

Agenda Supplement

Dorset County Council



Meeting: County Council

Time: 10.00 am

Date: 9 November 2017

Venue: Council Chamber, County Hall, Colliton Park, Dorchester DT1 1XJ

Debbie Ward
Chief Executive

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7. **Local Government Reorganisation in Bournemouth, Dorset and Poole** 3 - 14
To receive appendix 3 of the report.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE JOINT COMMITTEE
30 October 2017

PRESENT:

Councillor Janet Walton	Borough of Poole - Chair
Councillor John Beesley	Bournemouth Borough Council - Vice-Chair
Councillor David Flagg	Christchurch Borough Council - Vice-Chair
Councillor Philip Broadhead	Bournemouth Borough Council
Councillor David Brown	Borough of Poole
Councillor John Challinor	Borough of Poole
Councillor Deborah Croney	Dorset County Council
Councillor Beverley Dunlop	Bournemouth Borough Council
Councillor Mike Greene	Bournemouth Borough Council
Councillor Nicola Greene	Bournemouth Borough Council
Councillor May Haines	Borough of Poole
Councillor Trish Jamieson	Christchurch Borough Council
Councillor David Jones	Dorset County Council
Councillor Jane Kelly	Bournemouth Borough Council
Councillor Robert Lawton	Bournemouth Borough Council
Councillor Drew Mellor	Borough of Poole
Councillor Karen Rampton	Borough of Poole
Councillor David Smith	Bournemouth Borough Council

OFFICERS:

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

The meeting commenced at 10.00 am

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

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

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

1. APOLOGIES

The Joint Committee was advised that apologies had been received from Councillor Blair Crawford, Bournemouth Borough Council and Councillor David Smith would act as his substitute for this meeting.

2. ELECTION OF CHAIRMAN

The Monitoring Officer clarified the voting arrangements for the representatives from Dorset County Council and for clarification confirmed that their right to vote related to the issue of disaggregation only.

DECISION MADE:

That Councillor Janet Walton be appointed as the Chairman of the Joint Committee.

3. ELECTION OF VICE-CHAIRMAN

The Chairman reported on the proposals that the Joint Committee consider electing two Vice-Chairmen which will assist with communication for Members.

DECISION MADE:

1. That the Joint Committee agree that two Vice-Chairmen be elected.
2. That Councillors John Beesley and David Flagg be elected Vice-Chairmen of the Joint Committee.

4. DECLARATIONS OF INTEREST

There were no declarations of interest reported for this meeting.

5. PUBLIC ISSUES

There were no deputation requests, public questions or petitions received by the deadline for this meeting.

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

6. CONFIRMATION OF TERMS OF REFERENCE OF THE COMMITTEE

The Joint Committee was asked to confirm the terms of reference for the Committee.

A Member referred to item 4 of the Terms of Reference indicating that there was a word missing between assist and shape.

The Joint Committee considered item 19 relating to named substitutes. The Chairman asked for clarification on the use of a pool of substitute Members. The Monitoring Officer confirmed that the terms of reference refer to each Member nominating a named substitute. She explained that each Council can agree a pool of members from which substitutes can be drawn. The Joint Committee supported this approach and asked that the terms of reference be amended accordingly.

The Monitoring Officer reported on further issues relating to the terms of reference. She indicated that it had been suggested that the reference to area in the title of the Committee be deleted. The Committee was also asked to consider the quorum which had previously been raised and the decision of Bournemouth Borough Council and the Borough of Poole that the Chairman of the Joint Committee should not have a casting vote.

A Member asked if the quorum related to the whole Committee and included issues relating to disaggregation. The Vice-Chairman, representing Christchurch Borough Council referred to the quorum and Christchurch Borough Council's decision on 8 August 2017 indicating that meetings of the Joint Committee shall only be quorate if (i) more than 50% of the Members and (ii) one representative of each constituent authority was present. The Vice-Chairman reported that following discussions there was no intention to deconstruct meetings of the Joint Committee and he was happy to report that to the Committee.

The Vice-Chairman representing Christchurch Borough Council reported on the following decision taken by the Borough's full Council requesting that a new Clause 20 be added to the terms of reference as follows:

To promote joint work with town and parish councils and local communities to identify and plan for the most effective governance and delivery arrangement for local public services.

