

# Bristol City Council

## Minutes of the Growth and Regeneration Scrutiny Commission



27 November 2023 at 5.30 pm

### Members Present:-

**Councillors:** David Wilcox (Chair), Andrew Varney (Vice-Chair), Tim Rippington, Emma Edwards, Jenny Bartle, Mark Weston and Kevin Quartley

## 1 Welcome, Introductions and Safety Information

The Chair welcomed everyone to the meeting. Health and safety information was provided.

### Officers in attendance were as follows;

- John Smith, Interim Executive Director, Growth and Regeneration
- Alex Hearn, Interim Director: Economy of Place
- Simone Wilding, Chief Planner, Head of Planning Services
- Felicity Williamson, Strategic Intelligence and Performance Advisor
- Jason Thorne Service Manager, City Centre and High Streets
- Anesa Kritah, Head of Economic Development
- Matthew Sugden, Principal Flood Risk Office
- Shaun Hartley, Project Director, Bristol Avon Flood Strategy, Working with Bristol City Council
- Johanna Holmes, Scrutiny Coordinator

### Also in attendance:

- Councillor Nicola Beech, Cabinet Member for Strategic Planning, Resilience and Floods

## 2 Apologies for Absence and Substitutions

- Cllr Marley Bennett is a Cabinet Member and no longer a member of the Scrutiny Commission.



### 3 Declarations of Interest

There were none.

### 4 Minutes of Previous Meeting

The minutes of the meeting on the 28th September 2023 were agreed as an accurate record.

### 5 Action Tracker

All actions with the exception of the final action (12. Temple Quarter Regeneration Programme Update - biodiversity net loss) were agreed as complete. It was agreed that action would remain on the tracker until a full response was received.

### 6 Chair's Business

There was none on this occasion.

### 7 Public Forum

Public Forum for this meeting can be viewed [here](#).

#### Public Forum Questions:

Of those who submitted questions the following were in attendance to ask supplementary questions:

#### Rob Bryher supplementary questions;

PFQ4: In reference to the written response provided and the noted 12 enquiries about pavement licences/parking bay suspension, Rob Bryher asked how when all the different demanding priorities were factored in, was it possible to help anyone with this type of enquiry and what happens when this is asked for?

**Reply:** Officers said there was a system in place where chairs and tables could be put out within a pedestrianised area as long as there is enough space. However, this was more difficult to permit when there isn't a pedestrianised area in place already.

PFQ5: In reference to the written response previously provided; what were 'vehicular rights' and what rights do people have to park their cars on the road, is there actual legislation to say that?

**Reply:** Interim Director: Economy of Place, said that this was really less about 'rights' and more about what is permissible, enforceable and regulated on the different parts of the highway.

PFQ6: Using Church Road as an example of a key arterial route and local high street; was it possible to influence there being more space taken away from cars being parked on the road and more space being given over to the priorities of local pedestrians?

**Reply:** Officers said there were some potential plans for the area in the pipeline such as changes to the carriageway but it was suggested that the question would be better to directed to transport and highways colleagues.



PFQ7: Using Church Road as an example of a busy key route in and out of the City what can be done to mitigate this and make it a more liveable space?

**Reply:** Church Road provides more than one role for the City and is key to keeping the City moving. If it were made harder for vehicles to pass through, it would have improved air quality, but there was a balance to strike. Church Road had been part of recent discussions about mass transit and whether it should be fully segregated or not, but it was a complex issue.

Jo Sergeant (On behalf of Save the Giant Goram Campaign) supplementary question; Jo Sergeant said that her original question had been related to what she described as the 'wilful neglect of pubs and protecting those awaiting planning decisions or those that had already been refused'. She asked if anything would change in terms of the viability of reports on them, were they going to be independently verified, and how wilful neglect could be dealt with to avoid situations where they are unlawfully demolished. Also, could compulsory purchase orders (CPO) be used in areas where community hubs and support was needed?

Officers said there was some strengthening on the points raised in the emerging Bristol Local Plan but until that was adopted, which was still quite some time away, it carried very limited weight. But the intention was to strengthen the policy in this area. It was added that there had been some previous decisions by the Planning Inspectorate at appeal where they had supported keeping 'community use' of pubs but each case was treated on its individual merits, so it was not possible to generalise what this might mean in future. It did however provide some pointers in terms of what evidence would be required in order to defend such proposals going forward.

