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Agenda Item No: 4

Bristol City Council

Minutes of Neighbourhoods Scrutiny Commission

Monday 11th January 2016

Councillors: Denyer, Fodor, Hickman, Lovell (Vice-Chair), G Morris, Milestone and Negus (Chair)

Assistant Mayors in attendance: Councillors Radice and Hance

People Scrutiny Commission Councillors in attendance for Agenda Item 8: Councillors Gill Kirk and Jenny Smith

Officers in Attendance:-

Alison Comley (Strategic Director Neighbourhoods), Pauline Powell (Senior Solicitor), Richard Fletcher (Environment and Leisure Area Manager), Barbara Coleman (Service Manager – Public Health), Kate Murray (Head of Libraries), Di Robinson (Service Director – Neighbourhoods and Communities), Jane Houben (Investments and Grants Manager), Gillian Douglas (Service Director – Environment and Leisure), Mark Wakefield (Service Manager – Performance and Infrastructure), Pam Jones (Service Manager – Environment and Leisure Operations), Richard Ennion (Horticultural Service Manager), Guy Fishbourne (Contracts Manager), Romaine De Fonseca (Policy Adviser – Scrutiny), Tom Oswald (Executive Assistant) and Jeremy Livitt (Democratic Services Officer)

84. Apologies for Absence and Substitutions (Agenda Item 1)

Apologies were received from Councillors Harvey and Tincknell. The Chair stated that Tom Oswald would be replacing Romaine De Fonseca as the Scrutiny Policy Adviser for this meeting. Romaine De Fonseca was being seconded to the West of England Scrutiny Commission to carry out work in this area.

85. Public Forum (Agenda Item 2)

The following Public Forum Items were received for this meeting:

Statement Number 1 – Update on Libraries (Agenda Item 9) – Steve Crawshaw,
Bristol UNISON Branch

Action: Officers to provide staff turnover figures to Steve Crawshaw, as requested in the statement – Kate Murray

Statement Number 2 – Tree Planting and Tree Management Service (Agenda Item 12) – Councillor Clare Campion-Smith and Councillor Glenise Morgan

It was agreed that this statement would be considered during discussion of Agenda Item 12 – Tree Planting and Tree Management Service.

86 Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

87 Minutes of Neighbourhoods Scrutiny Commission – 18th December 2015 (Agenda Item 4)

Resolved – that the minutes of the above meeting be confirmed as a correct record and signed by the Chair subject to the following changes:

- (1) Addition of Nick Hooper to the Attendance List**
- (2) The rephrasing of the second paragraph in Minute Number 78 to clarify what was said as follows:**

“The Strategic Director confirmed that the timeframe for the Council making a decision about the ongoing delivery of waste services has not changed ie this will be a Cabinet decision in June/July 2016. If the decision is taken at that time not to continue with Bristol Waste Company, the November 2018 decision will allow time to re-procure the service and for any new service to be in place by this date. The decision to extend the Bristol Waste Company until November 2018 gives an opportunity to increase cost effectiveness in that period.”

- (3) The addition of the word “what” between the words “reflected” and “had” in the first paragraph of Minute Number 79.**

Action: Jeremy Livitt (to alter minute accordingly).

88 Action Sheet – 18th December 2015 (Agenda Item 5)

Members noted progress against the Action Sheet. It was agreed that a discussion should take place at the next Planning Meeting (ie for 22nd February 2016 meeting) to confirm all necessary action taken.

Action: Jeremy Livitt (to add to the next Planning Meeting Agenda)

Councillor Martin Fodor commented that he had not yet received information concerning the Food Policy Council's relationship with Bristol City Council or information concerning its governance and accountability – as requested at the 18th December 2015 meeting.

Action: Jeremy Livitt to request that Claire Lowman provide this information to Councillor Martin Fodor.

89 Whipping (Agenda Item 6)

There was no whipping for this meeting.

90. Chair's Business (Agenda Item 7)

Byelaws

The Chair reported that since the previous discussion on this item at the Scrutiny Commission, Bristol City Council had now been advised that Government legislation was imminent which would place the final decision on byelaws directly under Local Authority control. It was disappointing that the Council had not been advised of this situation earlier – however, it was proposed that no formal decision should be taken on the proposed new byelaws until the forthcoming new legislation had been introduced.

In response to a member's question, officers confirmed that the designated byelaw areas could include fishing byelaws in parks where appropriate.

