

Growth and Regeneration Scrutiny Commission Agenda



Date: Thursday, 26 September 2019

Time: 6.00 pm

Venue: City Hall, College Green, Bristol, BS1 5TR

Distribution:

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Date: Wednesday, 18 September 2019



Agenda

7. Public Forum

Up to 30 minutes is allowed for this item **Democratic Services Officer check time limit for your particular Committee**

(Pages 3 - 18)

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on **name deadline date**

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on **name deadline date**.



Growth and Regeneration
Scrutiny Commission
26th September 2019
Public Forum



Public Forum Questions Received:

1. Question from Jon Hewitt – Agenda Item 12: Update on the Mayors Climate Emergency Action Plan
2. Question/s from Fraser Bridgeford – Agenda Item 9: Bristol Harbour Review
3. Question/s from Councillor Clive Stevens - Agenda Item 10: Performance Report
4. Question/s from Councillor Charlie Bolton - Agenda Item 12: Update on the Mayors Climate Emergency Action Plan

Public Forum Statements Received (P13):

1. Statement from Councillor Carla Denyer – Agenda Item 12: Update on the Mayors Climate Emergency Action Plan
2. Statement from John Bradfield - Agenda Item 9: Bristol Harbour Review



Question 1: Jon Hewitt

Hello,

I am deeply concerned that 11 months after Bristol City Council declared a Climate Emergency that the Mayor's Action Plan seems to be in its very early stages, he seems to be only just commissioning consultants to determine what is required for the city to become carbon neutral. One would imagine that when acting on an 'Emergency' these are the actions to take on day 1? This leads me to the assumption that the emergency declaration was merely a popularity stunt, paying lip service to the climate activists whilst no real action was ever intended.

Can you assure me that Bristol City Council is taking climate change seriously by explaining what actual steps it has taken to become carbon neutral?

Many thanks in advance

Jon Hewitt

Answer:

We can assure you that addressing the climate emergency is a priority for the Mayor and Cabinet and the city council as a whole. A key part of this is ensuring that we deliver some of our existing initiatives such as the City Leap Energy Partnership which will we plan to generate a Billion pounds of investment into decarbonising Bristol's energy and transport system. This is by far the most ambitious programme in any UK city at the moment.

You will see that the Mayor has made the most ambitious commitment of any Mayor in the UK – for the City Council to be carbon neutral for its direct emissions by 2025. We are already making good progress on this and colleagues are accelerating action in response to the climate emergency.

We are also working behind the scenes to embed climate change work in everything we do as a city council. This will ensure that all our plans, programmes and projects contribute to creating a carbon neutral and climate resilient city.

We have also created the appropriate Governance and advisory arrangements so that we can lead the city as a whole. It's crucial that whilst the city has a leadership role we also need to bring the whole city with us.

The Mayor has allocated resources within this financial year, which is a challenge given how tight council budgets are, and I will be providing additional resources in future years to ensure the city council can respond effectively to the climate emergency.



If you look at recent Cabinet meetings you will see the scale of action we are taking:

- *October – Approval of a project for Zero Emissions homes and the Bristol Bus deal to improve public transport*
- *September – Approval of expansion of the district heating network and creation of a water source heat pump to provide heat for buildings from the water in the harbour.*
- *July – Approval of the Bristol Transport Strategy and a new Household Waste Recycling Centre for South Bristol*

The Mayor has meet with representatives of Extinction Rebellion who suggested that the Council should be implementing a list of 33 actions proposed by Friends of the Earth. We can confirm that we are doing the vast majority of them.

Question 2: Fraser Bridgeford

Q: What is the area that is being considered for the Comprehensive Harbour Review? Please provide a map.

A: The Harbour Review is currently intended to look at the look at the area shown on the attached map, extending from the gates at Cumberland Basin to Hanham Lock.