It was also added that the Government were looking to bring in some high street rental options which would give local authorities some powers to make property owners or landlords that are not using the property use them for rented accommodation again. But it was not yet clear what kind of mechanism or powers would result from this. Officers were watching developments on this with interest.

#### **Public Forum statements:**

The Ashton Vale Bus Users Campaign Group; were in attendance and Bernice McKendrick read aloud a statement from the Group. In summary the statement raised a number of issues including, how the West of England Combined Authority (WECA) was using funding for public transport, particularly bus service provision and recent cuts to the services. The cuts to bus services in some areas was said to be having a detrimental effect on many people's lives and in some cases meant people were now housebound.

John Smith, Interim Executive Director, Growth and Regeneration thanked the Group for taking the time to come to the meeting and make their statement. Officers said they would follow up on this with and see what could be done. It was confirmed that it was possible for companies other than First to run bus services.

David Redgewell attended to read his statement and ask supplementary questions to his original questions as follows;

- It was said that each year the relevant West of England local authorities (LAs) should undertake public consultation on the funding given to WECA for the Transport Levy. This was said to be a legal requirement and the funding should not be 'handed over with no questions asked' and negotiations should take place on what it would be spent on. What progress was being made with regards to this year's Transport Levy and the consultation?
  - Officers said they expected the Combined Authority, as the Transport Authority, to host any consultation but they would look into what would happen this year. It was confirmed that funding



for the Transport Levy was included in the Council's 2024/25 budget proposals. **ACTION: Officers agreed to provide information about what progress was being made with regards to this year's Transport Levy and any consultation.**

- Would the current work with the other four unitary authorities continue after the local elections in May?
  - The Interim Director, Economy of Place confirmed that work would continue with the other West of England authorities and the Combined Authority after May.

## 8 Quarter 1 Performance Report

The Quarter 4 Performance Report was introduced by Felicity Williamson, Strategic Intelligence and Performance Advisor.

The Chair asked a number of questions about the information being reported on the Transport and Connectivity theme as follows:

- From Q4 to Q1 the overall RAG rating progress had changed from red to green. Which was initially quite surprising. However, it was requested for consistency purposes if it could be agreed going forward, that performance reporting should track a project through from start to finish, which isn't currently the case. Also, if what is being measured has changed, it should clearly say so in the report. The Strategic Intelligence and Performance Advisor said they agreed, this was a valid point. But the challenge here was the annual cycle of the Business Plan, because Q4 related to the 2022/2023 and Q1 related to the 2023/2024 Business Plan. So, the actions were now different and included a new set of metrics.
- The reference numbers had changed which made it very difficult to track the progress of actions over time. Some actions no longer existed with no explanation of why. Which meant some things that were being tracked were not now. This all meant it was very difficult to take a long-term view of any progress that was or wasn't being made. The Strategic Intelligence and Performance Advisor said that the numbers were however unique to each individual annual Business Plan. The Chair replied that the issue was more about trying to track actions that hadn't been completed Q4 and then subsequently not being able to continue to track actions and projects across to the next municipal year. Officers did concur that this was an issue to be resolved if the actions and numbers assigned were only relevant to that particular year. They were however, just starting to plan for next year's business planning process so would feedback this issue. Other Members concurred about the importance of being able to track the progress and performance of long-term projects across multiple years.

A Member said they were generally positive about the new performance dashboard and said it was helpful. There were still said to be some issues to be ironed out such being able to easily navigate the system but that was partly Members learning how to use it rather than the system itself.

A discussion was had about why some themes show overall progress as green when some actions within that theme were showing as red. It was said that each Director makes a judgment on what status or colour the theme should show as. But it was about best overall fit for that theme rather than the individual picture. This was the first time this had been used and officers were picking up issues to feedback so they could make some things clearer going forward.



A Member asked about the delivery of major infrastructure works across the city which were very large and complex. In future, will Members be able to drill down further into the themes and the detailed information about individual projects and be able to see if they are on track or delayed etc?

The interim Executive Director agreed that it was complex and provided some examples such as the Portway Park and Ride was showing as red when it had been completed. With regards to the Bath Road works the Council had asked WECA to help and this had resulted in being able to re-baselined figures. This is part of the normal process for completing large projects and makes them much more deliverable. It was agreed that at the Commission's next meeting this level of detail would be provided for the major infrastructure works as part of the Capital Programme Update.

