the Poole and Christchurch SMP. As the majority of the area falls within the Wessex RFDC area and that the Wessex RFDC had supported the SMP, the SSG recommended the RFDC support the strategy.

0457.3 Cllr Mason wished to reserve his position on Farlington Marshes in relation to the North Solent SMP.

0457.4 The Chairman confirmed that the SSG would be considering the Isle of Wight SMP at its meeting on 1 December. However, to meet the Defra deadline of 31 December, the Chairman would have approve the SMP under Chairman's Actions.

**0457.5 Resolved:**

- (a) That the Committee note the discussions of the Strategy Sub-Group.
- (b) That the Committee confirm their support to the recommendations of the North Solent Shoreline Management Plan and Poole and Christchurch Bay Shoreline Management Plan.

**0458.0 Flood and Water Management Act**

0458.1 Mrs de Silva-Parker reminded the Committee that the Flood and Water Management Bill became an Act in April 2010. The Act required 'commencement orders' for it to become legislation. Tabled for Members' information was a plain English guide to the Act. This was one of four documents Members would be issued with over the coming months and would form a useful reference pack.

0458.2 Members questioned:

- Under para 3 it mentioned legislative reviews. What implications would these legislative reviews have? *Mrs de Silva-Parker stated that details were awaited from DEFRA. There were amendments required to the Land Drainage Act and the Environment Act, for example. Further information may come to light after the CSR announcement on 20 October.*
- S17 referred to local levy now being able to be spent on coastal erosion measures as well as on sea defence and main river. Mr Green would welcome some advice on how to prioritise the different schemes. *Mrs de Silva-Parker undertook to seek advice.*

0458.3 **Resolved:**

- (a) That the Committee note the overview of the commencement activity timeline and legislative reviews for the Flood and Water Management Act;
- (b) That the Committee note the sections of the Act which will be commenced in Phase 1.
- (c) That advice be sought on how to prioritise sea defence/main river/coastal schemes.

**0459.0 Update on Environment Agency administered Internal Drainage Boards in Southern Region**

0459.1 Mrs de Silva-Parker reminded the Committee of the decision taken at the RFDC meeting held on 6 January 2010 to amalgamate the eight IDBs which were administered by the Environment Agency in Southern Region into three.

0459.2 The process was not a simple one but applications were now being prepared by the Environment Agency's legal team.

0459.3 Members questioned:

- Had the disparity on precept levels been resolved? *Mrs de Silva-Parker said she was not aware of the issue. The financial situation of the IDBs had not been looked at as part of the amalgamation.* Mr Green went on to add that the impact would be on residents as any increase would be reflected in the Council Tax.
- What was the latest position with regard to Lower Medway IDB potentially taking on East and West of Gravesend IDBs? *Mrs de Silva-Parker advised that there had been a Lower Medway Board Meeting and they had decided they did not want to merge. Mrs de Silva-Parker would continue to liaise with the various parties to try and resolve the matter.* Cllr Tandy asked to be kept informed of the situation.

0459.4 The Chairman advised that it was an unusual situation as in this Region the Environment Agency manage some of the IDBs. The working relationship with the independent IDBs was good. The Chairman recently met with the Clerks and Chairs and continued to explore ways of working together. Mrs de Silva-Parker added that there was also some discussion taking place with LLFAs on whether they would want to take on IDBs.

0459.5 **Resolved:**

- (a) That the Committee note the progress being made in the amalgamation of the IDBs, which are administered by the Environment Agency in the Southern Region.

### 0460.0 **Improving our Flood Warning Services**

0460.1 Mr Carter described the improvements to the flood warning service, particularly the changes to the Flood Warning Codes which would be introduced on 30 November 2010. The new flood warning service would feature the following warnings: Flood Alert; Flood Warning and Severe Flood Warning. The Severe Flood Warning would be used to tell people that flooding was posing a significant risk to life or significant disruption to communities which could also cause risk to life.

0460.2 Mr O'Neill ran through the Uckfield 2000 scenario applying the new criteria to show how the new codes would have been used in those circumstances.

0460.3 Members questioned:

- Wouldn't the issue of a Severe Flood Warning in the circumstances described be too late for residents to act? *Mr O'Neill advised that a Severe Flood Warning would be issued when things were very severe eg bridges collapsing, sheds floating down the road, a significant risk to life. People must act on a Flood Warning. Mr Gilham added that the major difference between the old codes and the new codes was what the Severe Flood Warning would be used for.*
- How the community was going to be made aware of the changes in the Flood Codes and the need to act on a Flood Warning? *Mr Carter confirmed there was a community awareness campaign underway. There was also information available on the web. Mr O'Neill added that the Environment Agency was also working with community groups in high flood risk areas to make them aware and to encourage them to write a community flood plan.*
- Whether Neighbourhood Watch networks could be utilised to cascade information to street level. The elderly and vulnerable tend to respond better to messages from people they know. Were simulation exercises run? *Mr O'Neill confirmed that they were and that communities would be able to get involved in Exercise Watermark which would be taking place in 2011. More information to follow later in the agenda.*



- Were members of the public going to continue to receive warnings in the same way? *Mr Carter confirmed that to be the case. The public could select how they wish to be warned.*

0460.4 Members commented:

- Cllr King suggested talking with Parish Councils in high risk areas re precepting something locally to do something specifically for that community.
- Dr Kosmin said that given the financial constraints she was concerned about the support people would be given to avoid problems. It was very important to involve health organisations in any planning for such events.
- The terminology of Severe Flood Warning was wrong. The use of the word 'warning' implies 'forewarning' when it was really was more of a 'status'.

