



Summons to attend meeting of Full Council

Date: Tuesday, 13 September 2016

Time: 6.00 pm

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

To: All Members of Council

Please note: Councillors are reminded that before this Full Council meeting, a member forum (questions from councillors to the Mayor/executive and statements from councillors) will be held from 5.00 – 6.00 pm.

Members of the public attending meetings or taking part in public forum are advised that all Full Council are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

Issued by: Ian Hird, Democratic Services

City Hall, PO Box 3167, Bristol, BS3 9FS

Tel: 0117 92 22384

E-mail: democratic.services@bristol.gov.uk

Date: Monday, 5 September 2016



Agenda

1. Welcome and safety information

(Page 11)

2. Apologies for absence

3. Minutes of previous meeting

To agree the minutes of the previous Full Council meeting held on 19 July 2016 as a correct record. (Pages 12 - 22)

4. Declarations of interest

To note any declarations of interest from the Mayor and councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a **disclosable pecuniary interest**.

Any declaration of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.

5. Lord Mayor's business

To receive and note any announcements from the Lord Mayor.

6. Public forum (public petitions, statements and questions)

Please note:

Up to 30 minutes is allowed for this item.

Public forum items should be e-mailed to democratic.services@bristol.gov.uk

Public forum items can be about any matter the Council is responsible for or which affects the city.

Please note that the following deadlines apply to this meeting:



a. Public petitions and statements: Petitions and written statements must be received by 12 noon on Monday 12 September 2016 at latest. One written statement per member of the public is permitted.

b. Public questions: Public questions must be received by 5.00 pm on Wednesday 7 September 2016 at latest. A maximum of 2 questions per member of the public is permitted.

7. Petitions notified by councillors

Please note:

Up to 10 minutes is allowed for this item.

Petitions notified by councillors can be about any matter the Council is responsible for or which directly affects the city.

The deadline for the notification of petitions to this meeting is 12.00 noon on Monday 12 September 2016 at latest.

8. Petition debate - "Save the 51 bus"

To debate a petition that has reached the 3,500 signature threshold to qualify for a Full Council debate.

(Pages 23 - 24)

9. Appointment of statutory officers: Head of Paid Service and Statutory Scrutiny Officer

To consider the appointment of the authority's Head of Paid Service and Statutory Scrutiny Officer.

(Pages 25 - 27)

10. Appointment of Returning Officer and Electoral Registration Officer

To consider the appointment of the authority's Returning Officer and Electoral Registration Officer.

(Pages 28 - 31)

11. Licensing Committee - membership changes

To note and approve changes to the membership of the authority's Licensing Committee.

(Pages 32 - 33)



12. Information report - Exception to call-in procedure

To report, for Full Council's information, an exception to the call-in procedure (decision taken at Cabinet on 29 June 2016 in relation to the Combined Authority and Devolution proposals).

(Pages 34 - 36)

13. Information report - ACORN's ethical lettings charter

To note the Council's endorsement of ACORN's ethical lettings charter.

(Pages 37 - 69)

14. Motions

To consider motions as follows:

1. Bristol Arena traffic plan

"This Council confirms its continuing support for the Bristol Arena and looks forward to it being delivered on time and within budget. Nevertheless, there is still considerable concern over the potential impact of this 12,000 capacity entertainment venue. Without appropriate mitigation measures in place, the opening of this site could have a devastating effect on the quality of life of local people.

Therefore, Council calls on the Mayor to instigate a review of the Traffic Management and Transport Plans, making particular reference to parking provision for those who will still choose to travel there by car. In addition, attention needs to be given to ensure there will be adequate Bus and Taxi services for the anticipated large audiences, many of whom are likely to be young - and excitable. The safety of such vulnerable patrons must be made a priority consideration.

This evaluation should also take into account the redevelopment at Ashton Gate. Council believes that the options surrounding rail and a new station servicing both the stadium and the Arena need to be fully explored to ensure this is in the public transport mix or offer.

These two welcome major leisure destinations are extremely important to our city. However, such attractions must be carefully integrated so that they are a benefit to all and not a burden to those who happen to live or work in their immediate vicinity."

Motion to be moved by: Cllr Mark Weston



2. Opposing forced academisation

“Bristol City Council notes that, despite significant opposition from professionals across the political spectrum to the proposals in the White Paper, *Educational Excellence Everywhere*, (March 2016), the Government has reiterated that it wants all schools to become academies within multi-academy trusts (MATs) by 2022. This Council further notes the Government plan to force schools to become academies if they are considered to be ‘under-performing’ or even, in some cases, just ‘coasting.’

Bristol City Council notes with concern that if the Government deem that a local authority can ‘no longer viably support its remaining schools because a critical mass of schools in that area has converted’ this will trigger conversion of all its schools.

As a Council we note Cllr. Roy Perry, Conservative Chair of the LGA opposition to forced academisation and welcome his view that ‘schools should have the choice to stay with their own Council’.

As a Council we recognise forced academisation will not only take away the LA’s ability to plan strategically and carry on supporting our schools in their successful journey of improvement, but will also remove the power from those who have the best knowledge of the school (the Head, staff and parents/carers) to determine how they want to be governed.

We believe that these plans:

- **Are not a good use of scarce resources.** The NUT estimates the cost of forced academisation to the taxpayer as high as £1.3 billion, at a time when funding per pupil in real terms is set to fall by as much as 8% per cent or more, and Bristol is likely to experience reduced funding due to the new National Funding formula, alongside a cut in the Education Services Grant.
- **Will not improve standards.** Ofsted judged around 81% of local authority maintained schools as good or outstanding, compared to 71% of academies. Even the House of Commons Education Select Committee (2015) says ‘We have sought but not found any convincing evidence of the impact of academisation on attainment’.
- **Reduce accountability to the community.** Academies will no longer be required to have elected parents on their governing body. (They are already not required to have staff, local authority or community representatives if they do not want to).
- **Will have an adverse impact on teachers’ pay and conditions.** Academy trusts or individual academies will make decisions at a school level and can vary salary levels and terms of employment



and employ unqualified staff.

