

Cabinet

Supplementary Information



Date: Tuesday, 14 July 2020

Time: 4.00 pm

Venue: Virtual Meeting - Zoom Committee Meeting
with Public Access via YouTube

2. Public Forum – Questions and Answers

(Pages 3 - 17)

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Date: Monday, 20 July 2020



Question: CQ11.1

Cabinet – 14th July 2020

Re: Agenda item 11 – City Leap Procurement

Question submitted by: Councillor Steve Smith

Please could you expand on what changes are proposed to the procurement - what is it that we were previously planning to procure which is no longer to be included, or vice versa?

Reply: (Cllr Kye Dudd)

- **There are a number of elements that became clear during the procurement process that could be improved. These included the fact that no bidder wanted to use a specific energy provider. On the basis of this in the revised procurement bidders will be able to be more flexible in who provides the energy.**
- **There are other elements that will change, but these are all financial and part of an ongoing negotiation. On the basis of that, and to ensure we don't prejudice the conversations and stay within Public Contracts Regulations 2015, it is not appropriate to record those in a public meeting. However I am happy to confirm that we will meet OSMB's request of detailing these in a closed session.**
- **The level of ambition for City Leap remains the same and the initiative will continue to play a significant role in addressing the climate emergency, ensuring that Bristol is well equipped to achieve carbon neutrality by 2030.**
- **The objectives for City Leap also remain the same in terms of transforming Bristol's energy system and delivering unprecedented social, environmental and economic benefits for the people of Bristol.**

Question: CQ11.02&03

Cabinet – 14th July 2020

Re: Agenda item 11 – City Leap Procurement

Question submitted by: Councillor Jerome Thomas

Background

I am concerned with City Leap that the council has spent a lot of time and money making very little progress and I am concerned that investing further in the procurement process may not be good use of money.

In December 2017 you went to China to seek investment for £800million to £1 billion of low carbon energy infrastructure. Seeking investment in low carbon energy infrastructure is a worthwhile goal. In May 2018, the council sent out a prospectus for City Leap and in December 2018 it was reported that 180 organisations had expressed an interest. Given the length of time that you and your team have been working on this, Bristol residents would have hoped to have seen some progress on this by now, with expressions of interest being turned into actual investment.

Instead in July 2020 we find out that the procurement process has been so flawed that it has had to be abandoned at a cost to the city of over £4million. It appears yet again that more money has been spent on lawyers and consultants rather than the essential services and investments that the city needs.

Hopefully in your answers to my questions you will be able to reassure me that the money spent on City Leap procurement has not been wasted and there remains a credible possibility of third party investment in the city's low carbon energy infrastructure.

Questions

- 1) What value has been achieved for the city in the £4.2million (as at 31 March 2020) that has been spent on the failed City Leap procurement exercise?;

The upfront investment to this point has been significant and has the potential to unlock the delivery of £1bn investment into low carbon energy projects in the City to support Bristol on its path to become the UK's first carbon neutral city by 2030.

The first part of the procurement process has allowed both BCC and investors to understand the product in more detail and as a result of that the exercise has been nuanced.

- 2) Now that the council under the Mayor's leadership has lost over £30 million on Bristol Energy, and Bristol Energy can no longer be bundled into any City Leap assets, precisely what is it that the Mayor is planning to sell to external investors within the City Leap 'wrapper' that can justify spending a further £2million plus on procurement?

We've got to take these challenges of climate and energy more seriously.

The council has an opportunity to develop a wide range of low carbon energy infrastructure across its estate. This will be a trigger for City Leap to deliver similar projects across the City in the private and commercial sectors.

Bidders who took part in the first procurement have confirmed that they remain interested.

Question: CQ11.04

Cabinet – 14th July 2020

Re: Agenda item 11 – City Leap Procurement

Question submitted by: Councillor Anthony Negus

Since none of this is commercially sensitive and presumably common to all, will the mayor ensure that all the reasons, and the legal advice behind it, for stopping the tender process are explained, along with the related risks and that the length of delay and the weighting of the required outcomes from the scheme is made public?