0460.5 Mr Gilham thanked Members for their very useful comments and said he would be happy to come back to a future meeting with a paper on the community engagement work the Environment Agency were doing with high risk communities.

0460.6 **Resolved:**

- (a) That the Committee note improvements to the flood warning service and the timetable for introducing new flood warning codes on 30 November 2010.
- (b) That the Committee receive a paper on the community engagement work the Environment Agency is doing with areas that are at high risk of flooding.

#### **0461.0 Exercise Watermark – Autumn Update**

0461.1 Mr Merrick reminded the Committee that Exercise Watermark was a national flooding exercise being conducted as a result of Sir Michael Pitt's recommendation 49. The exercise would be led by Defra but delivered by the Environment Agency. It would take place throughout England and Wales from 4-11 March 2010.

0461.2 Two papers were provided for the Committee. The first paper outlined progress in the Region and Appendix A contained an update on what was happening nationally.

0461.3 All three local resilience forms (LRF) would be taking place in the exercise and would have varying levels of involvement in the exercise as outlined in the paper.

0461.4 Local businesses and communities could register to take part. Members were asked to promote the exercise to their communities. Further information could be found at [www.exercisewatermark.co.uk](http://www.exercisewatermark.co.uk)

0461.5 Members questioned:

- Why Sussex was not part of the core exercise but only playing as a 'bolt on'? *Mr O'Neill confirmed that the Sussex LRF would be part of the 'bolt on' exercise. This meant that activities would test the local response only. Mr O'Neill reassured that this would still be a full flooding exercise which had been planned for sometime with key responders.*
- Whether Medway would be involved. *Mr Merrick confirmed they would be involved.*
- *How was the exercise being funded?* Mr Merrick advised that LRFs had funds for training exercises and these funds were being ploughed into the exercise. The Chairman added that Mr Midgley was the Programme Executive and had received a £1.5 million budget from Defra.
- Whether it would be possible to include something on the website about how flood risk management schemes were funded. Communities might question why they need to do help themselves and why they cannot be defended. *The Chairman thought that was a good idea and it would be fed up to the Exercise Watermark Team.*

0461.6 Mrs Pyper referred to 2.5.1 and that the planning impacts for Sussex would include disruption to transportation infrastructure (including Gatwick airport), and said she had a contact at the airport should that be helpful. Mr O'Neill said the team were already in discussion with the Airport who were keen to be part of the exercise.

0461.7 The Chairman wished for RFDC Members to be made aware of where and when incident rooms were open during the exercise so Members could observe at a local level.

0461.8 **Resolved:**

- (a) That the Committee note the current progress on Exercise Watermark.
- (b) That the Committee help promote Exercise Watermark within member organisations and networks.
- (c) That the Committee are made aware of places they can observe Exercise Watermark activities.
- (d) That consideration be given to including some text on the Exercise Watermark website about funding for FCRM.

**0462.0 Coastal Groups Update**

0462.1 Mr Lane advised that unfortunately the Coastal Group chairs were unable to attend the meeting. However, he attends the groups and would be able to provide feedback.

- 0462.2 **SE Coastal Group** – SMPs were signed off by the Regional Director. Some of the action plans were quite old and Mr Lane's team were working to revise some of them.
- 0462.3 Member Forum was due to meet on 16 September but due to uncertainties around the NCERM project the meeting was deferred.
- 0462.4 The annual meeting of the Southern Coastal Monitoring Group would take place on 21 October.
- 0462.5 **Southern Coastal Group** – met on 5 October. The Group was very well supported with a stronger emphasis on R&D. Two SMPs progressing well. Overriding Public Interest Statement for North Solent SMP was submitted 5 October. The main agenda item was the Medium Term Plan and how local authorities could work together which proved to be a very valuable discussion.
- 0462.6 Members commented that:
- At a meeting of all the coastal authorities at Defra held on 25 September there was talk about SMPs being brushed aside and alternatives coming out of the Marine Act. Coastal authorities protested strongly as a lot of effort had gone into shoreline management plans.
  - Councillor Thomas suggested somebody from the Marine Management Organisation (MMO) should be invited to a future meeting of the RFDC to talk about their broad objectives. The Chairman agreed this was a good idea.
- 0462.7 **Resolved:**
- (a) That the verbal update is noted.
  - (b) That an invitation be extended to a representative of the MMO to attend a future meeting to discuss its broad objectives.
- 0463.0 **Update on the National Coastal Erosion Risk Mapping (NCERM) project**
- 0463.1 Ms Miller advised that the project was still waiting ministerial go ahead. The Defra Minister Richard Benyon, Lord Chris Smith and Dame Margaret Eaton of the Local Government Association were due to meet on 11 October. Ms Miller undertook to send an update to Members following that meeting.
- 0463.2 Ms Miller took the opportunity to advise Members that she was assisting with the planning of the annual elected members' forum meeting which would take place next year. Members of the RFDC would be invited and she hoped to make it an interactive and interesting day.
- (a) That the verbal update is noted.

- (b) That Ms Miller update Members on the outcome of the meeting held on 11 October 2010.