Action: that a briefing note and timeline on this issue be circulated to Scrutiny Commission Members – Jeremy Livitt

Library Volunteers – Answers to Questions Sent by the Chair to Di Robinson (Service Director – Neighbourhoods and Communities)

The Chair referred to some questions he had sent to Di Robinson for response concerning this issue. He had requested that the answers which were provided were sent to all Scrutiny Commission members.

Action: Di Robinson/Jeremy Livitt

Letter to DCLG – Delivering Affordable Housing

The Chair reported that the above letter had been sent to Greg Clark, Secretary of State for Communities and Local Government.

Supermarkets

The Chair reminded Scrutiny Commission Councillors that any further questions from Scrutiny Commission Councillors to supermarket representatives should be provided by today (ie Monday 11th January 2016) to allow sufficient time for preparation for the evidence session at the meeting on Monday 22nd February 2016. A copy of those questions so far received was circulated to Councillors. Councillors were reminded that advance questioning was important to ensure the maximum benefit was obtained from this session.

The Chair also reminded Councillors of those responses so far received as follows:

- (a) The Co-operative and Waitrose had stated that they would be attending
- (b) Morrison's and Aldi had indicated that they would not attend and had replied to the questions by e-mail
- (c) Tesco had indicated that they would not be attending and that, in view of the number of questions asked, would only reply by correspondence
- (d) Sainsbury's and Lidl had indicated that they would not be attending but had provided some information by e-mail – although not direct responses to the questions asked

He expressed his disappointment that a number of Supermarkets were not attending and expected that those who did not attend would respond directly to the questions asked.

The following additional points were noted concerning the purpose of the session:

- (i) The key issue was relating to waste in the city – supermarkets had a key role in this as they had a major impact on waste;
- (ii) Packaging was a key element of the way food waste was distributed around the city
- (iii) Other organisations which provided food for the city had shown that they could be co-operative in their approach – it was important to challenge the supermarkets in their approach

Councillors made the following comments:

- (iv) The response from supermarkets was very disappointing. A very strong letter should be sent to all those who had not responded to confirm their attendance. The Chair confirmed that he would be sending an open letter to all supermarkets commending those who were attending and which would be copied in to the Evening Post

- (v) It was important that the outcome of the discussion should be fed into the Planning process as a mechanism for building framework and policy concerning issues relating to waste, recycling and highways
- (vi) A significant part of the debate needed to take place at national and European level so the ability to progress this issue may be limited. In addition, a collaborative approach was required with other UK Local Authorities and other European cities;
- (vii) Bristol City Council should continue to attempt to obtain the Silver standard Food Commission.

Action: that Scrutiny Commission Councillors provide questions to supermarket representatives to be submitted by today (ie Monday 11th January 2016) for the meeting on Monday 22nd February 2016.

91. Sexual Health Re-Procurement (Agenda Item 8)

The Scrutiny Commission noted a report setting out the contents of the plan for Sexual Health Re-procurement and the proposed process. The Strategic Director pointed out that the re-procurement process was a complex process in order to ensure that the best value could be obtained from the contract.

The Service Manager (Public Health) made the following comments:

- (1) It was proposed to re-procure this service in conjunction with South Gloucestershire and North Somerset;
- (2) The consultation would finish at the end of January 2016;
- (3) Whilst the funding for the service would be less in future years, it would be delivered in a more cost-effective way. In addition, there would be changes in the outlets to improve uptake. The existing service worked quite well but there are some gaps and some issues around access;
- (4) A submission would be made to the Health and Well Being Board by February 2016 to proceed in April 2016 – contracts would be issued in September 2016 and the new service would commence in April 2017.

In response to members' questions, the Service Manager (Public Health) made the following comments:

- (5) The rape suite service remained within the existing NHS England's contracts;
- (6) The contract was still not agreed but would be a minimum of 5 years;
- (7) It was intended that the service would retain responsibility for training of local medical practitioners;
- (8) There has been an increase in the numbers of people in the sexually active age groups
- (9) The new service should be provided by the most appropriate clinician ie consultants, GPs, nurses or non-clinicians where possible
- (10) FGM services are commissioned by the clinical commissioning groups and are therefore outside the remit of this process;

- (11) This would require a key decision by the Mayor;
- (12) There would be no change to the ambitions and scope of the work being carried out but it would be carried out differently, using technology where possible. It is essential that working between service providers continues;
- (13) Statistics and details for drug resistance were contained within the JSNA (Joint Special Needs Assessment);
- (14) Officers were keen to ensure that potential contractors delivered the same level of service as currently existed in schools – however, certain faith schools do not include this within their curriculum. Therefore, different mechanisms for ensuring children at these schools received this education was important;
- (15) The possibility of added value being provided to the service to compliment it had been considered and would be taken account as part of the process;
- (16) Condoms provision is part of the service for sex workers;
- (17) The current service already carried out an Equalities Impact Assessment as part of their work – this would be carried out again as part of the new service

Resolved that- the consultation document be circulated to all Scrutiny Commission Councillors and that a further report is brought back in September 2016 to provide a further update on progress with the re-procurement.