Q: Approval has already been given for spending on additional facilities around the harbour (pontoons, toilets, showers) at the last Cabinet meeting. How does this fit with the process of the planned Comprehensive Harbour Review and associated public consultation before any changes are made? Should any changes not wait until after the wider review has taken place to ensure that they are appropriate?

A: BCC is required by law; regulation and guidance to ensure the City’s historic assets, including Bristol Harbour remain risk-free - both on and off the water. So, the health and safety obligations of the Council’s estate often require immediate remedial action to be taken to address any such risks. In these circumstances, the Council is also mindful of the need to achieve best value from its spending decisions. To do so often requires immediate investment rather than delay and possible danger from the further deterioration of existing facilities.

Q: Can you please supply details of the plans for toilets, showers and moorings approved for 'Capricorn Quay', indicating location, layout and expected type of vessel and whether these are intended to be visitor or permanent moorings.

A: The detailed plans referred to are currently being prepared. As such they will be the subject of a competitive tendering process that may change the feasibility and timing of the work to be finally specified to achieve value for money. Final plans will be published when contract



terms have been agreed with a selected provider.

Q: As you have indicated that there are areas of the harbour that access is an issue, can you please provide a list and associated map of the areas of the harbour are being considered for compulsory purchase orders?

A: It is expected that these matters will be considered, if appropriate, when the recommendations of the Harbour Review are presented for decision by BCC.

Q: What work has been done on the finances of the harbour (income, profit and loss etc)? Please provide the details of the expected income and profit.

A: In 2018/19, BCC recorded a £286k loss for the services it provided at Bristol Harbour. Future Bristol Harbour finances are one of the key features of the Harbour Review. It will carefully examine market rate income and expenditure in comparable UK locations to ensure the long-term sustainability of Bristol Harbour and the Council finances that support and maintain future investment in this historic asset for the City and all its people.

Q: In what way is the Comprehensive Harbour Review being tied to the work that is being undertaken for the Cumberland Basin / Western Harbour? Does this come under the same budgetary umbrella?

A: Currently, the Bristol Harbour Review will focus on the area referred to in response to the first question above, and shown on the attached map. However, the Harbour Review will consider any economies of scale or other commercial matters that may support the long-term sustainability of Bristol Harbour finances as any later phases of the Harbour Review go ahead.

Q: At Capricorn Place we have had comfort wagons parked outside our flats for months without any consultation with residents. We have had budgetary approval for new pontoons outside our flats without and consultation. What process are you putting in place to ensure that residents are consulted on and have a say in any changes that are being proposed?

A: The purpose of the cabins and enclosed compound was to provide the development contract workers with welfare and health facilities. This facilitated completion of site landscaping and surfacing aspects of the development. The cabins were located on the quayside adjacent to the development from 26 February to 23 May 2019, were permitted and operated under a ‘permitted development’ condition of the planning consent, and were controlled by the main development contractor.

Elected members were aware of the contractor’s request to use the quayside space for this purpose through email correspondence, and the developer was subject to the



planning consent condition of adhering to ‘considerate constructor’ planning obligations regarding consultation with neighbours.

It is expected that - in keeping with BCC policy for community consultation – the Harbour Review will fully involve residents and/or resident groups about any changes that may be made off the water.

Q: Will the review include looking at any local or visitor taxes to support the maintenance of the harbour?

A: BCC has no tax raising powers. As noted above, the Harbour Review will carefully examine market rate income and expenditure in comparable UK locations to ensure the long-term sustainability of Bristol Harbour and the Council finances that support and maintain future investment in this historic asset for the City and all its citizens and stakeholders.

Q: What is being done to include residents and/or resident groups as part of the team that is conducting the Comprehensive Harbour Review?

A: Please see above for the steps to be taken to consult and communicate with “residents and/or resident groups”. A clear timeline will be made available for the conduct of the Harbour Review. Practically, issues ranging from ‘conflicts of interest’ through to matters of commercial confidentiality will preclude further stakeholder inclusion in the ‘team’ delivering the Harbour Review.