**0464.0 Climate Change Impacts on Southern Region River Flows**

- 0464.1 Mr Byrne gave a presentation on some work he had been doing on reviewing climate change impacts on Southern Region river flows.
- 0464.2 The project work so far concluded that peak winter flows could increase by up to 10 percent for the more responsive catchments. For summer low flows – high baseflow rivers show a reduction in the order of 5-10 percent whereas the more responsive ‘clay’ dominated rivers were impacted by up to 30%. The scale of impacts were largely dependent on catchment characteristics.
- 0464.3 Mr Lane confirmed that the latest climate change predictions were included in the catchment flood management plans and they had identified those catchments vulnerable to climate change. Mr Lane advised he had a map showing rivers most affected by climate change. Mr Lane said he could attach a copy to the minutes for Members’ information.
- 0464.4 Members questioned:
- Was the Darent modelled as part of the study? The Darent was also artificially supplemented and had this been done elsewhere? *Mr Bryne advised that augmentation had been done elsewhere for example at the Itchen and the Pevensy Levels. Mr Byrne added that he had not modelled the Darent but it would probably respond similarly to other clay streams.*
- 0464.5 **Resolved:**
- (a) That the findings of the Climate Change Impacts on Southern Region River Flows project are noted.
- (b) That a map showing rivers most affected by climate change be appended to the minutes.

**0465.0 Information Updates**

- 0465.1 **RFDC 1010/C2 Development of RFCCs** – This was a National paper which was not ready in time for the meeting. It would be sent out to Members as soon as it had been received.
- 0465.2 **RFDC 1010/C3 Annual Stewardship Statement** – A revised version incorporating Members’ comments from the July meeting was tabled. Any further amendments/comments should be sent to Mr Gilham by Friday 22 October 2010. There would need to be a further discussion on the role of the statement at a future meeting.

- 0465.3 **RFDC 1010/C1 2010/2011 FCRM Programme – Progress and Finance Report** – Dr Kosmin referred to 2.3 of the main paper and questioned whether the budget was going to be increased. Mr Gilham advised that a possible increase in budget for Southern was suggested as there was underspend elsewhere in the country. Southern Region had said it could spend another £2 million but the Environment Agency Board decided not to increase the budget.
- 0465.4 At the moment the Region was looking to overspend its budget. The budget was being carefully monitored. The Region had a good history of hitting the target.
- 0465.5 **Resolved:**
- (a) That the Committee note the information papers.
  - (b) That Members forward comments on the tabled Stewardship Statement to Mr Gilham by Friday 22 October 2010.
  - (c) That a discussion on the role and format of the Annual Stewardship Statement be had at a future meeting.
- 0466.0 **Standing Items**
- RFDC 1010/D1 Water Situation Report** – This was circulated to Members via email.
- RFDC 1010/D2 Draft REPAC Minutes** – These will be circulated to Members via email once they had been approved by the Chair.
- RFDC 1010/D3 Draft RFERAC Minutes** – These will be circulated to Members via email once they had been approved by the Chair.
- 0467.0 **Dates for Future Meetings 2010/2011**
- 0467.1 12 January 2012. It was likely that this meeting would be all day to include an afternoon session to review the Environment Agency’s draft Flood and Coastal Risk Management Strategy.
- 0468.0 **Committee Visits**
- 0468.1 **Medmerry Visit** – Previous visits were postponed due to low numbers. If there was sufficient interest, another visit would be rescheduled. Members should indicate their interest in attending by informing Fiona Green.
- Resolved:**
- (a) That Members confirm whether they would like to attend a visit to Medmerry.
- 0469.0 **Minutes of the RFDC meeting held on 9 July 2010**  
**Minutes of the Special RFDC meeting held on 11 August 2010**
- Were signed as accurate records.

**0470.0 RFDC 1010/A3 Matters Arising**

The Matters Arising paper was taken as read and the points picked up during the main business.

**0471.0 Any Other Business**

0471.1 **Milford on Sea Sewage Flooding** – Cllr Rice requested an update on what was being done to reduce sewage flooding at Milford on Sea.

0471.2 **Sovereign Harbour Trust** – Mr Green advised that currently Cllr Thomas and himself sit on the Trust. The Trust was a charitable organisation but was moving into a Community Interest Company. The move was being objected to by the Sovereign Harbour Residents Association. Until that matter was resolved the application to become a Community Interest Company was frozen. Cllr Thomas wished to stand down so a replacement nominee was required.

0471.3 The Chairman added that he had had some correspondence from the Trust's legal team about a suitable nominee and it was suggested that someone from Eastbourne Borough Council would be appropriate. Mr Green believed any nomination would need to be approved by the RFDC.

0471.4 **Pagham to East Head Strategy** – Cllr Montyn questioned whether this strategy had been signed off by the Secretary of State (SoS). Mr Gilham did not believe that it needed to be signed off by the SoS. Mr Gilham would confirm and get back to Cllr Montyn.

0471.5 **Resolved:**

- (a) That an update on sewerage flooding at Milford on Sea be forwarded to Cllr Rice.
- (b) That the current position with the Sovereign Harbour Trust be noted.
- (c) That Mr Gilham would confirm to Cllr Montyn whether the SoS needs to sign off the Pagham to East Head Strategy.

Meeting closed at 12.45 pm

Chairman

**Southern Region Flood Defence Committee – Strategy Sub Group  
Tuesday 7 September 2010 – Lavant Room, Guildbourne House,  
Worthing**

<b>Attendees:</b>	Dr Mike Bateman (Chair) Cllr Colin Tandy	Dr Tom Crossett Mr David Green
<b>Officers:</b>	Mr Andrew Gilham Mr Gary Lane	Mrs Jo Tinnion Miss Fiona Green (notes)
<b>Guests:</b>	Prof Andrew Bradbury, New Forest District Council	
<b>Apologies:</b>	Cllr Andrew Bowles	

**Action**

1. **Declaration of Interests**

None.

2. **Minutes of Previous Meeting held 9 June 2010 – Agreed.**

**Matters Arising** - Point 2 - Strategies in Development. Mr Gilham advised that the place he was talking about at the last meeting was Hornsea, East Riding. The community had been provided with a one off new defence jointly funded by local levy and the local authority, on the understanding that future maintenance and replacements costs would not fall on the public purse.