Action: Barbara Coleman (to provide document for circulation and to bring back a further report)

92. Update on Libraries (Agenda Item 9)

The Scrutiny Commission received an update report on Libraries from the Head of Libraries.

The Chair commended the officers on the report and was happy with the format which he believed was short, concise and to the point.

Scrutiny Commission members made the following points:

- (1) The report needed to say something about the Central Library closure;
- (2) There was a concern that women and young people, among other groups, would not be able to use the library if the libraries' existing procedure on lone working resulted in each library needing to shut if 2 workers were not always present. Also, the proposed opening hours were a cause for concern

In response to Councillors' questions, officers made the following points:

- (3) In responding to a question concerning the Swipe Card Access pilot, officers stated that other Local Authorities had "opted in" individuals in to a Swipe Card Access system. It was noted that there remained lots of issues to consider as part of the pilots ie the issues raised through the EQIA;
- (4) The 2 staff minimum procedure had been in operation in Bristol for some time;

- (5) In response to a Councillor's question concerning the way in which buildings were used in the future and any community activity, officers confirmed that conversations were taking place in respect of Marksbury Road and Little Hayes and Hillfields Early Years and family Centre and with various organisations to look at different options for expanding buildings' future use by working with partners;
- (6) At the moment, the general public were not allowed to borrow books in Children's Centre accommodation due to safeguarding issues. However, there was no reason why people visiting at other times could not take out material;
- (7) In relation to a question concerning Lockleaze Library, officers confirmed that an alternative solution was being explored in the event that the premises did not become available. In addition, discussions were taking place with colleagues from Property Services and other partners to consider options for Gainsborough Square;
- (8) In relation to a question concerning the current situation concerning Broadband, officers confirmed that approximately half had been completed. It was explained that Virgin Media were carrying out surveys and that cabling had been completed;
- (9) In response to a Councillor's request, officers stated that a future update report would contain information detailing discussions with organisations on the future use of buildings in different areas of the city and of community interest and volunteers throughout the city – although it was emphasised that this continued to be work in progress;
- (10) In response to a Councillor's question concerning further detail on capital spend, officers indicated that further detail on this would be included in the report to Monday 21st March 2016 meeting;

In response to a Councillor's question, officers advised members of the situation concerning the temporary Central Library closure. It was explained that this was part of a separate project working with Kier forming part of a 12 month build programme. Following an assessment of the level of excessive noise and reverberation that would occur in the building, it had been decided that it would be preferable for a temporary closure to take place. Officers further explained that the temporary solution involved the extension of opening hours at the three nearest libraries at Redland, Bedminster and Junction 3. In addition, people would be directed to public computers which they could use and which were accessible in the city centre.

They further stated that they would check statements made at the time of the planning application about closures.

Resolved:

- (i) **That a future update report be prepared which includes detailed information concerning details of discussions with organisations on future use of buildings in different areas of the city and of community offers throughout the city**
- (ii) **That an update report be prepared for Monday 21st March 2016 including details of capital spend.**

Action: Kate Murray

93. Consulting About A New Approach To Grant Funding – the Voluntary and Community Sector Grants Prospectus (Agenda Item 10)

The Scrutiny Commission received a report providing feedback on proposals for a voluntary and community sector grants prospectus.

In response to a question from the Chair requesting information on how the approach set out in the report was a new approach, officers confirmed that all the money which had previously been held in different directorates had now been pooled into one “pot” and would be used to meet key priorities and provide clarity of focus for the aligning of funding. Officers indicated that collaboration was being encouraged against shared outcomes (ie groups supporting refugees).

Officers also drew members’ attention to the 3 significant issues in the report, which were the proposed prospectus approach, the prospectus “Key Challenges” and the outline grants processes for differing sizes of grant.

