



Agenda Item No: 4

Bristol City Council

Minutes of Neighbourhoods Scrutiny Commission

18th December 2015

Neighbourhoods Scrutiny Commission Councillors: Bradshaw (substitute for Tincknell), Denyer, Fodor, Harvey, Hickman, Lovell (Vice-Chair), G Morris, Milestone and Negus (Chair)

Place Scrutiny Commission Members (in attendance for Agenda Item 8):
Pearce and Bolton

Assistant Mayors (Job Share) for Neighbourhoods In Attendance: Radice (Agenda Items 1 to 8) and Hance (Agenda Item 9 to 12)

Officers in Attendance:-

Alison Comley - Strategic Director Neighbourhoods, Lucy Fleming – Scrutiny Co-ordinator, Steven Barrett (Service Director: Landlord Services), Tim Southall (Affordable Housing Development Manager), Zoe Willcox (Service Director: Planning), Alistair Reid (Service Director: Economy), Claire Lowman (Health Improvement Specialist), Romaine De Fonseca (Policy Adviser: Scrutiny) and Jeremy Livitt - Democratic Services Officer.

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

Apologies were received from Councillor Tincknell (Councillor Bradshaw substituting)

73. Public Forum (Agenda Item 2)

The following Public Forum Item was received for this meeting:

A Response to the Scoping Paper on Food (Agenda Item 9: Food) – Jane Stevenson, Director – Bristol Food Network and Joy Carey, Director – Bristol Food Network and Member of the Bristol Food Policy Council.

74. Declarations of Interest (Agenda Item 3)

Councillor Bolton declared an interest in respect of Agenda Item 9 as the partner of Jane Stevenson (Public Forum Statement).

75. Minutes of Neighbourhoods Scrutiny – 23rd November 2015 (Agenda Item 4)

In response to a question from the Chair, the Strategic Director indicated that she would confirm that the additional commentary requested in Resolution (1) Minute Number 65 relating to the Health and Well Being Board had been included in the report as requested.

Action: Alison Comley to confirm and advise Neighbourhoods Scrutiny Commission Councillors and to circulate to them if required.

Resolved – that the minutes of the above meeting be confirmed as a correct record and signed by the Chair subject to the following addition under Point (c) Minute Number 59 (Public Forum):

“that the Chair pursues the issue of the Bristol Food Network in its application with Bristol City Council for the Sustainable Food Cities Award.”

Action: Jeremy Livitt

76. Action Sheet – 23rd November 2015 (Agenda Item 5)

The following points were made by Scrutiny Commission Members during discussion of this item:

- (1) The phrase “request for officers not to use acronyms in reports to Scrutiny” in respect of Action Point 2 Agenda Item 8 Health and Social Care Needs of Children and Young People – JSNA should read instead “request for officers not to use acronyms which could be perceived as dismissive and derogatory”;
- (2) Action Point 5 Agenda Item 8 should also reflect the fact that officers to look deeper into why deprivation caused certain outcomes (ie obesity);
- (3) Action should be added under Agenda Item 2 (Public Forum) which was agreed by the Chair in response to the Public Forum Statement concerning the Bristol Food Network’s application for the Sustainable Food Cities Award;
- (4) A recent meeting of the Human Resources Committee had agreed to review the Lone Working Policy and also to consider volunteering issues

Action: Jeremy Livitt to alter Action Sheet in respect of (1) to (3)

Byelaws

Scrutiny Commission Members made the following points:

- (5) Councillor Denyer confirmed that the action relating to lanterns and windbreaks had now been taken;
- (6) A statement was required from officers concerning the latest situation

The Strategic Director stated that, following a recent complaint concerning an area of green space, officers had requested that Councillors provide them with any further instances of complaints to enable these areas to be included for future byelaws.

She also confirmed that officers had now been advised by the Department of Communities and Local Government that legislation was about to be passed concerning byelaws which was expected in early 2016 and which would make the process of creating byelaws a more local process (ie by Local Authorities via Full Council). It was, therefore, suggested that an update report be provided to Full Council on Tuesday 19th January 2016 explaining this situation.

The Assistant Mayor (Councillor Radice) requested that all Neighbourhoods Scrutiny Commission Councillors remind all their fellow Councillors of the need to send in any examples of Anti-Social Behaviour on Green Spaces to ensure these could be included as byelaws.

Action: Alison Comley, Neighbourhoods Scrutiny Commission Councillors

77. Whipping (Agenda Item 6)

There was no whipping for this meeting.

78. Chair's Business (Agenda Item 7)

Waste Company

The Chair referred to a decision at the Cabinet meeting on Tuesday 15th December 2015 which suggested that the current Waste Company would need to stay in place until November 2018 and expressed concern that this was longer than previously anticipated.