3. **Approval of North Solent Shoreline Management Plan2**

Professor Bradbury gave an extensive presentation on the final policies for the North Solent Shoreline Management Plan (SMP).

The North Solent SMP was the first revision to the Western Solent and Southampton Water SMP and the East Solent and Harbour SMP. The plan covers the coastline from Selsey Bill, in the east, to Hurst Spit, in the west and includes Portsmouth, Langstone and Chichester Harbours. It was one of the bigger plans in terms of area covered.

Key features of the plan were as follows:

- The plan had been developed by an in-house local authority team rather than a consultant. New Forest District Council had prepared it on behalf of 11 operating authorities within the plan.
- Over 60% of the shoreline was privately owned and the majority of which had privately maintained defences.
- Approximately 80% of the shoreline was defended with structures and/or beach management activities.

**Action**

- 75% of defences would reach the end of their engineered life within 20 years.
- 80% of the shoreline had a European or International nature conservation designation.
- There would be a significant requirement for compensatory habitats to be created as a result of losses or damage to nature conservation designations as a result of policy options.

Final policies for 62 distinct lengths of coastline were listed in the document. Prior to public consultation there were a higher number of lengths with a preferred policy of Managed Realignment. However, there was little appetite from key consultees for this policy and, as a result, some lengths were now showing Hold The Line (HTL) as the preferred policy.

Members questioned:

- Did the team follow the UKCIP09 probable climate change scenarios. Mr Lane confirmed they followed the UKCIP06 scenarios as did all the SMP2s in development.
- As some of the frontages had a very short engineering life left in them, shouldn't the owners of those frontages be given an early warning?
- Does the Environment Agency have any liability if the landowner decides he no longer wants to hold the line? Professor Bradbury explained that this issue had been considered in detail and legal advice sought. If a landowner decides he no longer wishes to hold the line, as long as he had given sufficient notice to those potentially affected ie 2/3 years then there would be no liability.

Members commented that:

- Given the above advice, Mr Green believed the document did not set out clearly enough the liability issues. Professor Bradbury advised that the SMP mentions several times that having a policy of HTL does not mean funding would be available. The Chairman added that in his experience of attending a number of consultations on plans and strategies, that principle was now being understood by the public and partners.
- Mr Green suggested that the document should flag up in some way where the preferred option had changed following public consultation ie in italics beside the preferred option. Professor Bradbury said that an audit trail as to why the policy had changed could be found in the appendices of the SMP. It would be difficult to include something in italics as this would stray from the standard template that all SMPs followed.



**Action**

Professor Bradbury explained another big challenge the team faced was the conservation status of the area. The team worked very closely with Natural England, Environment Agency and Regional Habitat Creation Programme (RHCP) to develop a methodology to undertake an Appropriate Assessment. The RHCP which was coordinated by the Environment Agency on behalf of and in partnership with all operating authorities had helped greatly.

Feedback from the Quality Review Group (QRG) on the plan had been positive and the team had followed the guidance well.

The Chairman asked for an update on Farlington Marshes. Mr Lane explained there had been some difficulty in resolving the policy at Farlington Marshes as Portsmouth City Council had aspirations for the area. As a consequence, there had been a strategy and a SMP running in parallel. A feasibility study for the area had also been done and had just been received. The policy within the SMP would be refined in light of the study and further discussions.

The Chairman asked the SSG if they would happy to recommend approval to the RFDC. Mr Green was still slightly concerned about the liability on the Environment Agency/Local Authorities should a private landowner choose not to follow the policy eg HTL. He believed the paper needed strengthening.

Professor Bradbury explained that the paper put before the SSG was the same one that that would be going before the other operating authorities and was therefore a summary document of the SMP and did not contain all the detail. There was a 15 page document which referred to the legal debate surrounding this issue which might provide SSG Members with some comfort. It was agreed that this would be sent to Members of the SSG prior to the RFDC.

**Andrew  
Gilham**

The sub group resolved to recommend to the RFDC to support the SMP at it's meeting on 6 October subject to the liability issue being resolved.

***Post Meeting Note:*** Mr Gilham has discussed Mr Green's concerns with the Environment Agency Regional Legal Team and they confirm that the Environment Agency will not inherit any further liabilities as a result of approving the SMP, especially in relation to third parties ceasing maintenance on Hold The Line frontages.

**Action****4. Poole and Christchurch Bay Shoreline Management Plan2 Sign Off**

The above SMP covers the coastline from Hurst Spit in Hampshire to Durlleston Head in Dorset. The majority falls within the Wessex RFDC area with the coast from Hurst Spit to Highcliffe within Southern Region. The Wessex RFDC resolved to adopt the SMP at its meeting on 12 July 2010.

The Chairman asked the SSG whether they would confirm their approval of the sign off of the Poole and Christchurch Bay SMP, noting that this had already been done by the Wessex RFDC. This was agreed.

**5. Progress Update on the Southern Region Shoreline Management Plans**

Mr Lane ran through the status of all the Shoreline Management Plans in Southern Region. Four of six SMPs that fall entirely into Southern Region had been signed off by the Regional Director. The Isle of Wight SMP2 was out to public consultation and would end on 23 October. It would be formally presented to the SSG on 1 December 2010. All SMPs were on target to meet the Defra deadline of 31 December 2010.

**6. Strategies in development and Update on the Regional Strategy Programme**

Mrs Tinnion updated Members with progress on the strategies in development, in particular the Ouse to Seaford Head, Arun to Pagham and Lower Tidal Arun Strategies. As these Strategies were in development, detailed minutes of the discussions have not been taken.

**7. Any Other Business**

None.