Officers also stated the following:

- (1) Some grant funded services were not physically accessible. However, the only alternative in this case would be home visits;
- (2) The approach proposed by officers involved a mixture of 2 and 4 year grants based on the understanding that any organisation awarded a grant for 2 years would need to re-apply and that any 4 year grant might be reduced;
- (3) Three proportionate processes were required – officers were not satisfied that this operated at the moment, particularly in respect of grants under £10,000. It was proposed that a number of workshops and surgeries were set up to address this issue, along with collaboration where appropriate;
- (4) There might be lots of different types of work (ie environmentally funded work) which addressed equality and so qualified under that criteria;
- (5) Since the amount available (£5 Million per year over 4 years) was not a great deal of money, it was important that the proposed long-term changes in the service took place.

In response to a Councillor’s question concerning the possibility of using Neighbourhood Partnerships to assist in this process, officers stated that this was a good suggestion. However, there was a limit to the capacity of existing staff in this area to deliver what would be required. Therefore, this would need to come primarily from the Neighbourhood Partnership members themselves. VOSCUR would also continue to provide support to these organisations.

Scrutiny Commission members made the following comments:

- (6) This was a big change in approach as the service would need to be co-designed with the voluntary sector;
- (7) The reference to accessible venues in Draft Question 21 needed to be clarified since no venue was absolutely accessible;
- (8) It was of concern that some groups might be disadvantaged by not being familiar with the process and how to complete the application.;
- (9) Neighbourhood Partnership members and Neighbourhood Forum members could be used to help deal with grants at NP meetings if there were time pressures on officers who worked in this area. However, it was also acknowledged that the work of NPs may not always chime with a wider approach. It was also important to note that there were different NP priorities in different parts of the city;
- (10) It was important to develop an approach which enabled more future resources to be obtained than were being invested.

Resolved: that, in respect of Draft Question 21, the reference to accessibility is clarified to refer to physical access.

Action: Kate Murray

94. Quarter 2 Performance Report for 2015/16 (Agenda Item 11)

The Scrutiny Commission noted the Neighbourhoods Performance Report for Quarter 2 of 2015/16.

Officers made the following comments:

- (1) Following concerns previously expressed by members at this meeting and at the OSM Committee Board in respect of the performance reports, officers had been examining ways to obtain a balanced approach and outcomes;
- (2) The Quality of Life Annual Survey provided the information – arrows indicated if the performance was improving or worsening during the period in question;
- (3) Where indicators were red, discussions had taken place with Service Managers and leadership teams and comments obtained to provide more detail which should assist members in targeting questions in the appropriate area. These areas were now subject to increasing scrutiny by managers;
- (4) OSM Committee had indicated that they were keen that all Scrutiny Commissions should indicate to them which items they were most concerned about and would like to be scrutinised in detail;
- (5) Where there was no quarterly result, these gaps had been filled in and these areas highlighted;
- (6) The same format would be used across all Scrutiny Commissions for this report;

In response to Councillors' questions, officers stated that:

- (7) Detailed discussion on each entry could be seen at the Performance Indicator website;

- (8) Whilst some indicators looked as if they were incorrect, this was because there was a more challenging environment for officers and, even where more was achieved, it was insufficient.

Councillors made the following comments:

- (9) The new table format was good. It would still be useful for OSM to receive all indicators which caused concern, those which were of particular concern could be highlighted;
- (10) The NH022 Performance Indicator needed to clarify whether or not the 49% at HIV late stage was at the diagnosis stage or not;
- (11) The NH373 Performance indicator was 65% but with a lower outturn – some of this information was incorrect and needed to be clarified;
- (12) It was important to assess whether or not indicators were providing the necessary information to make a proper assessment – this needed to be done before the end of the current Municipal Year.

Resolved – that a discussion item is added to the next Planning Meeting (1st February 2016 for 21st February 2016 meeting) concerning the appropriate performance indicators to use for 2016/17 and those existing indicators which require further detail to be provided.

Action: Jeremy livitt (to add to next Planning Meeting)

95. Tree Planting and Tree Management Service (Agenda Item 12)

Members noted this report providing information on Bristol City Council's Tree Planting and Tree Management Service.

The Chair advised members that he was a Tree Champion for his ward and was also a member of the Tree Forum.

Members noted the Public Forum Statement Number 2 which had been submitted by Councillor Clare Champion-Smith and Councillor Glenise Morgan on this issue.