Members reiterated the importance of being able to track and monitor projects over time and for the performance information to be more transparent.

Officers said if there was specific information that that Members weren't able to track across from Quarter 4 to Quarter 1 they could look into this and bring the information back if Members requested it.

## 9 City Centre & High Streets Recovery and Renewal

Jason Thorne, Service Manager, City Centre and High Streets took Members through the published report. The City Centre & High Streets Recovery and Renewal programme was delivering over £7m investment across the city, to safeguard and create businesses and employment opportunities. The Service Manager outlined some of the support that had been provided to businesses, and some of the events that had been facilitated and provided some examples of street scene and greening in priority high streets. Engagement on draft designs for six of the priority high streets was underway and the plans were on the internet and could be commented on until the 10<sup>th</sup> of December.

The following points were discussed with Members;

- How much liaison was there between this work and highways officers? Was it linked up?
  - Officers said that Transport and Highways Officers were on the City Centre & High Streets Programme Board where they provide advice and approve planned interventions on highways. The team are also engaged with other teams across the Council to discuss and agree activities and identify and potential challenges and opportunities.
- A Members asked about street scene projects that were being planned and the timescales that were proposed for completion. With the current difficulties of getting contractors and materials, was it likely the originally proposed timescales would now be pushed back?
  - Officers said they were doing preparation work to get it up and running but agreed the timescales were now ambitious.
- 'Greening businesses' (P44 of pack), could officers provide more information about this?
  - The Interim Executive Director said some existing business had growing concerns about their viability. This was said to be a way of providing support them and helping them to identify match-funding that could enable them to do more in this area. It was also about helping business to reduce some of their costs. The Head of Economic Development said in addition, and as part of the support programme, small grants are also available etc to help the increase green practices such as packaging.
- A Member asked about the Vacant Commercial Property Grant Scheme, how much had been spent before it had finished in October?



- Officers said the scheme had now been extended until March 2024 because there was still some unallocated funding available. It was confirmed that £1.3m had been allocated for the grants to support small businesses, sole traders, charities, community interest companies (CICs) and arts and culture groups.
- The potential new mobility hub at The Galleries (P45 of pack). Was there a timescale for this?
  - Officers said this was still at the planning application stage and timescales were still unknown. The Chair suggested as cycle theft was said to be endemic, that in the meantime some vacant shop units could potentially be utilised for cycle storage.

The Chair thanked officers for the report and positive discussion.

## 10 Planning Service Update

John Smith, Interim Executive Director, Growth and Regeneration, introduced the item to Members and provided some background and context to the main challenges and pressures with regards to the Planning Service. These were said to be exacerbated by budget pressures and the recruitment freeze in late 2022.

The Director then introduced Alex Hearn, Interim Director: Economy of Place and Simone Wilding Head of Planning Services who were already said to be making a positive difference. However, although things were showing signs of improvement this was still a fragile recovery.

The Interim Director: Economy of Place said the national context needed to be acknowledged and that many local authorities had been struggling for at least a decade. Also, nationally there were not enough trained professional planners available to recruit and the Council had struggled to compete in the labour market. The team consisted of hard-working officers that want to do a good job and the situation was being taken very seriously at both officer and Director level.

The Chief Planner then presented the published slides to the Members. Some of the key points were as follows;

- Detailed information about the key causes of delays such as resourcing and productivity.
- Actions taken since May 23 (when the Head of Planning Services started in post), to rebuild capacity in the team and shortening the time taken to make decisions.
- Further information about recruitment and retention issues and long-term solutions to help resolve those issues.
- Officers were said to be spending valuable time responding to Freedom of Information (FOI) requests and complaints. The plan was to reduce the number of those so that productivity could increase.
- There was a risk that the Council could find itself being put in special measures unless it could clearly demonstrate that has a clear and achievable plan for improvement.
- Improvements were being made and the current backlog with regards to applications and decisions was continuing to reduce.
- Short and long-term plans to increase the capacity of the team, ensure sustainability of resources and enable speedy, pragmatic decision making.



- Central Government had brought forward the fee increases to 6<sup>th</sup> December. This would increase the income but would also bring higher expectations of what should be delivered. It was confirmed the increases would be 35% for major applications and 25% for non-majors.