The Strategic Director confirmed that the timeframe for the process had not changed. However, discussions were taking place with the Company since if the procurement occurred in June and July 2016, it would take time to put in place the necessary arrangements. If the process was extended for Bristol Waste Company, this would be expensive to take place on an annual basis.

The Chair of OSM stated the importance of making the correct decision on this issue based on good data and point out the impact of issues such as the short-term nature of equipment hire costs.

In response to a Councillor's question, the Strategic Director stated that she would check to ensure that the staff had been advised of the current situation.

Action: Alison Comley

79. Housing Inquiry Day Report (Agenda Item 8)

The Chair referred to the two different versions of the Report of the Scrutiny Inquiry Day. He explained that 8(b) reflected had been prepared jointly by him and the Chair of the Place Scrutiny Commission as they believed it more closely reflected the recommendations arising out of it.

During the debate, Councillors made the following points:

- (1) Whilst it was noted that the Strategic Director had drawn members attention to the larger number of recommendations in 8(b) (ie 38), the action required was for different aspects of the organisation and was, therefore, achievable;
- (2) Two of the recommendations in 8(b) (R27 and R29) were not unanimous and, therefore, needed to be considered in more detail.

Current R27

Officers confirmed that, in consultation with the Housing Management Board, Bristol City Council maintained the decent homes standard for 95% of its properties including kitchen and bathroom replacement despite the cuts it had faced. However, it should be noted that this was the basic standard for properties – kitchens and bathrooms were only replaced after they were 20 years old to ensure this standard was maintained.

Councillors made the following comments:

- (3) The situation concerning bathrooms was likely to become more acute as the majority of people in social housing were getting poorer;
- (4) There were 27 tower blocks in the Lawrence Hill Ward – replacement of appliances was an important way to make people feel respected when this was not the case in other ways;
- (5) Consideration should be given to replacing the word “option” since there was no option to default on the Decent Homes Standard;
- (6) It was important that the magnitude of the impact of the reduction of the HRA should be noted;
- (7) The word “option” should be replaced with “tension between” and the word “rather” should be replaced with “versus”. This was supported by Councillors

Action: (7) - Lucy Fleming to alter Current R27 accordingly.

Current R29

Councillors made the following comments:

- (8) More detail was required for this recommendation. It was important that the suggestion concerning renewable tenancies should not be perceived by tenants as putting their tenancies at risk ;
- (9) A 5 year renewal clause within a tenant's contract could provide an opportunity for a break clause for the Right to Buy opportunity.

In response to these comments, officers pointed out that the introduction of flexible tenancies would not affect the existing Right to Buy legislation which would still remain in place.

- (10) The section after the words "Right to Buy" should be removed completely. This was supported by Councillors.

Action: (10) – Lucy Fleming to alter Current R29 accordingly.

Current R21 and Current R22

Councillors made the following comments:

- (11) Further analysis was required concerning the options available for housing including the right to buy, the pace and the scale of development;
- (12) It was important to acknowledge that there were different models which could be developed such as a Municipal Housing Company and R21 needed to be altered to reflect this
- (13) The property function of Bristol City Council needed to be tied more closely with housing delivery including the issue of risk, how risk is assessed and the resources to take forward schemes (either Bristol City Council or Joint venture schemes). In other cities, identification of who was responsible in this area was much clearer than in Bristol

In response to this, the Strategic Director confirmed that she was the recently nominated officer by SLT with responsibility for this;

- (14) It had originally been proposed that the recommendations from the Peer Challenge should be included in this report. However, Councillors had been advised that this was not appropriate

Action: (12) Lucy Fleming to alter Current R21 accordingly.

Current R18 and Current R19

Councillors made the following comments:

- (15) Developers frequently indicated that they could not make a profit if they included affordable housing in a scheme but this did not seem credible and needed further investigation;

In response to this, officers confirmed that, under National Planning Policy, a willing seller and a willing buyer would set the appropriate land value and leaving a percentage for profit, with the remainder being used for Planning gains. In certain situations, officers added a clause stating that the trigger for this process was after the Planning decision had been taken. However, it was noted that there had been some resistance to this from developers.

Officers also explained that costs for developments and land values were increasing in the city, particularly in the centre. If developers did not feel they were able to make a profit on a scheme, development was unlikely to happen. It was noted that recent changes meant that cost was now the key factor rather than land value. In addition, many sites were complex brownfield sites that required a significant amount of investment. There was a presumption in favour of sustainable development wherever possible. It was also highly likely that the new National Plan following recent Government legislation would consider the need for starter homes rather than affordability.