**8. Date of Next Meeting**

10. 30 am Wednesday 1 December 2010

**All**

## **ENVIRONMENT AGENCY SOUTH WEST REGION**

**MINUTES** of the meeting of the **WESSEX REGIONAL FLOOD DEFENCE COMMITTEE**  
held at Taunton Rugby Football Club on Monday 12 July 2010 at 10.30 am

### **PRESENT:**

Alan Lovell - Chairman  
Ray Adlam  
Ann Bown  
Mervyn Bramley  
Peter Burden  
Andy Cooke  
Elaine Hayes  
Mike Hewitt  
Brenda Maitland-Walker  
Chris Klee  
Shirley Preston  
Charles Price  
Brian Simmons  
Chris Wakefield

### **APPOINTED BY:**

Defra  
Defra  
Somerset County Council  
Defra  
North Somerset Council  
Dorset County Council  
Environment Agency  
Wiltshire Council  
Somerset County Council  
Environment Agency  
Defra  
Bristol City Council  
Bath and North East Somerset Council  
Bournemouth Borough Council

### **ALSO PRESENT:**

Andy Bradbury Chairman, Southern Coastal Group  
Dave Harlow Bournemouth Borough Council, Two Bays SMP (minute 47/10 only)  
Dave Harris Chairman, Severn Estuary Coastal Advisory Group  
Penny James Chief Executive, Taunton Deane Borough Council  
Philip Rees Chairman, South West Coastal Group  
Graeme Smith Chairman, South Devon and Dorset Coastal Advisory Group  
(minute 47/10 only)  
John Williams Leader, Taunton Deane Borough Council  
Cathy Winnard Atkins, Consultants (minute 47/10 only)

### **OFFICERS PRESENT:**

Geoff Boyd Regional Flood and Coastal Risk Manager  
Nick Gupta Wessex Area Manager  
Nick Lyness Wessex Area Flood and Coastal Risk Manager  
Ben Johnstone Regional Flood and Coastal Risk Programme Manager  
Ron Curtis Operations Delivery Manager  
Rachel Burden Project Manager and Deputy Area Flood and Coastal Risk Manager  
Keith Nursey Strategic and Development Planning Team Leader  
John Buttivant Wessex Coastal Engineer  
Sarah Harding External Relations Officer

### **33/10 APOLOGIES**

Apologies for absence were received from Mark Anderson, Richard Archer, Charles Gerrish, Roger Martin, Matthew Riddle, Derek Yeomans, John Varley, Environment Agency National Board member, Richard Cresswell, Regional Director, and Sheila Wheeler, Chief Executive, Somerset County Council.

### **34/10 DECLARATIONS OF INTEREST**

The following interests were declared:

The Chairman – flood zone 3 property owner in Burnham-on-Sea.

Ray Adlam – farmer in the Brue Valley and Internal Drainage Board (IDB) interests

Mervyn Bramley – research work on behalf of Defra and the Environment Agency

Shirley Preston – landowner on the Rivers Hook and Frome

### **35/10 MEMBERSHIP**

The Committee noted that Shirley Preston has been re-appointed by Defra for a third term of appointment until 30 June 2013.

### **36/10 AREA FLOOD AND COASTAL RISK MANAGEMENT REPORT (SW/WRFDC/10/18)**

Nick Lyness introduced the report highlighting key areas of interest in the report and appendices. In particular he noted progress with asset management, mapping and the successful inaugural meeting of the Lead Local Flood Authorities, as required by the Flood Risk Regulations 2009. Andrew Turner, Somerset County Council, on behalf of the lead local authorities in the area, had developed guidance on meeting obligations and effective partnership working to help meet targets, as required by the Regulations. The guidance has been submitted to the Environment Agency and will be forwarded to Defra in December for approval.

A programme of local levy project site visits for members will be developed and circulated to members to confirm those they wish to attend.

#### **ACTION : COMMITTEE SERVICES**

The Chairman confirmed that the findings of the national dredging trials are expected in September and will be presented to the Committee at the September meeting.

Members:

a) Dredging:

Requested that members of the sub-group formed to look at maintenance issues around the River Parrett have the opportunity to comment on the findings of the national dredging trials before it is finalised and published. It is important the document covers the distinction between land drainage issues and flood risk management.

#### **ACTION : NL**

Referred to dredging studies and works which have been carried out for several years both by the Environment Agency and its predecessor organisations. It was questioned whether the findings of the recent trials will provide any information or data which is not already known.

It was hoped that data collected from the dry summer being experienced this year and the environmental impact in not having a reservoir option in lower part of the Somerset Levels and Moors are taken into consideration in the report.

b) Expressed concern at the conclusion of investigative studies into the potential for flood water storage on the Upper Bristol Avon. The view of the Catchment Flood

Management Plan Group was that storage in this area would offset flood risk as populations increased in Bath and Bristol. It may not have helped the immediate storage issues for Bath but is a strong candidate for potential storage in the future.

Nick Lyness agreed:

- c) To provide Mervyn Bramley with further clarification of the findings of the Upper Bristol Avon Flood Storage Study. There were concerns that the area was too small to accommodate the storage required but further information will be provided.
- d) Advised that the level of data required from dredging trials is more complex than in previous years. Information required may be based entirely on environmental or flood risk impacts where benefits may differ at each location. Information on the national trials will be presented at the September meeting.
- e) To discuss with Shirley Preston:
  - farmers' concerns at the need for weed cutting on the Hampshire Avon and protocol to follow in disposing of cut weed;
  - East Beach recharge works and future maintenance.
- f) To discuss ownership of Coombe End culvert with Brian Simmons.
- g) To provide further information on the funding the maintenance trials on the River Brue banks, currently shown as zero on the local levy programme.