Question/s 3: Cllr Stevens

Dear G&R Scrutiny Commission

I was horrified to see on page 31 that a key measure of success of this administration is the percentage of major applications approved. (See DGR313a).

Major applications are generally approved by Development Committees which are supposed to be independent decisions taken by Councillors based off independent Officer advice.

My horror comes from the possibility that this measure is putting Planning Officers in a conflict of interest situation. They are supposed to be assessing whether a development meets planning policy but in the back of their mind they know one of the department’s measures of success and possibly even their own personal objective is influencing them to favour approval over and above the principle of sustainable development.



And what if, for example, a Committee refuses an application and it is taken to appeal by the developer. If officers are measured on approval percentage then how much effort will they put into documents that support the Committee's decision to refuse. That has to meet the test of potential bias and open the Council up to judicial review.

I hope you realise that whoever chose this made a mistake.

If officers resist removing it then I begin to see a pattern. You see at the last Audit Committee we saw attempts to limit Development Committees' freedom to decide. There we saw a proposed change implementing a compulsory cooling off period if Committee was minded to refuse. This would make it very, very difficult for a Committee to overturn an officer's recommendation. Fortunately this was rejected and sent back to Development control for reworking.

There are huge amounts of money to be made by YTL, L&G and lots of other developers with so much to gain from "subtle" changes to policy. Indeed some in Bristol would be justified in wondering whether both land and now democracy seems to be being sold off to the highest bidder.

Questions:

(I won't be able to attend so this enables a detailed response in writing please).

1) Firstly please I'd like to understand exactly how this measure of success is measured. For example does an application refused at Committee but overturned on appeal by an inspector count as "approved". What about an application with a recommendation of refusal by officers and refused by Committee but comes back later in the year perhaps as a new, better application which is then passed. How is that counted? The devil is in the detail so what assumptions are built in?

2) Does the G&R Scrutiny Commission share my concern about use of this specific measure and recommend it be dropped until the full implications are better understood?

Thank you - Councillor Clive Stevens

Answer:

A good starting point in responding to this issue is this extract from section 2 of the report under the heading of Development of Place:

"The KPIs in this area are designed to demonstrate that council activities needed to underpin the delivery of new homes in the city are progressing at a good rate".



A key role of planning is to enable sustainable development and do this involves approving proposals. For example, in order to address the housing crisis in the city new homes must be built and they cannot be built unless planning permission has been granted.

During the service planning process for 19/20 the Development Management service explored the possibility of introducing new KPIs that were a more genuine reflection of how the service was contributing to Corporate Strategy commitment of “Make sure that 2,000 new homes - 800 affordable – are built in Bristol each year by 2020”. This was possible because planning applications for housing (both major and minor) can be categorised separately.

One measure of how the DM service is contributing positively towards housing delivery is through speed of decision making. This is already recorded nationally for all applications under the categories of Major; Minor; Other and so new KPIs were created to measure the speed of decision making for Major and Minor housing applications.

In terms of contributing positively though, it was considered that the rate of approvals would be a relevant measure. For example, deciding housing applications quickly but refusing them would not in itself be a positive contribution towards housing delivery. Some analysis of the previous year’s performance was also carried out and this indicated a trend of refusing minor housing applications and then approving a revised scheme on the same site afterwards. It was felt that it would be a more positive contribution to housing delivery and a better customer experience to spend a bit more time working with applicants to modify schemes that would have been refused so that they were in a form that could be approved. In these circumstances, the outcome would be the same (ie. original proposal not acceptable, revised proposal acceptable) but this would be achieved through one planning application rather than two, with processing efficiencies achieved too. It is important to stress that there is no lowering of standards as a result of this approach.

The Council has been measuring the “approval rate” of the planning application service for many years as a background indicator of the approach being taken across all types of planning applications. This is not treated as a “target” to be achieved and the approach to individual applications is not affected by, for example, if the service has refused more applications in one year compared to the previous year.