- (16) A greater use of post-decision triggers should be used rather than a de-facto approach;
- (17) A number of large developers had developments in a number of different localities in the city – the Independent Appraisal process needed to take this into account;
- (18) Bristol City Council needed to take a firmer approach with some developers who stated that land was not affordable if it was contaminated. It was noted that there had been previous attempts to de-risk sites where existing permissions had stalled;
- (19) The electrification of the rail line to Bristol would add greater pressure to house prices and their affordability.

In response to this, officers drew members' attention to the Strategic Housing Market Needs Assessment for the Sub-Region which indicated the need for 85,000 new homes, 30% of which would be affordable. Arising out of this assessment, the numbers for Bristol only would be assessed through the Spatial Plan.

- (20) It was important that developers should be challenged further in terms of this 30% figure;
- (21) Since the contributions from CIL (Community Infrastructure Levy) did not pay for affordable housing, there was a need for a central fund to offer financial assistance to certain communities for this, particularly those in more outlying areas;
- (22) There needed to be scope for officers to ensure that funds from a scheme are identified as to where they can be best used;

Members agreed to change the words at the end of Current R19 as follows: "where and how developers could deliver to agreed standards". They also agreed to add the following sentence to Current R18 as follows: "An opportunity exists within the 2016 Local Development Framework Review to look at planned policies throughout the city".

Action: (22) Lucy Fleming to alter Current R18 and R19 accordingly.

(23) Developers were aware of the existing policy in this area and could build it into their modelling costs for a particular scheme but some chose not to do so.

New Recommendation R20 – Between Current Recommendations R19 and R20

A new recommendation was proposed that required developers to take account of their responsibilities in a wider way than simply through the Planning process stating that “Where developers or others fail in their responsibilities to deliver against their obligations in respect of their wider City Council functions, they should engage to address that failure, including by investor/stakeholder action”. This was agreed by Councillors.

Action: Lucy Fleming to add additional new R20 accordingly.

(24) In response to a suggestion that there was a recommendation concerning a Land Value Tax, it was noted that this was implicitly referred to in the reference to a Community Land Trust

Current R6

Following a concern raised by a Councillor that this recommendation did not refer to financial as well as local control, it was agreed by Councillors to add the words “and financial” after “local”.

Action: Lucy Fleming to alter current R6 accordingly

Current R25

Following a brief discussion, it was agreed that the words “to reconsider” in Current Recommendation R25 should be followed by “all housing policies including densities in defined areas”.

Action: Lucy Fleming to alter current recommendation R25 accordingly.

The Chair referred to a comment he had made at the Scrutiny Inquiry Day that a letter should be sent to the Secretary of State expressing concern about the implications of the recent Housing Welfare Bill and the Council’s ability to deliver affordable housing. He requested that Councillors support his proposal to write this letter.

Action: Lucy Fleming/Councillor Anthony Negus

The Assistant Mayor confirmed that the Housing Management Board had recently written to the Secretary of State on this issue who had responded that he believed they would be able to manage.

Resolved – that the recommendations (as amended above) are agreed and the Chair write a letter to the Secretary of State concerning the Housing Welfare Bill as indicated above.

Action: Lucy Fleming/Councillor Anthony Negus

80. Food (Agenda Item 9)

Members considered a report setting out issues relating to food.

The Chair reminded Councillors that this item provided an opportunity to identify issues which could be answered prior to the debate scheduled for 22nd February 2016 at which supermarkets would be invited to discuss the issue of food waste.

He drew attention to the fact that only two supermarkets had so far indicated that they would attend (ie Waitrose and the Co-operative) whilst Sainsbury's had declined and Morrison's had indicated that they would only be prepared to respond to questions.

Officers made the following points concerning this report:

- (1) A baseline report of date collected from Neighbourhoods Directorates as well as through other Departments and teams was published in June 2015;
- (2) Cities can use a Sustainable Food City framework to assess themselves and apply to be recognised for their work across the whole food system, including land and growing, food poverty, food economy and food waste. These six themes have been set out in the report;
- (3) A 3 year Action Plan has been developed;
- (4) The work which had been carried out provided a key opportunity to link to the existing resilience city work with the Sustainable City team as well as the work on Resilient City. There had been close work with the Food Policy Council, as well as the Green Capital Food Group;
- (5) There had been some progress made in respect of 3 areas where there were existing gaps – assessment of regional sfood production, procurement (through the West of England Group) and evaluation;
- (6) An officer group was being set up to embed these policies – in response to a Councillor's question, it was clarified that this was being set up on a corporate basis (ie covering other areas such as the economy);

Councillors made the following comments:

- (7) It would be useful to establish how this team fitted into the structure within Bristol City Council and its relationship with Outside Bodies.

Action: Claire Lowman to provide this information to the Chair.

