

**Bristol City Council**

**Minutes of a Meeting of the  
Neighbourhoods and Communities Scrutiny Commission  
10 April 2014 at 1.30pm**

P Councillor Lovell (in the chair)  
H Councillor Harvey  
P Councillor Levy  
A Councillor Martin  
A Councillor Morgan  
P Councillor Radice  
P Councillor Shah  
P Councillor Tincknell  
A Councillor Windows

**Co-optees**

A Angela Auset - Bristol Older People's Forum  
P Sue Lloyd - Bristol Women's Voice  
A Laura Welti - Disability Equality Forum

**NC**

**40.4/14 Apologies for Absence, Substitutions and Introductions**

Apologies for absence were received from Councillor Morgan, Councillor Martin and Councillor Harvey. Councillor Wright attended as substitute for Councillor Morgan.

Introductions were made and the Chair welcomed councillors, officers and Inspector Steven Davey to the meeting.

**NC**

**41.4/14 Public forum**

The Commission heard from Frazer Bridgeford and Clive Stevens in relation to the Tree PIPS report. Councillor Wright confirmed that he would reserve his comments relating to Byelaws for the discussion of the report.

Statements were circulated in advance of the meeting and copies placed in the Minute Book.

**NC**

**42.4/14**

**Minutes – Neighbourhoods and Communities Scrutiny Commission – 4 March 2014**

**Resolved – that the minutes of the meeting of the Neighbourhoods and Communities Scrutiny Commission held on 4 March 2014 be confirmed as a correct record and signed by the chair subject to the following amendments:-**

- **insertion of “cumulative” before “ ... report on the impact of welfare reforms” at page 13.**
- **Income heading at page 21 – to include a reference to what reasonable adjustment' would be made for Disabled people so that 'impairment-related costs' were not included in the income total.**

**NC**

**43.4/14**

**Action Sheet and Work Programme**

**Resolved – that the Action Sheet and Work Programme be noted.**

**NC**

**44.4/14**

**Chair’s Business**

The Chair paid tribute to Steve Chapman, Councillor Levy, and the Commission’s co-optees. The Commission placed on record its sincere appreciation of their contributions and invaluable support.

**NC**

**45.4/14**

**TreePips: Planting involving Primary Schools**

The Commission considered a report of the Service Director, Environment and Leisure (agenda item number 8) setting out progress in delivering the Tree Pips Project.

Richard Ennion summarised the report and updated members on progress since the initiation of the project in December 2013.

Particular reference was made to the following in the ensuing discussion:-

- Planting of trees on public highways on routes to schools – the point was made that not all residents would welcome this. The importance of consultation and planting species less likely to cause damage or grow out of control was highlighted. Officers confirmed that BCC was committed to consulting and involving communities in new planting. It was felt that the project had broad support across the city and the benefits of the programme outweighed the drawbacks. Negatives could be mitigated by planting the right species and an appropriate maintenance programme. Sustainability was a key element of the project and work was on-going with businesses in the city which would assist with maintenance costs. Volunteering would also play a part in the success of the project and there were plans to develop this aspect. The Commission suggested that the impact on residents should form part of the Equalities Impact Assessment.
- Stronger type species would be planted in parks and open spaces to encourage survival. It was acknowledged that endurance and the risk of vandalism were considerations but it was felt that if communities were actively involved, success was more likely.
- It was reported that the project contributed to the aim to achieve a 30% tree canopy cover across the city. The formal education element of the project was due to begin at the end of March 2014. It was anticipated that many schools would plant in school grounds and hoped that the Parks Groups would collaborate on events.
- There was discussion around the financial viability of the project. Members sought assurance that the project was sustainable and there was flexibility to react to financial unknowns along the way. It was reported that the project was at a very early stage and resources were being allocated sensibly.
- The point was made that parts of the city were already very green. Officers were asked if there were plans to target specific areas/schools and avoid a random distribution. It was reported that all schools were being offered the same support in terms of teaching time and commitment to involve children in tree planting. Some schools had limited space to plant trees in their grounds and some were in areas with fewer parks / green spaces. Reflecting these circumstances, it was noted that

schools were being offered proportionately more free trees for children to take home.

**Resolved – that progress in delivering the Tree Pips project – Planting (trees) involving primary schools be noted.**

**NC**

**46.4/14**

### **Revisiting Proposed Byelaws for Parks and Green Spaces**

The Commission considered a report of the Strategic Director, Neighbourhoods (agenda item number 7) updating on proposals for new byelaws for parks and green spaces. Members were invited to consider and comment on specific concerns raised by the public and the merits of holding an Inquiry Day to further review the proposals.