**ACTION all : NL**

The Chairman encouraged members to:

- Raise any questions on local issues within the Area report with Nick Lyness prior to the meeting so that full responses can be provided outside the meeting;
- be aware of the information provided on the local levy programme attached to the report and amendments made since previous meetings.

**ACTION all : MEMBERS**

The Committee **RESOLVED:**

- i) To note and approve the content of the report.
- ii) That a further column providing an update on the individual schemes will be added to the local levy appendix.

**ACTION : NL**

### **37/10 CHAIRMAN'S REPORT**

The Chairman advised that:

Regionally he:

- had continued familiarisation with local issues and had visited the Area office at Blandford;
- had attended meetings of the Regional Advisory Panel, the Bristol Channel Strategic Coastal Group meeting in Weston-super-Mare and the North Devon and Somerset Shoreline Management Plan meetings and Elected Members Forum;

- had attended the Somerset County Council meeting to initiate their Lead Local Flood Authority policy;
- had attended several meetings, both Environment Agency and external, on proposals for the Steart Peninsular, including the Committee's site visit to Steart and Slimbridge in April;
- continued to assist with the Somerset Pathfinder Project;
- had completed his Chairman's role in developing the Brue Valley Water Level Management Plan.

Nationally:

- Jeremy Walker, Environment Agency National Board member with responsibility for Flood and Coastal Risk Management (FCRM), had visited the region in May, the Wessex Area part of the visit had included Poole, Langport and Taunton;
- The Flood and Water Management Act had received Royal Assent in April; detailed application of the Act is still to be resolved by the new Government;
- He had attended the Regional FCRM Chairmen's meeting, which had included Defra and Minister Richard Benyon, as well as the Environment Agency/Defra FCRM conference at Telford.

Discussions with the Minister had been constructive but the funding deficit will impact on meeting flood risk management targets for both the Environment Agency and local authorities. The Environment Agency is currently working on scenario planning but, until the outcome of the autumn spending review is known, the impact on FCRM and what can proceed remains unknown. The Chairmen had endorsed an approach to maintain current flood warning levels and standards of incident response; give priority to securing the integrity of the existing network in high risk systems, protect maintenance activity, seek to incentivise third party funding and redirect some resource to local resilience and resistance measures. This approach had been supported by the Environment Agency's National Board.

Members:

- Expressed concern at the advice provided by the Environment Agency in response to some planning applications. Allowing one property to be built in an area at risk means it is more difficult for a the local planning authority to refuse an application for a larger development in the same location. Providing a 'no comment' response suggests to developers that a development can take place and is not helpful for the planning authority to reach a decision.

Nick Lyness advised that current Government policy is for the Environment Agency to provide evidence through planning statements, strategies within plans e.g. CFMPs or SMPs, or maps on areas at risk. Planning authorities need to assess the level of risk involved from the guidance provided in reaching decisions. He agreed to check that the wording used in a standard reply to smaller planning applications supports non-development if appropriate.

**ACTION : NL**

### **38/10 REGIONAL FLOOD AND COASTAL RISK MANAGEMENT REPORT (SW/WRFDC/10/19)**

Ben Johnstone introduced the regional report highlighting the national changes to 2010-11 in-year Flood Defence Grant in Aid (FDGiA) allocations and a £30m reduction in funding for FCRM. He explained how savings on both capital and revenue spend will be made in the Region and asked Members for advice on what the priorities should be to assist officers in identifying areas of saving.

The business planning round has started, developing plans which will provide some flexibility to respond to funding levels once these are known in the autumn. The main focus will be maintaining existing assets and response capability and encouraging third party contributions to help meet the Long Term Investment Strategy requirements and reduced funding. Two scenarios and their consequences are being considered, namely a flat funding budget or a 25% reduction in funds which will result in reduced FTEs.

Members' comments:

- a) It is important to link any reductions in revenue to the report on failing assets and to clearly explain whether funding is deferred or cut so that how to manage the subsequent risk can be discussed. The Area has been successful in upholding its maintenance of assets and should emphasis to Head Office the impact of reduced funding on maintenance which will increase flood risk.
- b) Communicating the impact of the public funding cuts on FCRM schemes with those communities where schemes are delayed will be important; these communities will need to be kept fully informed; this will have a resource implication especially if staff workloads increase because of reduced staff numbers.
- c) It would be beneficial if the autumn spending review provides a single budget for capital and revenue expenditure for the Environment Agency; this would allow greater flexibility for the Agency in allocating funds to meet targets.
- d) Parish or town councils:
  - could be approached to assist in small projects, e.g. weed cutting, under the supervision or guidance of the Environment Agency;
  - discussions may be taking place at officer level but elected members should be kept aware of projects too;
  - parish councils should be approached soon so that requests are considered in their budget setting process.
- e) The public will continue to criticise the Environment Agency if the cost of schemes rises significantly to protect wildlife; every scheme will need to be justified and demonstrate value for money.
- f) Significant funds are spent on over-engineered schemes and also using engineering consultants because of a shortage of engineers within the Environment Agency; the reason for the shortage of engineering skills should be assessed and addressed, this would reduce spend and the element of risk involved in using external organisations.

The Committee **RESOLVED**:

- i) To note the content of the report.
- ii) To endorse the programme changes resulting from the £30m in-year reduction in the FDGiA allocation.
- iii) To forward any views on future priorities which should continue or those which could be deferred or stopped to Committee Services.

**ACTION : MEMBERS**

Note: Copies of the Annual Flood Report for 2009/10 and 'On the Radar', a document on the Flood Forecasting Team and its objectives, were available at the meeting. A pdf of both documents will be sent to members.