- (8) There needed to be a more joined-up approach to this area of work throughout the Council;
- (9) The Food Policy Council had been set up by Bristol City Council but remained a separate organisation. It would be useful to be provided with information concerning its relationship with BCC, as well as its governance and accountability

Action: Claire Lowman to provide this information to Councillor Martin Fodor

- (10) There needed to be an aim for Bristol City Council to play a key role in achieving a sustainable food system for the city. Officers confirmed that it was planned to achieve this;
- (11) Bristol City Council controlled some of the mechanisms by which these issues could be tackled ie food in schools, care homes and needed to consider how it could make food more affordable and sustainable. In response, officers confirmed that a great deal of work had already taken place concerning school contracts and in areas such as museums, libraries and community meals;
- (12) The Council could explore options such as setting up a Trade Company and lead in this area;
- (13) It was sensible to focus on those key areas where a difference could be made ie teaching cooking in schools;
- (14) Most food markets sold artisan-style luxury foods rather than practical foods which were affordable;
- (15) There had been a previous approach to the Mayor to provide information to show how Bristol City Council could implement the Good Food Plan. This had been created by the Food Policy Council as part of the approach to creating a Sustainable Food City and had included evidence from the City Council. However, there had been no response to this. There needed to be a commitment to sharing resources as required to deliver this, including detailed actions for the use of land and resources. Officers confirmed that work was under way to resource and address identified gaps, part of which included co-ordinating the work in one place and, where required, identifying where additional resources were needed to meet big gaps
- (16) Whilst paragraph 2.2 set out the need to encourage people to eat in independent places, people often ate at chains to because they were cheap. There was a perception that the Food Connections Festival is only for ticketed city centre events. However, officers confirmed that the majority of food events were free in areas of the city Hartcliffe and Filwood but further work was needed in respect of city markets;
- (17) This was a very wide area of work – it might be more appropriate to focus on certain areas such as schools growing food in allotments. Officers confirmed that the Healthy Schools Programme currently engaged a high number of schools and involved a number of cooking and growing activities;
- (18) Whilst the Green Capital Year had made some impact on the issue of food in schools, this was not as much as it could have done;
- (19) In response to a Councillor's question concerning the issue of healthy food in respect of the homeless and shelters, officers drew members attention to the existing schemes in this area such as the £5,000 Buy Pay Partnerships and Matthew Tree Project;
- (20) This was a bigger issue than simply getting people to buy food with less high fat. This type of food provided gratification for families. It was

important to get people to be attracted to food that was less damaging to them;

- (21) Fresh ingredients are expensive – the need to acquire the appropriate cooking skills was also important;
- (22) Some people did not have the facilities to cook food properly;
- (23) In response to a Councillor's question concerning the issues of eating meat and global warming, officers stated that this was not a public health issue. However, a programme called Flexitarian Bristol highlights this approach to a low carbon diet which was in the sustainable city application;
- (24) In response to a councillor's question concerning the level of hot meals and how this was being obtained, officers confirmed that school meals provision reached the food for life standard of 23,000 meals which met sustainable and healthy standards;
- (25) The key issue was the access to sustainable good food.

Action: Claire Lowman to provide information on this issue (24) to the Chair.

Officers confirmed that, whilst the Good Food Plan was an evidence based frame work for the city, it had not been formally adopted.

- (26) Allotments – In response to a Councillor's question, it was noted that it was now possible to obtain plots smaller than half size and for animals, such as goats. Officers confirmed that the Allotments Manager was carrying out some work on a flexible approach to allotments.

Members agreed that a report should be brought back at a future date to set out in detail what issues needed to be taken forward in this area, when these issues would be co-ordinated into a document, who was carrying out the necessary work both within and outside Bristol City Council and when they would be taken through a formal process and enacted.

Action: Alison Comley/Claire Lowman to bring a report back at a future date to address these issues.

Resolved – that the report be noted.

81 Performance (Agenda Item 10)

The Chair confirmed that he and the Chair of OSM Committee had met Mark Wakefield to discuss this issue. Following this, he understood that there would be a report to a future meeting. The Strategic Director stated that she understood that this report would form part of the work that was being carried out for a report to be submitted to the next meeting on Monday 11th January 2016.

The Scrutiny Commission confirmed that they were happy for the Strategic Director to attend without appropriate Service Directors for discussions relating to performance.

82 Work Programme (Agenda Item 11)

Members discussed the Work Programme for future meetings.

The Chair reminded all Councillors to submit any questions in preparation for the Scrutiny session with supermarkets.

Action: Romyne De Fonseca to send details of the session to Councillors.

83 Date of Next Meeting (Agenda Item 12)

It was noted that the next meeting was scheduled for 10am on Monday 11th January 2016 in a Committee Room, Brunel House, St George's Road, Bristol.

CHAIR

The meeting finished at 12.50pm.