The following points were discussed and questions asked:

- Members asked about the aspiration by June 2024 to double productivity and increasing capacity. Was this a real possibility and would it require more people to do the work?
  - It was said to be a mixture of both. Although the doubling of productivity was aspirational it was already showing to be substantially better than it previously had been a short while ago which was encouraging. But whilst there would be an increase in fees there had also been a slight tailing off of applications, and so balancing the financial side of things to ensure the service received the right budget was quite tricky.  
The wider economic conditions did have an impact on the number of applications received but bringing forward the fee increases would help. However, there was now the added risk of refund, which was what the aforementioned 'higher expectations' referred to. Also, this is not ringfenced funding so there is no obligation for the Council to keep the funding within the service.
- A Member asked about the aforementioned freeze in recruitment and asked had there not been some sort of warning about the likely impact on the Planning Service?
  - The Interim Executive Director said the recruitment freeze was applied right across the Council but at the time the Planning Service wasn't singled out as an area where it would have such a significant impact.
- It was asked if Bristol City Council was the only local authority in the west of England that doesn't pay planners professional fees?
 

Officers said it was not the only one as far as they knew. It was however highlighted with regards to recruitment and retention issues that the Council was also competing with buoyant private sector and it needed to show that it can offer a competitive package to employees.
- A Member asked what system was currently in place to deal with high numbers of applications, for example was there a triage system in place?
  - Officers said yes that type of system was already in place. They were also increasingly looking to use the filters that are in the application management system to help streamline and speed up the process, for example grouping applications that had no objections so that they could be dealt with more quickly. But there were a number of competing pressures involved here and doing that could mean other applications not being dealt with in the correct timeframe. This in turn can increase the risk of non-determination appeals which means more work for the team and decisions are being taken out the Council's hands.
- A Member said they understood there were numerous reasons that could warrant fast-tracking applications but it was important to retain transparency and not lose the public's trust. What could be done about this?
  - Officers said they receive lots of valid requests from various parties about fast-tracking applications and they try to be as accommodating as possible but they cannot allow the system to be abused either. The Service was in the process of overhauling the messaging that's put online and so as to be as clear as possible about prioritisation processes. The current situation demonstrates the myriad of impacts and consequences a 'broken' planning service creates across the board and how important a well-functioning planning authority was to a council. In the next two to three weeks a new update would also be put on the website which would make it clearer what the waiting times were for respective applications.
- A discussion took place about the modelling of potential increased productivity and if the levels on the graphs were really feasible?



- Officers said the information the modelling was based on was only available relatively recently and so their understanding was still growing very quickly in this area. There were still many decisions to be made about what was best, particularly in the longer-term, to maintain sustainability and also for example, make sure the graduates knew there were development opportunities and feel valued in the team and looked after.  
The Member said they agreed with that but they were sceptical it was possible to raise the productivity of the whole team by a third.  
Officers said it was fortunate there were more of what could be described as straightforward applications for the new members of the team to pick up which would help the productivity levels and waiting times.

The Chief Planner said that it was crucial for the service to get to a sustainable position. The situation had been going on for a considerable time but officers were confident they were on the right path now and the service would improve.

The Interim, Executive Director reiterated how important the Planning Service was and that this clearly demonstrated that no more funding could come out of the service in the foreseeable future and that any further savings would be counterproductive.

The Chair thanked officers for their time and the helpful discussion.

## **11 Bristol Avon Flood Strategy**

Councillor Nicola Beech, Cabinet Member for Strategic Planning, Resilience and Floods provided some context by highlighting the links between the Bristol Avon Flood Strategy and local spatial strategies for urbanisation and building on brownfield land in the City Centre. The Flood Strategy was therefore said to be intrinsically linked to the Council's ability to deliver its Local Plan.

Shaun Hartley, the Project Director for the Bristol Avon Flood Strategy briefly took Members through the published slides. Which focussed on the following;

- Strategic Approach; Wider ambition, responding to numerous city challenges
- Indicative timeline, including the January 23<sup>rd</sup> 2024 Cabinet approval of the Outline Business Case (OBC).
- Key issues of planning, funding, timing, consultation

This was said to be an important time for what was described as a crucial project. Currently, 1,300 existing properties are at risk of severe flood and if nothing was done that figure would rise to approximately 4,500 by the end of the century.