Gillian Douglas introduced the report and the commission received a presentation on the process of developing the byelaws, the outstanding issues for consideration and possible next steps. Copies of the presentation material was circulated at the meeting and a copy placed in the Minute Book.

Below is a summary of the discussion that followed:-

- The proposal was driven by 2 factors – safety and inclusion. Byelaws would address some of the behaviour that crosses the line of acceptability and affects other people, and would provide the Police with a useful enforcement tool for tackling nuisance issues. The intention was not to be overly-zealous or prohibitive but to contain on-going destructive behaviour in the context of ball games, skateboarding, tree climbing, abuse of playground equipment and barbecues.
- Enforcement was described as a last resort for people who refused to modify their behaviour. PCSOs would be the primary enforcement mechanism.
- Councillor Wright stated that the package as proposed and presented to Full Council was unacceptable. He indicated his support for an Inquiry Day and suggested that the proposal as it stood :-
  - lacked clarity around the specific meaning of a ban and required a subjective definition of “annoyance” in some cases.

- could lead to bias and discriminatory practices against minority groups if discretion was allowed to play a part in enforcement.
  - failed to adequately address the issue of barbecues – without designated areas, the proposal effectively amounted to a ban.
  - failed to address on-going issues caused by dogs but sought to stifle the freedom of children.
  - relied on a skewed consultation exercise – relatively small demographic and most respondents over 50.
- Pauline Powell, solicitor, stated that byelaws were laws and applied to all. The law had never operated on the basis that all crimes would be prosecuted. Enforcement without discretion would be an unlawful approach. Officers responsible for enforcement would be well-trained in the scope of their powers and the requirement to exercise them in accordance with convention rights and equalities legislation. A degree of discretion was needed to enable a reasonable warning to be given in the first instance and to provide an opportunity for the person to cease the behaviour.
  - the Commission considered how the sites not covered by the byelaws could be monitored for nuisance behaviour by introducing orders under the terms of the ASB and Policing and Crime Act, which enabled the council to make Public Spaces Protection Orders (PSPOs). It was noted that these orders would not replace byelaws but would repeal the ability to make localised orders – around dogs and alcohol for example, and were a good short-term targeting tool.
  - Councillor Wright suggested that the discretionary element of the proposal would effectively turn on the number of people making a complaint – enforcement action would be taken if the Police receive sufficient calls.
  - Education and proactive engagement was considered preferable to reactive policing.

In conclusion there was general agreement that a Scrutiny Inquiry Day should be arranged in the early stages of the new municipal year. This would enable detailed consideration of all key issues and include the re-engagement of key stakeholders if necessary. The Strategic Director for Neighbourhoods confirmed

that officers would circulate a proposal setting out the scope and content of the Inquiry Day for approval by members.

**Resolved –**

- (1) that a Scrutiny Inquiry Day be arranged in the early stages of the new municipal year to enable detailed consideration of all key issues and include the re-engagement of key stakeholders if necessary.**
- (2) that officers circulate a proposal setting out the scope and content of the Inquiry Day for approval by members**

**NC**

**47.4/14**

**Community Cohesion and Integration – Update**

The commission considered a report of the Service Director, Neighbourhoods (agenda item number 10) updating on community cohesion work across the council.

The Commission welcomed the fact that that since 2010 the Community Cohesion Strategy had had a very positive effect on Bristol evidenced by the outstanding range of positive outcomes . The Service Director was asked to pass on thanks to all those who had contributed to the success.

It was noted that, in future, Community Cohesion would form part of a wider strategy aimed at developing a more resilient city capable of responding effectively to wide variety of stresses and challenges resulting from demographic pressures, inequalities, deprivation and also addressing long-term threats to energy security, food systems, public health and the city region's economy.

The Commission endorsed this approach and asked that scrutiny be fully involved in all aspects developing this new wider strategy.

**Resolved – that the update on community cohesion work across the council be noted.**

***INFORMATION REPORT***

**NC**

**48.4/14**

**Annual report of the Housing Management Board**

The commission considered an information report of the Service Director, Landlord Services (agenda item number 11) setting out the key issues affecting the Landlord Service which the HMB has considered and influenced over the last year.

**Resolved – that the work undertaken by the Housing Management Board (HMB) over the last year be noted.**

**NC**

**49.4/14**

**Date of next meeting - TBC**

(The meeting ended at 4.20pm )

CHAIR