**ACTION : COMMITTEE SERVICES**

**39/10 STEART PROJECT – UPDATE**

Rachel Burden updated members on the coastal management scheme at Steart and proposals being considered. The objectives of the project are to create up to 500ha of wetland habitat, provide an improved standard of flood protection, manage the land in a natural way and to identify wider opportunities which the scheme could provide. She explained the options considered within the recent consultation process and feedback received. The preferred option is to breach the Parrett Banks and take water from the River Parrett as a source of water for the peninsular. New set back flood defences will provide an improved standard of flood protection for the local community too. This option is supported by geomorphologist John Pethick, who has significant experience of the dynamics of the estuary. The cost of the scheme will be approximately £20m.

Members' comments:

- a) It was questioned whether the scheme will provide good value for money given the current economic climate; the requirements of the Directive and the contribution the project makes to the national delivery of compensatory habitat are recognised but the scheme is costly and protects a small number of properties; other locations nationally to provide compensatory habitats which cost less should be considered, including approaching landowners or non government organisations
- b) The working relationship with The Bristol Port Company was questioned and how both projects will develop concurrently to avoid separate cells of delivery.
- c) A freshwater habitat in the area may be difficult to sustain as water levels are likely to rise and lead to saline intrusion; providing a brackish habitat only may be easier.
- d) The scheme does have economic drivers associated with the legal framework in having to deliver compensatory habitat; failure to do so will result in significant fines, therefore will have a greater cost implication than progressing the scheme.
- e) The implications in real terms of the 'do nothing' or 'do minimum' options were questioned; comparable data should be provided on these options so that an assessment can be made of value to be gained from each option.
- f) The project is a compensatory habitat creation proposal and not a flood defence scheme, therefore all comparisons should relate to habit creation. Providing flood protection to a small community is a benefit only and not the main driver of the project which is habitat compensation. The 'do nothing' option will mean that the legal requirement of the European Directive will not be met and will result in significant infraction costs. This should be the key message in promoting the scheme externally.

Rachel Burden advised that;

- g) A key driver for the project is the requirement of the European Directive to provide compensatory habitat for coastal squeeze and habitats lost through flood defence schemes put in place by the Environment Agency. Without this scheme it will not be possible to build new defences or to maintain existing schemes.



- h) The Environment Agency is working closely with The Bristol Port Company to ensure the best holistic solution is achieved; regular meetings are held; The Bristol Port Company form part of the project team and have appointed the same consultants being used by the Agency; the aim is to share costs where possible.
- i) Providing a freshwater habitat is not a key driver of the project but is still being considered as mitigation habitat for freshwater species that need to be moved.
- j) Contributions will be sought from business interests involved, e.g. National Grid, but the preferred option needs to be agreed before negotiations can be progressed.
- k) Nationally the Steart scheme does provide 'good value for money' in terms of cost per hectare of creating habitat. It is seen as one of the top three habit creation projects being promoted by the Environment Agency, which will deliver over 50% of the intertidal habitat creation target in the next Comprehensive Spending Review period.

The Committee **RESOLVED:**

- i) To note the information provided in the presentation.
- ii) That the focus of the project is compensatory habitat but that the Committee has an interest in the improved flood protection which the scheme will provide for the local community.
- iv) Future update reports on the project should include clear comparisons and information on the benefits of each option.

#### **40/10 TAUNTON VISION/TAUNTON PROJECT**

Mark Green, Project Manager for Taunton Vision, provided a presentation on Taunton's redevelopment project and need for improved protection against flood risk. He referred to the flood event experienced in the 1960s and works undertaken then to provide flood protection. Plans to redevelop the centre of the town, providing both residential and business opportunities, have been proposed and the presentation explained the areas involved. Consultants Black and Vetch had undertaken a flood risk strategy for the town. This had confirmed that much of the town is at risk of flooding, which included most of the proposed development sites.

Land upstream of the town centre had been bought and a scheme put in place, which included two bunded lagoons. The scheme allowed for water storage in excess of 40,000 cubic metres, which provided sufficient flood storage capacity to protect the proposed developments in the town centre and existing dwellings. The scheme had cost approximately £3m, which included the land purchase. The area now provides a park and ride facility, parking for the local college and school, recreation opportunities and a wildlife sanctuary.

The Taunton Vision was founded in 2002 and developed into Taunton Project. The regeneration initiative is led by Taunton Deane Borough Council in partnership with Somerset County Council, South West Regional Development Agency and Environment Agency. The scheme is a good example of a partnership approach to provide protection at a relatively low cost. Funding contributions had been received from developers, who have saved costs on having to provide flood protection on site. The scheme benefits the local community, business and wildlife.

The Committee thanked Mark Green for his time and presentation to explain the background of the Project and appreciated the benefits achieved through the partnership approach.

#### **41/10 IMPLEMENTATION OF THE FLOOD AND WATER MANAGEMENT ACT 2010**

Geoff Boyd provided a presentation on the new Flood and Water Management Act 2010. The Act received Royal Assent in April and Defra/Welsh Assembly Government Ministers are determining commencement. The Act requires the Environment Agency to develop a national strategy for Flood and Coastal Risk Management in England and guidance is being developed. Questions on developing the strategy and also forming the Regional Flood and Coastal Committees (RFCCs) will be circulated to Members for comment by 10 August 2010.

The following comments were made regarding localism within the FCRM strategy:

- a) The FCRM strategy should provide a framework for local strategies to be developed, allowing greater local empowerment or partnership to implement these strategies.
- b) The development of Local Enterprise Partnerships will be key in promoting localism as well as funding implications.

The Committee **RESOLVED**:

- i) To note the content of the presentation.
- ii) To submit comments on the questions relating to the FCRM strategy and formation of the RFCCs to Committee Services by 10 August 2010.