- **There are a number of elements that became clear during the procurement process that could be improved. These included the fact that no bidder wanted to use a specific energy provider. On the basis of this in the revised procurement bidders will be able to be more flexible in who provides the energy.**
- **There are other elements that will change, but these are all financial and part of an ongoing negotiation. On the basis of that, and to ensure we don't prejudice the conversations and stay within Public Contracts Regulations 2015, it is not appropriate to record those in a public session. However I am happy to confirm that we will meet OSMB's request of detailing these in a closed session.**
- **The level of ambition for City Leap remains the same and the initiative will continue to play a significant role in addressing the climate emergency, ensuring that Bristol is well equipped to achieve carbon neutrality by 2030.**
- **The objectives for City Leap also remain the same in terms of transforming Bristol's energy system and delivering unprecedented social, environmental and economic benefits for the people of Bristol.**
- **The delay is likely to be minimal as the changes will make the procurement simpler, so the timescale has been reduced.**

Question: CQ11.05&06

Cabinet – 14th July 2020

Re: Agenda item 11 – City Leap Procurement

Question submitted by: Councillor Geoff Gollop

At the June Cabinet meeting you answered my questions on City Leap by confirming that:-

“Bristol Energy had received £1.2m for innovation services for the City Leap program, on the energy service and a number of energy innovation projects” part of which went to fund the first EY report into Bristol Energy.

You also advised me that “the second EY report into Bristol Energy cost the Local Authority Four Hundred and Forty Thousand Pounds and it was funded from within the Bristol Energy agreed funding envelope.” You confirmed that figure by repeating it in answer to my supplementary, but, by the next morning, I had an email correction telling me the figure was significantly less at £145K.

This Cabinet paper shows total procurement costs for City Leap of £6.5m.

Q.1 How much of that money was or will be paid to EY?

In the 2019/20 financial year, EY was paid £492,163 from the City Leap budget. £75,000 of that was for the BE report.

Q.2 How much has been paid to EY in the current Financial Year?

In the 2020/21 financial year, as at the end of May, approximately £20,000 has been incurred in relation to City Leap. An additional £90,000 balance has been paid for the BE report.

The budget forecast for City Leap includes a budget of £225,000 in 2020/21 and £150,000 in 2021/22 for financial advice.

None of this budget, other than the £90k referred to above, is in relation to Bristol Energy.

I note receipt of further questions at Cabinet on 7th July and referred those to the City Leap team for a response. These answers will be forwarded to you direct from the mayor’s office once the office is in receipt of them.

Question: CQ11.07&08

Cabinet – 14th July 2020

Re: Agenda item 11 – City Leap Procurement

Question submitted by: Councillor Claire Hiscott

Q.1 There were weekly payments to Guidant on 4th, 11th, 14th, 21st and 29th May 2020, each for £2189.36 and classified as Agency Staff - City Leap Prospectus. I assume these are included in core agency staff. Can you explain what role or roles this relates to?

The payments relate to the City Leap Programme Manager, a highly experienced project management professional employed through Guidant.

Q.2 Please can you confirm how many staff are included in the Core Teams of BCC staff and internal professionals (shown in the table on page 4 of the report) and explain their roles?

The Core Teams for City Leap comprise the following:

- **BCC Staff: Three permanent members of staff, including:**
 - **the Head of City Leap, who has day-to-day responsibility for managing the programme and reports to the Senior Responsible Office (SRO) (Stephen Peacock) and the City Leap Project Board.**
 - **the City Leap Project Support Manager, who is part of the Programme Management Office.**
 - **the City Leap Partnerships Manager, who is responsible for promoting City Leap to the market and engaging external stakeholders.**
- **Agency: Only the City Leap Programme Manager.**
- **Internal professionals: Colleagues from BCC Legal, Finance and Procurement who provide advice and support to the programme, the numbers of which vary over time depending on the nature of the advice and support required**

Question: CQ11.09&10

Cabinet – 14th July 2020

Re: Agenda item 11 – City Leap Procurement

Question submitted by: Councillor Mark Weston

Q1. Can the Mayor provide a breakdown and definitive total figure for the sum(s) paid to EY for both of their reports concerning the energy company?

There have been two EY reports in relation to Bristol Energy, costing a combined total of £165k.

Q2. Can you assure me that no energy professionals, advisors or specialists involved in the Bristol Energy debacle will be involved in the new City Leap procurement process?

There is no commonality between those working on the City Leap procurement process and those who have worked on Bristol Energy.

Question: CQ14.01

Cabinet – 14th July 2020

Re: Agenda item 14 – Council Tax Reduction Scheme

Question submitted by: Councillor Anthony Negus

The LibDems have fought twice to save this scheme when it was one of the areas under pressure during budget cuts but if a Cabinet decision is to be meaningful it should be based on some level of information.

My first query about this report at Scrutiny was why it was crucial that it should come to Cabinet now, rather than when there was better information. I was told that this was to allow for a consultation should it not be approved but then was told that any extra money would be found. In that case, with no consultation envisaged, why could this report not have been delayed so that it contained more helpful information.