Whilst the most significant major planning applications are determined by Committee, in fact the majority of applications in this category (which is defined as (10 dwellings or more or 1,000 sq m of floorspace or more) are decided by officers under delegated powers.

When officers are assessing planning applications, they do so in accordance with development plan policies and other material planning considerations. The customer focussed approach of the service is to work with developers to achieve developments that meet local policies, however, if proposals cannot be supported and the applicants will not engage further the applications are either refused permission under delegated powers or reported to DC Committee with a recommendation for refusal.

To demonstrate that the KPI relating to Major approvals does not lead to decisions or recommendations that do not accord with local policies, in 19/20 the rate of approval was 88% against a target of 92%. The individual decisions behind this below-par performance were reviewed and it was considered that the correct decisions had been made and therefore performance during this year was acceptable overall.

Addressing the specific questions:

1. Every individual decision on planning applications is taken into account, so every refusal and every approval, even if this involves the submission of a new application following an earlier refusal (whether by delegated powers or by Committee). Appeal decisions are not factored in, as the measure is of decisions made by the Council.
2. These KPIs are considered to be a useful indicator of the positive contribution that the planning process can make towards housing delivery, but the outcomes are carefully assessed and do not in themselves affect the decision making for individual planning applications.

Question/s 4: Cllr Bolton

(Answers are in italics under each question)

1. It is now towards the end of 2019, and the target is carbon-neutrality by 2030. That is 10 years away (11 at most), so means every individual, and household, and every business has to - on average - cut its emissions by 10% per year.



Alternatively, 10% of households need to cut emissions by 100% per year, or some combination of this. Failure to do so means each subsequent year has a proportionately bigger savings requirement.

Q: What cut in emissions is expected each year from now?

A: As you know the Climate Emergency Motion was very clear that under current conditions the achievement of carbon neutrality by 2030 was not possible locally, and that the Mayor was to call on Westminster to provide the powers and resources to make the 2030 target possible. BCC is doing this with the Core Cities group.

We have undertaken some initial analysis in the Baseline Study which shows that under current plans we could expect to see reductions in emissions of between 26% and 45% by 2030. We hope that through additional local action and national action higher levels of reduction in Scope 1&2 emissions can be achieved.

We do not have robust data on Scope 3 emissions yet and cannot predict how these will change over time, with or without interventions. This is being considered in the development of the climate strategy.

1.2 More generally, when it comes to combatting climate change, there are the believers, there are those who will do it if it is easy, there are those who will do it if it is cheap, but there are also those who neither believe nor care - or for a range of other reasons, will not take the measures needed.

What is the plan for these people?

A: Creating the widespread behaviour change that is needed will not be easy and we will need to engage with the whole community. We are commissioning some external advice on the best ways to do this.

2. Local plan

The local plan review includes a commitment to reduce new build carbon emissions by 100%.

2.1 Does this guarantee that every new building from implementation date will be carbon-neutral?

A: Draft policy CCS2 seeks an effective 100% reduction in net CO2 emissions from new development. It seeks to reduce emissions from the development and then allows for



offsetting of residual emissions.

The focus of the policy is on the ‘in use’ emissions of the development, i.e. heating, lighting and appliances. Other matters, such as the embodied carbon in construction materials, are not part of this calculation.

Clearly there will be developments which received planning permission prior to the adoption of the local plan which will be completed after the date of adoption.

2.2 Or does it make it one of a number of bargaining criteria with a developer e.g. with numbers of affordable housing?

Although draft policy CCS2 does not currently include a viability caveat, it has to be read in conjunction with the National Planning Policy Framework, which states at paragraph 153(a) that local planning authorities should expect new development to “comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable”. It is therefore not possible at present to fully exclude viability from consideration in relation to the draft policies.