A Member highlighted the wording in the terms of reference indicating 'that for South East Dorset, democratic services would carry out a calculation to ensure that that membership was representative as will be expected within the Order.' The Monitoring Officer reported that this reference was not part of the terms of reference but had been included for each Council to consider what representation was appropriate.

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

She explained that the Joint Committee was not subject to the political balance requirements but there would be an expectation for some minority representation on the Committee which was the case for the Borough of Poole. The Monitoring Officer suggested this could be clarified in the terms of reference as a note. A Member proposed that for South East Dorset the Joint Committee should be politically balanced. This proposal was not seconded.

A Member sought clarification on the voting rights as a Dorset County Council representative. The Monitoring Officer reported that these representatives had a right to speak and vote on all issues relating to disaggregation. A Dorset County Council representative asked in view of his restricted voting rights would he and his colleague be free to offer observations on other issues. The Monitoring Officer reported that observations could be made on other issues at the discretion of the Chairman.

DECISION MADE:

That the Terms of Reference of the Committee be confirmed subject to the following amendments:

1. Item 4 be amended to include the word 'and' between 'assist' and 'shape'.
2. Item 19 be amended to provide clarification of the use of a pool of Members from which substitute Members can be drawn which would be a matter for each Council.
3. That 'area' in the title of the Committee be deleted and it be known as the Bournemouth, Christchurch and Poole Joint Committee.
4. That a new item be included to indicate that the Chairman of the Joint Committee does not have a casting vote.
5. That the Terms of Reference be amended to confirm that in respect of the quorum of the Committee the reference is to full members.
6. A new clause be added as detailed below:

To promote joint work with town and parish councils and local communities to identify and plan for the most effective governance and delivery arrangement for local public services.
7. That the paragraph referring to democratic services carrying out calculations be set out in a note for clarification rather than a particular term of reference.

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

7. LOCAL GOVERNMENT REORGANISATION SUBMISSION UPDATE

Andrew Flockhart, Chief Executive Borough of Poole reported on the latest position. He explained that the Secretary of State was considering the proposals. Members were advised that the Future Dorset proposals for Dorset were at the top of the list nationally and he was aware of the need for an urgent decision. The Chief Executive explained that the Secretary of State had intended to make a decision by the end of October but this was now not likely to be until early November.

The Joint Committee was advised that the announcement would be made to Parliament, followed by a period of consultation and a formal decision expected in January 2018. A Member asked if the Dorset Councils would be given advanced notice of the decision. The Chief Executive, Borough of Poole reported that the Councils in Dorset would not be notified in advance as the Secretary of State would make his announcement to Parliament. A Member indicated that as he understood time would need to be booked to enable the Secretary of State to make the announcement.

DECISION MADE:

That the above report be received and noted.

**8. LOCAL GOVERNMENT REORGANISATION PROGRAMME
GOVERNANCE STRUCTURE**

Jane Portman, Managing Director Bournemouth Borough Council presented a report on the programme governance structure.

Members were referred to Appendix A which set out the programme governance, the role of the programme board and the relationship with the Dorset Leaders and Chief Executives.

The Managing Director referred to 2.4 of the report which outlined the role of the Joint Committee acting as the sponsorship group. She highlighted the short timescale available to deliver a new Council and the opportunity for the Joint Committee to create task and finish groups to expedite pieces of work.

The Joint Committee was advised that the Chief Executives would form the Programme Board with one Chief Executive appointed to chair the Board and act as the Senior Responsible Officer the visible owner of the overall change. The Managing Director reported that this role would require a significant commitment of 2-3 days a week from the point that the Secretary of State makes a decision. The Managing Director reported on the appointment of a Programme Director. Set out at Appendix B of the report were the roles and responsibilities for the Programme Director.

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

The Joint Committee was advised that it was proposed that a further report would be submitted defining the resource requirements of the programme.

A Member referred to Appendix B of the report and the second bullet point 'defining the programme's governance arrangements' which was the purpose of the report before the Joint Committee and suggested that this could be deleted.

The Vice-Chairman, Bournemouth Borough Council referred to the further report on resource requirements. In particular he highlighted the need for consideration on how costs would be recovered and were proportionate.

For clarification a Member indicated that when referring to Chief Executives it includes the Managing Director, Bournemouth Borough Council.

In response to a question the Managing Director indicated that it was for each Council to consider the arrangements for overview and scrutiny relating to Local Government Reorganisation.