**ACTION : MEMBERS**

- iii) A copy of the response submitted to Head Office on comments made will be provided at the next meeting.

**ACTION : GB/COMMITTEE SERVICES**

#### **42/10 STEWARDSHIP STATEMENT 2009/10**

The Committee **RESOLVED** to note and to forward any comments to Committee Services.

**ACTION : MEMBERS**

#### **43/10 MINUTES – 19 APRIL 2010 (SW/WRFDC/10/21)**

The minutes of the meeting held on 19 April 2010 were approved as a correct record and signed by the Chairman.

#### **44/10 MATTERS ARISING/ACTION LIST (SW/WRFDC/10/22)**

The Committee **RESOLVED** to note the content of the action list which updated Members on actions from the previous meeting.

#### **45/10 DATE OF NEXT MEETING**

Monday 27 September 2010, venue to be confirmed.

#### **46/10 THANKS**

John Williams, Leader of Taunton Deane Borough Council, wished to record his thanks to the Committee for inviting him and Chief Executive Penny James to join the meeting. The meeting had highlighted the funding difficulties for all parties. The project in Taunton was a good example of a partnership approach between the different public partners to secure a 'win win' outcome for the local community.

#### **47/10 SHORELINE MANAGEMENT PLANS – ADOPTION**

Keith Nursey provided a presentation on the process involved in the second generation of Shoreline Management Plan (SMP2) followed to date. He explained:

- The extent of the Shoreline Management Plans (SMPs) within the Committee's area
- The four policy options available to be selected for the three epochs covered by the Plans i.e 0-20 years, 20 – 50 years, 50 – 100 years
- The approval process to be followed, the role of the Committee in endorsing that the correct process has been followed and the timescale involved
- Each SMP will require an assessment of the impact on any European designated sites. If there is a risk of an adverse affect on the these sites, the Plan will be subject to IROPI (imperative reasons of overriding public interest) and will require Secretary of State approval.
- It is still hoped to achieve the Environment Agency's Regional Director's final sign-off of all the Plans by the end of December 2010, as required by Defra.

The Committee received presentations on the following SMPs:

##### Severn Estuary SMP

- The staged process followed so far and actions required to finalise the Plan (Stage 5)
- An explanation of the documents and appendices included on the Plan, i.e. the Signpost report, Policy Statements and Action Plan
- The number of draft policies covering the 100 year life of the document
- The different policies and priorities of England and Wales Governments and need for acceptance of policies within both countries had been considered when Plan policies had been developed
- As no guidance on land values had been available, agriculture had not been considered a key policy driver
- As no decision has been made on the Severn Barrage, the impacts of possible schemes had not been considered
- The SMP will be subject to IROPI
- The link to the Executive Summary of the document will be circulated to Members

#### **ACTION : DH/COMMITTEE SERVICES**

##### North Devon and Somerset SMP

- The area covered by the Plan
- Areas where key issues were addressed e.g. Northam Burrows, Minehead to Warren Point, Blue Anchor, Steart Peninsular and Burnham on Sea to Brean
- Full consultation had taken place with the public and Elected Members Forum
- The Plan had been favourably received by the Elected Members Forum the previous week
- The Plan will be subject to IROPI and final views of the National Quality Review Group

### South Devon and Dorset SMP

- The Plan area now includes all estuaries, which is a significant change to the SMP1 boundaries which went up to tidal limits only
- The benefits in engaging with stakeholders early in the process and the significant stakeholder engagement which had taken place, particularly where a policy has been identified
- Improved data has been available to underpin policies identified
- The timeframe involved
- The national framework for coastal integration
- The Plan will be subject to IROPI

### Poole and Christchurch Bays SMP

- The area and partner organisations involved
- The roadshows held, which were well attended
- Comments had been received from the National Quality Review Group prior to public consultation; Version 2 of the Plan had been submitted to the Group in the spring for comment and Version 3 in June 2010
- The Policy Development Zones considered
- Bournemouth Borough Council, as lead authority, has adopted the document and will be required to re-adopt it if any changes are recommended
- Once final notification has been received the document will be published on the website

Brian Simmons proposed that:

- a) the Committee recommends the following SMPs to Richard Cresswell, Regional Director, Environment Agency South West Region, for signing off:

No 15 Hurst Spit to Durlston Head (Poole and Christchurch) SMP;  
No 16 Durlston Head to Rame Head (South Devon and Dorset) SMP  
No 18 Hartland Point to Anchor Head (North Devon and Somerset) SMP  
No 19 Anchor Head to Lavernock Point (Severn Estuary) SMP.

- b) that the Committee adopts the policies set out in the following Coastal Advisory Groups' SMP2s:

Poole and Christchurch Bays Coastal Group  
South Devon and Dorset Coastal Advisory Group  
North Devon and Somerset Coastal Advisory Group  
Severn Estuary Coastal Group

The proposal was seconded by Shirley Preston, put to the vote and unanimously supported by the Committee.

Humphrey Temperley:

- Wished to record his thanks to Angela Proctor, Environment Agency Regional Strategic Development and Planning, and Technical Secretary of the North Devon and Somerset Coastal Advisory Group. Her efficient support had been much appreciated by the Group.
- Suggested that the publicity of the SMPs' actions plans should be considered once completed.

The Committee **RESOLVED:**

- i) To note the information provided in the presentations on the four SMPs.
- ii) To recommend the SMPs to Richard Cresswell, Regional Director, for signing off on behalf of Defra, as a) above.
- iii) To adopt the policies as set out in the SMPs by the Coastal Advisory Groups, as b) above.

**Chairman**