2.3 I remember sitting on the local plan working group and suggesting a target of 120%, rather than 100%. I.e. make new build contribute to carbon-neutrality, rather than just not making it worse. Is this a possibility?

An emission reduction target of greater than 100% would effectively require new development to provide a net reduction in the wider city’s CO2 emissions rather than just mitigate its own impact. We are not currently proposing to do this, although policy work in relation to the declaration of a climate emergency is ongoing.

Note that the present draft requirement for a 100% reduction in CO2 emissions from new development already depends partly on ‘carbon offset’ payments to off-site works, as our technical evidence indicates that a 100% reduction cannot feasibly be achieved on-site in most cases.

3. Gas central heating

I carried out a door to door survey of housing in the BS3 area with the Bedminster Energy group. Basically, pretty much every house has gas central heating. Clearly, gas is a fossil fuel.

3.1 Is the removal of gas as a heating source part of the plan?



A: We haven't yet developed the plan. However, currently about 30% of our direct carbon emissions is from gas and this will need to be replaced if we are to reach carbon neutrality.

3.2 If so, how does one achieve it?

There are a range of technologies which could replace it and these include district heating, air source heat pumps and other gases such as Hydrogen. We would not want to see direct electric heating unless of super-efficient buildings such as those that would achieve the passiv haus standard.

4. Solid wall insulation

I estimate there are around 80,000 houses in Bristol without cavity walls - basically all the Victorian/Edwardian terraces. I am aware that a few have solid wall insulation to significantly improve energy efficiency levels. I am also aware the cost is several thousand pounds (I have heard a figure £7,000).

4.1 Is solid wall insulation part of the solution?

A: Yes.

4.2 If so, is there a plan for insulating these 80,000 homes?

A: We are developing the strategy. We envisage that the City Leap Energy Partnership may be able to undertake a substantial home retrofit programme including solid wall insulation to complement renewable and smart energy technologies that can be added to reduce homeowner bills and emissions. This is likely to be at least partially dependent on supportive policies being forthcoming from Government.

5. District heating

5.1 Is the intention to retrofit district heating on to the existing housing stock?

A: We are considering the areas of the city that are most suited to district heating as part of the current analysis. It is most suited to areas of high heat demand and this is likely to be areas of commercial buildings and apartments rather than to areas of lower density housing.

5.2 If so, how do you make people participate?

A: There is no mechanism to "make people participate".



5.3 If not, what proportion of residences are expected to have district heating?

A: We do not yet know this as it is part of the current study.

6. City leap

6.1 When do we expect the investors in City leap to actually invest? When do we expect these projects to kick in?

A: We have now launched our procurement exercise to identify our future City Leap Joint Venture partner(s). We would expect our future partner to invest in a wide range of zero and low carbon projects over time. The procurement exercise is complex, rigorous and has a number of stages to ensure that we identify a partner that can work with the council to deliver for Bristol. With this in mind, we anticipate the process will be finalised in Q4 2020 and investment to commence shortly thereafter.

6.2 Am I right in thinking the 'City leap' project has had expressions of interest amounting £860 million? If so, what is the expected rate of conversion from an expression of interest to actual investment?

A: City Leap received expressions of interest from nearly 200 organisations last year, many of whom are large/multinational companies. These were not, however, firm commitments to invest specific sums in particular projects. We do not have a confirmed figure for the scale of investment that the future City Leap partner(s) will provide as this will be subject to the procurement of those partner(s), however we will be re-iterating the council's strong desire to see £1bn invested in Bristol's energy system over the next ten years.

7. Mass transit system

At the recent council meeting, a Labour cabinet member told us he was 'proud of Labours mass transit system'.

7.1 Is it funded?

A: WECA have funded development of the mass transit plans as set out in the Joint Transport Study and Joint Local Transport Plan. Funding of up to £1.5m was recently allocated for the next stage of scheme development, the Strategic Outline Business Case. Any major project such as this will require significant funding to develop proposals and further significant funding to deliver. Recommendations on how to fund a project such as this will be part of the SOBC and will consider all funding options from grant funding to system income and local funding measures.