DECISION MADE:

1. That the programme governance structure as shown at Appendix A to the report be agreed.
2. That the roles and responsibilities of the Programme Director as set out in Appendix B to the report be amended by deleting the second bullet point.
3. That a further report defining the resource requirements of the programme be received by the Joint Committee.

9. LOCAL GOVERNMENT REORGANISATION PROGRAMME OVERVIEW

The Joint Committee considered a report which provided an overview of the programme of change required to deliver local government reorganisation in Dorset.

Julian Osgathorpe Joint Executive Director/Strategic Director explained that if a positive decision was received from the Secretary of State there would be a large programme to prioritise, plan and allocate resources to support the work streams. He outlined the three key principle areas of work as follows:

- Creation of the new Council
- Delivering senior staffing structures and functionality for April 2019
- Designing and building the new local authority

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

A Member asked, for clarification, if the above reference to a positive decision was the final decision or the minded to decision. The Joint Executive Director/Strategic Director explained that he was referring to the minded to decision. He highlighted the period of consultation that had been reported earlier in the meeting and the work that would need to be undertaken during this timeframe prior to a final decision.

DECISION MADE:

That the following be noted and agreed:

1. The Programme Overview and the three phases of activity proposed.
2. The specific workstreams that are likely to be the focus of the Joint Committee and Programme team in the next three months.
3. As the work develops on these workstreams, further detailed papers will be presented to the Joint Committee for consideration and decision.
4. That the prioritisation of internal resources across the preceding authorities will be a key success factor for the successful delivery of the programme.
5. That supporting the successful delivery of the programme will inevitably involve one off costs, but these will be developed and be subject of a report at the next meeting of the Committee.

10. COUNCIL TAX HARMONISATION - PRINCIPLES

The Joint Committee considered a report on council tax harmonisation and the associated principles.

Ian Milner, Strategic Director, Christchurch Borough Council reported on the need to ensure the council tax of preceding authorities was harmonised for a new unitary authority. He referred to the current council tax levels across Bournemouth, Christchurch and Poole and the challenge of developing a strategy to ensure harmonisation. The Joint Committee was advised that a number of variables would need to be considered to develop a strategy. The Strategic Director reported that the DCLG had advised that the maximum period for harmonisation was 10 years.

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

The Strategic Director explained that for Bournemouth and Poole to reach Christchurch levels there could be a notional resetting of the Council Tax for 2018/19 for Bournemouth and Poole. The Joint Committee was informed that with the creation of a new unitary Council, DCLG had advised that in order to enable harmonisation to take place an Alternative Notional Amount (ANA) would be required for each preceding Council. Members were informed that this would notionally reset the band D Council Tax for 2018/19 and it was against this that the 2019/20 increases would be measured for referendum purposes. The report set out the possibility of reducing or freezing the Council Tax in Christchurch in 2019/20. The Strategic Director referred to the creation of a town council in Christchurch, the potential precept and the level of income generated.

The Joint Committee was advised that the development of the Council Tax Harmonisation Strategy was a complex issue and it was proposed that a task and finish group be established to consider this issue and report back to the Joint Committee. The Vice-Chairman, Bournemouth Borough Council sought clarification on the composition of the task of finish group and the reporting process. He asked if it would be reporting back on findings or submitting recommendations to the Joint Committee. In addition, he asked for a definition of ANA for Members. The Strategic Director explained that the task and finish group supported by the relevant Officers would apply variables and different scenarios and report back to the Joint Committee. The Chairman suggested that the task and finish group should also determine a clear definition for an Alternative Notional Amount.

A Member indicated that he was content with the recommendations in the report. He indicated that in respect of the ANA and the potential increase for residents in Bournemouth and Poole this was contrary to the public consultation and the Future Dorset submission. He proposed that the report should be consistent with the Future Dorset submission. This proposal was not seconded. A Member highlighted that the report was technical but that it was a matter for the Joint Committee to discuss. Members commented on the detailed financial modelling the implications of a precept for Parish and Town Councils and where the income would be directed.

In response to a question, the Strategic Director reported that the finance order may not be complete until September which provided more time to determine the Council Tax Harmonisation Strategy.