This report is premature and so does not contain any predictions on the effect from Covid on potential demand on this scheme, the possible range of additional funds required to support it and where these are to come from.

Will the mayor withdraw or defer this report?

Local authorities are not able to revise the CTR schemes in year, because of the need to provide certainty to claimants.

The final scheme must be adopted by the Council before the 11th March of the preceding financial year, which is also the date by which the council tax base must be adopted. The two items are sequential and as such the decision in relation to the CTR is accelerated to enable local authorities to ensure that if the scheme is going to be subject to change, those individuals likely to be affected by decisions in relation to the design of the scheme, and groups representing them are able to make representations about the proposed scheme.

The likely legacy impact of the pandemic or further local outbreaks on future years CTR scheme is unknown and therefore the report contains some scenarios on increase cost if the working age caseload were to continue to increase at different % with no local or national government mitigations.

A straight line forecast based on the first 13 weeks of 2020/21, post COVID, shows an increase of just over 20% and could be used as a best estimate to future growth, but this is difficult to predict with any certainty for obvious reasons.

The potential current and future COVID 19 pressure on council tax payments is known and associated funding remains under consideration. As part of the response to the pandemic the Government announced a new hardship fund for 2020/21 to support economically vulnerable people and households in the local area by providing a top up if necessary to existing local CTR

schemes. In the next Spending Review, the government have stated that they will agree an apportionment of irrecoverable council tax losses between central and local government and a proposal for a phased repayment of council tax deficits over 3 years, rather than requiring complete repayment of deficits in 1 year.

We are seeking to provide a degree of certainty to claimants at the earliest possible opportunity to enable them to plan for the year ahead and at this stage we need to collectively continue to seek certainty in this regard from the government to enable the Council to plan.

Question: CQ16.01

Cabinet – 14th July 2020

Re: Agenda item 16 – Period 2 (May) Finance Report

Question submitted by: Councillor Clive Stevens

I'm impressed that our Finance team have been able to split the risk of overspends into Covid vs non-Covid caused. That must have taken a lot of work and some assumptions. I can understand why it's important for holding departments to account and justifying claims to Government. Regarding assumptions, I see the Adult Social Care (ASC) non-Covid overspend risk is flagged up at £7.3m whereas the Covid impact is estimated at £19.3m.

In a situation where (anecdotally I hear) new service users were delaying going into care homes for as long as possible (which might have saved BCC money), I wonder would that be a Covid related saving or a non-Covid related.

So my question is: whether the Finance Team could document the big (say £1m+) assumptions made to divide the ASC variances between Covid and non-Covid?

The MHCLG has provided some clear guidance on permissible COVID 19 response spend and the forecast is for the full year based on the proposed changes to the restrictive measures and taper transition to recovery for the rest of the year.

Further details is captured under Decisions taken under emergency / urgent payments, for this period, these can be found under Appendix C (iv)(v)(vi)

Please see the below breakdown:

	Full Year Forecast		
	COVID Additionality	NON-COVID Related pressures	
COVID Description	£m	£m	NON COVID Description
Rapid scale-up of short-term intervention with CCG, increased step down bed capacity and hospital discharge	3.1		
Commissioned our local Bristol voluntary and community sectors to assist with direct flow and support out of the hospital and the provision of short term community support.	0.7	1.7	Carried forward pressures from 19/20 in Increase in preparing for Adulthood due to a combination of new placements and more

			complex care costs.
Infection control for the Bristol Care market	4.0		
Sustain care homes and domiciliary care providers including short term market rate uplift etc. (£4.2m to date)	5.2	2.3	20/21 Continuation adult Care Package and Placements Cost relating to reablement, Intermediate Care and Regulated Services
Increase in Council's Frontline staff for short term targeted support on discharge etc.	2.6		
PPE Costs for Adult social care staff, and additional costs for short term emergency supply of PPE to service providers	0.7		
Undelivered Savings during the restricted period	3.0	3.3	Undelivered saving e.g. for Better lives older adults for the rest of the year (Oct to Mar)
Total for FY 2020/21	19.3	7.3	

Question: CQ17.01

Cabinet – 14th July 2020

Re: Agenda item 17 – Colston Hall Redevelopment

Question submitted by: Councillor Clive Stevens

This was always going to be problematic and the list of structural issues plus heritage discoveries is long. Combine that with the Covid-19 impact and costs are on the increase. It gives me no pleasure to write that.

My question is actually about learning. Is there anything that could have been done earlier on (I mean 2017 or even earlier) that could have helped identify some of these issues and risks back then and so better informed your decision making?