7.2 Noting that I attended meetings about Metrobus in 2008, and it didn't open until 2018, is it reasonable to assume any mass transit system (bigger, more complex, and possibly not funded) will take at least as long? As such, given the 2030 target, what contribution will it make?

A: Yes major transport projects take a long time to develop and implement. We are working on a programme that will aim to deliver continuous improvements to our existing network, developing and improving new and existing services while we work up the more complex plans for fully segregated mass transit systems. We will be looking at how such a system can be phased to bring forward sections wherever possible. In order to decarbonise the transport system we have to provide alternative options for travel that are more efficient and give people alternative options to the private car. A mass transit system is a key element to this process and will be a necessity for the city if we are to meet our ambitious carbon targets.



Statement 1: Cllr Carla Denyer

Statement by Cllr Carla Denyer Item 12: Update on the Mayors Climate Emergency Action Plan

As I'm sure you all remember, I moved the Climate Emergency motion at Full Council last November. All parties voted for it, including the Mayor. The motion called on the Mayor to pledge to make Bristol carbon neutral by 2030, taking into account emissions from production and consumption.

Some of what has happened since has been encouraging. In the administration's Climate Emergency report, it was proposed to take on one of the Green suggestions: a carbon neutral budget. And expert support will be provided through the Bristol Advisory Committee on Climate Change feeding into the One City Environmental Sustainability Board.

However it is almost a year since we declared a climate emergency, and the UN Intergovernmental Panel on Climate Change told us last year that we had only 12 years to take bold action to prevent a catastrophe – more recent scientific estimates say even less. So I must be frank about this progress update on how the Mayor is tackling this emergency – it's not good enough. Almost a year after declaring an emergency, I would expect to see a lot more in the pipeline than the above plus plans to update council web pages, develop a comms strategy and provide some training.

We already know there are things we can get started with right away in Bristol without having to wait for government support. Some of them cost nothing – using our influence to oppose the airport expansion, or support divestment of pension funds from fossil fuels. Some of them are already in progress, like our housing insulation programme, but will need to be radically stepped up to meet our 2030 target. And many of them have cross-party support thanks to the work of the 2030 Cross-Party Working Group. However very few of them can be done overnight, so if we are going to respond to this emergency, we have to get started on them as soon as possible.

So I ask all of you, as members of this Scrutiny Committee, to call for real action from the administration as a matter of urgency, starting with the actions already agreed by the Cross Party Working Group. You all voted to declare a climate emergency – this is what it means.

Thank you



Statement 2: John Bradfield

Statement:

I would like to make a statement about the relationship of your **Harbour Review** to the following:

- BCC Strategic City Transport's recently released **Western Harbour Proposals**.
- The **Cumberland Basin Flood Risk Assessment**, and
- The proposed **Strategic Transport Study** by West of England Combined Authority.

For us - the local residents:

All of these have serious implications. We would like to make a positive and constructive contribution. But

Problem:

We are confused by the lack of clarity concerning the relationships between the various committees.

Most urgently for this evening:

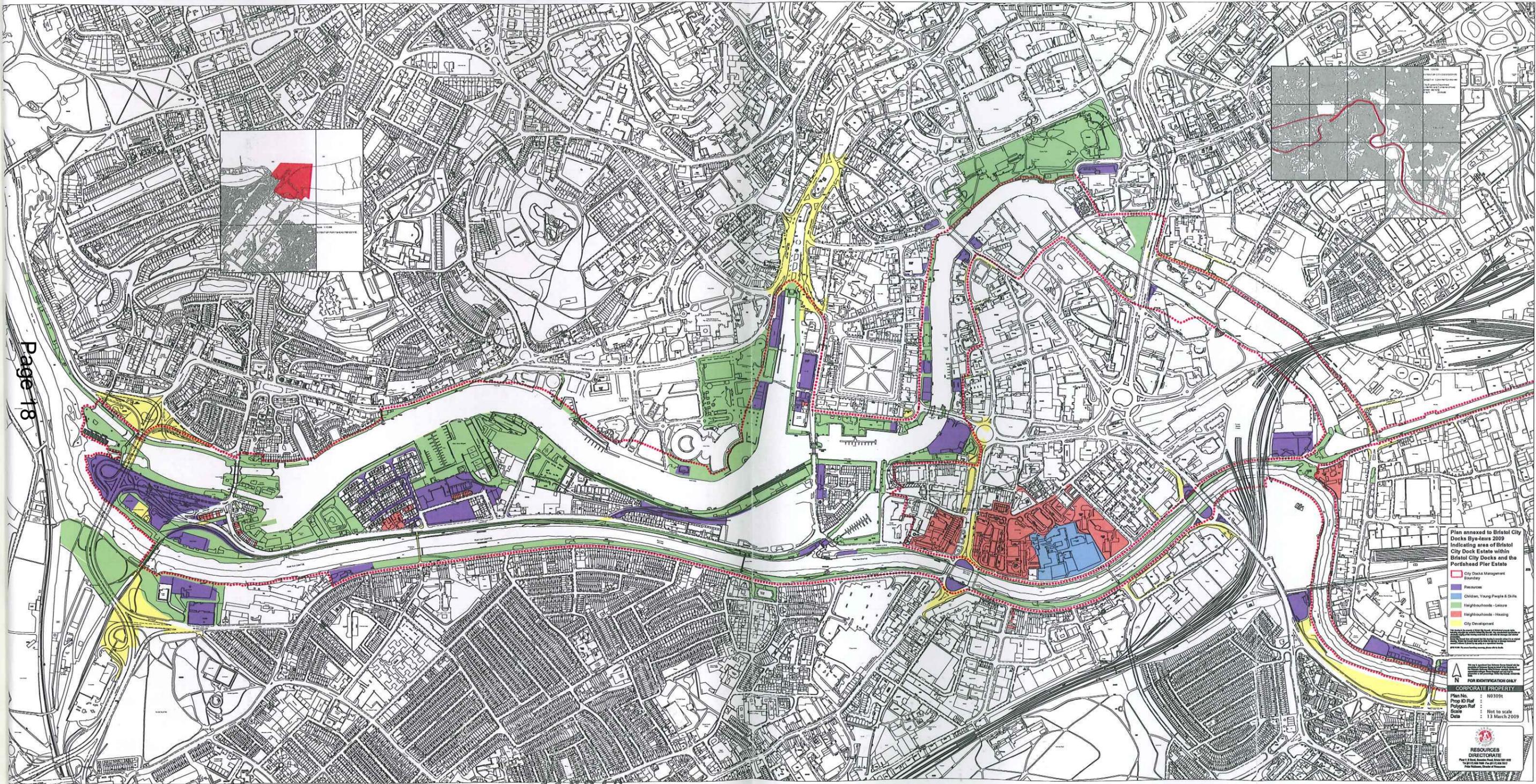
We need clarification about the relationship between

- Your **Harbour Review** and
- BCC's **Western Harbour Proposals**.

Thank you.

John Bradfield. Hotwells





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2 and 04
 Duty Authorised Officer

Plan annexed to Bristol City Docks By-law 2009
 Indicating area of Bristol City Dock Estate within Bristol City Docks and the Portishead Pier Estate

- City Docks Management Boundary
- Resources
- Children, Young People & Skills
- Neighbourhoods - Leisure
- Neighbourhoods - Housing
- City Development

FOR IDENTIFICATION ONLY

Plan No. : N03051
 Prop ID Ref :
 Polygon Ref :
 Scale : Not to scale
 Date : 13 March 2009

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