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

The Joint Committee considered the principle of establishing task and finish groups. A Member highlighted the need for this work to start at a pace. She referred to the challenging targets that had been set and the benefits of a small group of members looking at specific issues with decisions coming back to the Joint Committee. Members commented on the number for the task and finish groups and the role of the Dorset County Council representatives. The Monitoring Officer reported that it was a matter for the Joint Committee to establish the task and finish groups and how others were engaged with those groups. She explained that from an officer perspective it was better to work with small groups. The Joint Committee was advised that Dorset County Council representatives could be invited to the task and finish groups but this may depend on the terms of reference of the task and finish groups. Members commented on the appropriate members to lead the task and finish group on council tax harmonisation. A Member, Dorset County Council asked about presence at the Council Tax Harmonisation task and finish group and voting rights. Officers confirmed that this group would not be dealing with disaggregation. The Joint Committee considered numbers/composition for the task and finish group proposing 3-5 with up to 6 when dealing with disaggregation, acknowledging that the membership of the task and finish group should be drawn from the Joint Committee. Member suggested that the Vice-Chairman, Bournemouth Borough Council should chair the Council Tax Harmonisation task and finish group which was subsequently withdrawn. A Member suggested that each Council should be represented on the task and finish groups. It was acknowledged that this would have an impact on the Christchurch Borough Council representatives.

In response to a question the Monitoring Officer reported that task and finish groups constitutionally were not open to the public but would report back to the Joint Committee and decisions taken would be in public session.

DECISION MADE:

1. That the content of the report be noted.
2. That the principle of establishing task and Finish Group for workstreams be agreed with 3-5 members (up to 6 for disaggregation) drawn from the Joint Committee.
3. That a task and finish group be established to begin developing a harmonisation strategy that takes into account the issues raised within the report.
4. That in light of 3 above the task and finish comprise of 5 members on a 2-2-1 basis acknowledging that Councillor T Jamieson be appointed as the Christchurch Borough Council representative.

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017**11. COMMUNICATION APPROACH**

The Joint Committee considered a report which set out the proposed communications plan and protocol.

The Head of Communication & Marketing for Bournemouth Borough Council and Borough of Poole took the opportunity to thank officers in Christchurch for setting up the website for the Joint Committee. She also indicated that Sarah Johnstone Dorset County Council should be included in the contributors and consultees within the report.

The Joint Committee was informed that the approach was light touch acknowledging that there would be a more detailed work programme in due course and therefore any changes would be brought back to Members for approval. A Member, Dorset County Council highlighted the welfare of staff, the role of Dorset County Council and the need to include staff in the diagram at 7. In respect of section 6 a Member requested reference to Members to ensure that they were fully briefed. Section 5 of the plan referred to communication a member highlighted that there would be a need to provide a clearer blunter narrative. The Head of Communication & Marketing acknowledged the need to capture the essence of the development of the project.

The Joint Committee discussed the media protocol a member indicated that he would not want the protocol to stifle members in making comments. The Head of Communications & Marketing acknowledged that individual Members may have alternative views. A Member indicated that any member of the Joint Committee should acknowledge embargos. The Chairman confirmed that there needed to be clear messages to residents without contradictions.

DECISION MADE:

1. That subject to the amendments detailed above the Communications Plan and Protocol attached to the report be endorsed.
2. That the Joint Committee agrees that the Communications Lead role will be aligned to the elected Chair of the Committee, working with colleagues from all constituent councils in accordance with the proposed Protocol.

12. FORWARD PLAN FOR THE JOINT COMMITTEE

The Monitoring Officer tabled a draft forward plan for the Joint Committee. She outlined the issues scheduled for the meetings on 21 November and 15 December.

Bournemouth, Christchurch and Poole Joint Committee, 30 October 2017

The Joint Committee in light of the proposed forward plan commented on the task and finish groups that would need to be established and members who would serve on these groups. There was a discussion in particular on disaggregation and the representatives for the constituent authorities. A Member referred to appropriate representation from Dorset County Council including Cabinet Members on this group. The Chairman reminded Members that the Joint Committee had agreed that membership of the task and finish groups would be drawn from the Joint Committee.

DECISION MADE:



1. That the Chair and Vice-Chairs discuss the Task and Finish Group on disaggregation and liaise with the Dorset County Council representatives.
2. That the draft forward plan be received and noted.

13. FUTURE MEETING DATES**DECISION MADE:**

That the following dates and locations for future meetings of the Joint Committee be noted:

21 November 2017 at 10 am in Bournemouth Town Hall
15 December 2017 at 10 am in Christchurch Civic Offices

The meeting closed at 11.41 am

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