Officers made the following points in respect of this issue:

- (1) The "One Tree Per Child" Programme was on track;
- (2) A coherent Tree Planting Programme was taking place throughout the city with support and a separate funding budget. This programme worked closely with Neighbourhood Partnerships and had been successful in obtaining corporate sponsorship up to £60,000. This could operate as an attractive area for business to support the public realm. So far, 60 individuals had provided support at a cost of £295 each;
- (3) There had been a reduction in the budget for this area in the last Medium term Financial Plan (MTFP). However, the delivery of this work was still being carried out effectively within the new funding envelope – funding consisted of Section

- 106 ring fenced capital and revenue which was used by Neighbourhood Partnerships and funding for Project Management purposes;
- (4) It was important to put the right tree in the right place and ensure it did not lock the Council into an unnecessary cost;
 - (5) Where trees had been subject to pollarding, they had originally been planted in an inappropriate location – this approach had been adopted as an alternative to removing them completely;
 - (6) The approach was changing from one of tree planting to much greater tree maintenance;
 - (7) Last year 2,050 specimen trees had been planted.

In response to Councillors' questions, officers made the following points:

- (8) In response to a question concerning the cost of maintenance of trees at bus stops, officers stated that this could not yet be confirmed but would be subject to the impact of the changes in the MTFP;
- (9) In response to a members' question concerning the trend for developers to remove mature trees as part of a development because it proved an easier option for them, officers confirmed that the principle was always to protect trees where they were affected if there was sufficient merit due to their significance. Where necessary, it was a requirement that trees were affected by compensation - there were very strong policies in this area in Bristol, better than many other places in the UK. In addition, trees cost a lot to remove and there was an impact on a developers' public image in removing them;
- (10) In response to a members' question concerning a recent instance where the local community had not been advised about the pollarding of a tree, officers advised that discussions took place through the Neighbourhood Partnerships who were encouraged to plant where they wanted and to communicate with officers if they wanted to build tree pits. Communication concerning tree felling generally operated very well. However, there was an issue concerning the most appropriate method of communicating concerning pollarding – officers could examine this;
- (11) Councillors were free to suggest sites for the One Tree Per Child Programme – generally the sites used were publicly owned land and would require agreement of the local Neighbourhood Partnership to secure funds;
- (12) In response to a Councillor's concern that Section 106 funding frequently extended to only 1 mile around a particular site which limited the flexibility of tree planting and maintenance, officers indicated that this could sometimes be the case since it needed to be within the NP which was providing the funding – he indicated that he could discuss this issue further with the Planning Obligations Manager to see if this issue could be addressed;
- (13) In response to a Councillor's concern that the recent loss of key officers in this service created a risk and also to the limited sponsorship support that had been achieved, officers stated that the scheme had been re-launched and could be carried out online. Most businesses preferred such schemes since it showed that they were showing Corporate Social Responsibility. It was noted that there

had been some recent interest in the scheme from the University of Bristol which needed to be considered for the next 2 months;

- (14) In response to a concern from the Chair that the Memorial Tree Scheme had not taken off as intended, officers stated that this was a good arrangement which was working well and indicated that they could provide details of this scheme to the Chair. It was noted that there had been a Press Release a week before Christmas concerning a family who had bought 2 trees online to celebrate the birth of their children. However, it was acknowledged that further promotion would be of benefit.

Resolved:

- (1) that officers respond to the issues raised in the Public Forum Statement Number 2 by Councillor Clare Champion-Smith and Councillor Glenise Morgan;**
- (2) that officers investigate the best methods for communicating with the local Councillors and the community concerning pollarding of trees;**
- (3) that officers discuss with the Planning Obligations manager concerning the way in which Section 106 funding can be provided to the appropriate areas in view of the statutory restrictions placed on the use of this funding;**
- (4) that officers brief the Chair on the current arrangements for the Memorial Trees Programme**

Action: Richard Ennion/Guy Fishbourne (in conjunction with Jim Cliffe in respect of (3))

96. Work Programme (Agenda Item 13)

Members discussed the Work Programme for future meetings.

It was noted that discussion concerning the Neighbourhoods budget as part of the annual scrutiny budget process had taken place at the Business Change and Resources Scrutiny Commission on Monday 4th January 2016.

Members noted that the next meeting on Monday 22nd February 2016 would include an evidence session in respect of supermarkets. Councillors were reminded that detailed questions were being sought for this meeting and to provide them to the Scrutiny Officer by today (ie Monday 11th January 2016). Councillors noted that, given the wide scope of the issue concerning waste, attention needed to be focused on those areas which were likely to have the most impact.

Resolved – that the Work Programme be noted.

97. Date of Next Meeting (Agenda Item 14)

It was noted that the next meeting was scheduled for 10am on Monday 22nd February 2015 in a Committee Room, Brunel House, St George's Road, Bristol.

CHAIR

The meeting finished at 1pm.