A number of challenges have been faced due to heritage discoveries, structural issues and the global covid pandemic. But we continue to quantify the risk and push forward.

It's not a question of whether you take the risk on – it's a question of whether we want to secure the future of the hall or let it slowly disintegrate in the middle of the city.

Question: CQ18.01&02

Cabinet – 14th July 2020

Re: Agenda item 18 - Advancing equality and inclusion at Bristol City Council

Question submitted by: Councillor Cleo Lake

With specific reference to the report that came to Full Council on July 7th which underpins this agenda item, I have the following points to make and questions that I would like answers to.

Labels, ethnicity and discrimination

I would like to suggest as a council we work with communities of interest towards a definition and adopt the term 'Afriphobia', which is a more accurate grasp of a lived experience not necessarily summed up by the term 'racism.'

Questions:

1. The report in parts references 'Black and Minority Ethnic' and in others BAME. 'White minority ethnic' is also mentioned. Can you give a definition of white minority ethnic and can you confirm whether white minority ethnic is included in the blanket category BAME with regards to the ethnicity pay gap?

It is a good move that the council has decided to publish the ethnicity pay gap without being legally obliged to, but I feel we need a more detailed breakdown on specific ethnicity of the findings. (For example South Asian, African Caribbean, Dual Heritage Black Caribbean and white, Middle Eastern etc).

Please see section 1.8 of the report in relation to the difference between race and ethnicity.

White minority people are from a minority ethnic group.

We intend to include a more detailed breakdown in future pay gap reports, to provide greater insights and understanding on the pay differential and actions to tackle the pay gap.

2. I am very concerned to read that disabled employees are over represented in grievances and disciplinaries, is there any explanation for this?

The high proportion of cases in attributable to factors such as managers not putting in place reasonable adjustments and leaders not being confident in addressing issues and concerns swiftly with colleagues.

We are putting place a wide range of leadership development interventions to improve practice and also training on reasonable adjustments.

We will now be systematically monitoring and reviewing the impact of disciplinary and grievance policies on colleagues from all protected groups and the Corporate Leadership Board will be holding services to account where there are staff that are being disproportionately affected.

Question: CQ18.01&02

Cabinet – 14th July 2020

Re: Agenda item 18 - Advancing equality and inclusion at Bristol City Council

Question submitted by: David Redgewell Bristol Disability and Equalities Forum

- 1. Will the Council and Mayor please develop some kind of LGBTQ policy for staff and the community, such as Manchester City Council and Brighton and Hove City Council?**

The city and the region have a large number of LGBTQ communities in Southville and Old Market. To prevent equalities hate crime in the city region, there is still work to do on positive images of gay people within the city council and WECA mayoral combined authority to follow the work of the police and crime commissioner office; the chief constable of the Avon and Somerset police; the British transport police and companies like First group plc and Airbus.

Only last week there was a meeting with Stonewall discussing the next steps for the Stonewall Index, we are keen to learn from best practice and other key LGBTQ organisations across the country. The council acknowledges there is still much more work to be done in this area and will continue to strive to make the city more inclusive for the LGBT community.

We have a LGBTQ policy as part of this document that reflects our commitment to equality and inclusion and ensuring that services are delivered to meet the needs of all our protected groups including the LGBT community.

The council's approach is to ensure that all service driven policies are regularly reviewed and in doing so a robust Equality Impact Assessment is undertaken to ensure that all services are designed and delivered through a LGBTQ lens. The Council has an active LGBTQ Staff Led Group who provide support and assurances to managers in the development of policies and services.

- 2. In relation to disabled people, will the Mayor and City Council push public sector local authorities in Bristol City Council and WECA mayoral combined authority to employ more disabled staff to make sure that disabled people are included in decisions of Bristol City Council and the combined authority?**

The Mayor should promote positive service and support from all the city office partners by signing the city equalities charter and asking Mayor Bowles to set up an equalities forum at the mayoral transport authority especially as it delivers public transport network services and regional planning.

Our policy on disability is contained in the action plan as part of this document.

We are a disability confident employer and it's a key priority for us to improve the number of disabled people working in the Council. This is reflected in our Action Plan attached to the cabinet report

Our One City plan looks to influence other employers and partners.

The Stepping UP Diversity Leadership Programme has widened its diversity lens to include disabled people in order to improve senior leadership representation within BCC and other public and private sector organisations across the city-region.

Bristol City Council works closely with Bristol Works for everyone to support people with learning difficulties into paid employment across BCC and the Region.