Flood risks were also said to be constraining development in the City and so further flood defences were needed if the City were to reach its ambitions. They were also a vital part of ensuring the resilience of the whole City region.

With regards to funding there remained a significant capital funding gap, and as expected there had been upward pressures on costs over the past few years. Officers were still working on the increased costs figures and the implications of these on the business case. In attempt to try and close the funding gap they were continuing to explore opportunities with other local authorities and WECA.





The following points were discussed and questions asked;

Members asked for clarification on the different sources of the funding. It was said that funding would come from various sources. It was confirmed that a significant proportion of capital costs would be funded from grant aid which was administered by the Environment Agency (EA) on behalf of DEFRA. Last October the Council had committed just over £20m of future CIL towards the capital costs, £10m from reserves and £10m from the Economic Development Fund had been identified. It was thought that some additional Community Infrastructure Levy (CIL) funding would also be required.

The Interim Director of Economy of Place said this could be delivered compartmentally but there was still a need to have some certainty about the funding. CIL was tied to developments and only available in tranches and so more stability was needed. It was also necessary to get more from the projects such as housing and workspace and therefore the Council would look to the development industry to make contributions. It would therefore take a cocktail of funding sources to fund this.

A Member asked for clarification about the actual financial figures involved, half the funding had been identified but how much was that? Officers said when the OBC work was complete they would be able to provide the figures but it was currently estimated that construction costs would be around the £216m.

A Member asked about 'piece-meal' developments that were said to be causing missed opportunities, and the importance of not letting developments that have already happened stop the Council from protecting them going forward. It was said the Local Plan could help steer future and current developments. It wasn't in any way about stopping development, it was about steering it towards working with the Council on pre-applications and finding solutions. That was the message that was being put out but it was also important that developers kept up with and are clear of the Council's expectations.

A Member asked about being reactive because it was not known what speed the climate would continue to change; so was there a degree of flexibility within the plans if things needed to be brought forward? In reply it was said that in terms of what the strategy needed to do, it was important to ensure mitigations works were completed first, but they would also be guided by when it's possible to build out in certain areas, on the proviso that they were not going to cause detriment at any point. The phasing and understanding of the key constraints were said to be a key part of the master plans and how the strategy could be delivered over time.

It was asked what modelling scenario was being used to design the flood prevention schemes because it looked increasingly likely that global temperatures would increase by 1.5C earlier than had been hoped. At what point would it be necessary to alter the current plans? Officers said they used an adaptive approach and worked closely with the EA and the modelling that they provide which is kept up to date. The maps are online and the information feeds into the plans.

## **12 Local Flood Risk Management Strategy**

Matthew Sugden, Principal Flood Risk Officer, briefly introduced the item to Members. The difference between the two flood strategies was explained and it was said that the Local Flood Risk Management Strategy was updated every four to five years.



Officers provided some examples of the work that had been carried out since April 2023 (when the Strategy was last taken at Scrutiny in March 2023). These examples demonstrated what work was being done and how things were being delivered, against national ambitions and local objectives.

Members asked the following questions;

- How closely did the Flood Risk Officers work with and communicate with neighbouring local authorities (LAs) on managing surface water on new housing developments? A Member said a recent situation in their ward suggested this hadn't happened. Officers said that they communicated regularly with colleagues in other LAs, especially South Gloucestershire on new housing developments which had been mentioned. There were said to be large water storage areas or basins near the Cribbs Patchway New Neighbourhood (CPNN) development to mitigate the impact of the development on neighbouring communities in Bristol. Other examples were provided by officers and there was said to be a lot of joint cross-border working taking place.
- A Member asked about the maintenance of culverts and ensuring they can handle the flow of water. An example was given where eventually it was discovered flooding was being caused by a culvert being blocked with years of rubbish. What maintenance took place to ensure they weren't blocked? Officers said they should be inspected on a six yearly cycle. But depending on the circumstances they can become blocked very quickly. Unfortunately, it can also sometimes be disputed in terms of ownership who has responsibility.

### 13 Work Programme

The Work Programme was noted.

It was agreed that the Lead Members would discuss items in the 'to be scheduled' section at the next Agenda Planning Meeting.

Meeting ended at Time Not Specified

**CHAIR** \_\_\_\_\_