- **Make it harder for the LA to plan strategically for the new school places** we need, as we cannot open new maintained schools and are dependent on proposals for Free Schools to emerge-not necessarily in areas where they are needed.
- **Perpetuate inequality in admissions processes.** Academies are their own admissions authorities, and the Office of the Schools Adjudicator (2015) reported concerns that they can manipulate them to their own ends. There are fears that the ground is being prepared to allow for new grammar schools.
- **Make it harder to plan for vulnerable children.** The LA has limited powers to influence the support given to children with SEND, preventing exclusions etc.in academies.

Bristol City Council therefore resolves to:

- State its clear opposition to the Government’s proposals outlined in the White Paper and will work with other Councils, trade unions, parents and governor groups to campaign to oppose them.
- Write to all its maintained school governing bodies to state its position and to urge them not to rush or feel pressurised into converting to academy status.
- Explore the options for developing alternative models to MATs (such as the Schools Partnership in Tower Hamlets, Leeds Cooperative Primaries Academy).
- Highlight the Council’s position on the White Paper in briefings for Heads, school staff, governors and parents/carers.”

Motion to be moved by: Cllr Ruth Pickersgill

Note:

Under the Council’s constitution, 30 minutes are available for the consideration of motions. In practice, this realistically means that there is usually only time for one, or two motions to be considered. With the agreement of the Lord Mayor, motion 1 above will be considered at this meeting, and motion 2 may be considered subject to time. Details of other motions submitted (which, due to time constraints, are very unlikely to be considered at this meeting) are set out below for information:

3. Bus services and public transport

“This Council notes that the delivery of the Greater Bristol Bus network produced a significant improvement in reliability of public transport



leading to an increase in usage and a considerable increase in profitability and potential profitability of bus services in Bristol.

We note that the last administration failed to deliver a single new transport infrastructure project or initiate new schemes for the future. It also managed to increase the cost of the rapid transport scheme and delay its implementation so we currently suffer from congestion rather than a new service.

We note though with even more concern the current inability of the present administration to cope. This has been evidenced by the disastrous cuts in bus services, the inability to run our existing park and rides and the failure to properly deploy the metro bus infrastructure.

This Council calls for an urgent all party investigation before the position is made even worse by further decimation to our bus services resulting from the supported services review.”

Motion submitted by: Cllr Gary Hopkins

4. Bristol should take the lead on opposing central government cuts

“Council notes with horror the latest round of up to 1,000 job cuts announced by the Mayor and his administration, as a result of George Osborne’s austerity ideology.

Council notes that Bristol has already delivered multiple millions of pounds of cuts to its budget over the last six years. However, we believe it is not possible to make the level of savings demanded by central government between now and 2020 without seriously damaging the public services that Bristol residents rely on.

Given that the council has a duty to deliver a balanced budget, Bristol cannot challenge central government cuts alone. It is therefore time for Bristol to play a leading role in working with others to say the upcoming cuts are a cut too far.

Council calls on the Mayor to:

1. Take a leading role in working with other core cities and authorities to show a united front in opposing the appalling cult of austerity.
2. Work with local politicians, business, unions, community groups and other sectors to lobby government for a change to our funding.
3. Report back to Council on the progress made on the above before Christmas.”

Motion submitted by: Cllr Charlie Bolton



5. Housing standards in Bristol

“Council welcomes moves by the Mayor and Cabinet to seek to increase the amount of housing and especially affordable housing being built. Council further welcomes proposals to set up a housing company.

Council is concerned that the pressure to build housing could result in a substantial increase in Bristol’s carbon footprint. Council is further concerned that ill-thought out development could result in a range of social (and financial) problems in the future.

Council notes that the housing company in particular gives council the opportunity to:

1. Build housing to the highest possible environmental standards – housing should be built to passivhaus house standard or nearest achievable equivalent.
2. Ensure that any new developments take into consideration long term public health impacts on its residents and the wider community, drawing on the wide expertise available in the Bristol area to create healthy places.

Council therefore calls on the Mayor to enshrine these principles in housing policy going forward and that he should report back to Full Council detailing how these will be achieved.”

Motion submitted by: Cllr Charlie Bolton

6. Prince Street bridge

“Council is concerned over the latest attempt to get motorised transport barred from using the Prince Street Swing Bridge when it eventually reopens after extensive refurbishment.

Since the closure in August 2015 of this crucial crossing point over the floating harbour, travel in this part of the city has significantly worsened, with traffic often brought to a complete standstill for long periods throughout the day but particularly during early morning and evening commutes.

Uncertainty over the future of this bridge was meant to have ended in March when the previous City Mayor gave a public assurance that, once restored, it would continue to cater for all types of road-user (including light vehicles) because of its strategic importance to the road network.

Accordingly, Council calls on the Mayor to confirm that this is still the position today and that campaigns to secure its closure to motorists are



not only an unwelcome distraction but are actually detrimental to efficient transport planning in our city.”

Motion submitted by: Cllr Graham Morris

7. ‘Moat’ promise

“Council calls on Mayor Rees to finally introduce a tenant reward scheme based along the lines of the already nationally well established ‘Moat’ principles.

Many other local authorities and partner housing associations are already reaping the benefits of such a strategy which is aimed, primarily, at promoting positive behaviour. This seeks to motivate tenants by giving them a range of incentives or, where appropriate, applying sanctions to ensure compliance with the conditions included in their tenancy agreements.

The ‘Moat promise’ operates a banding system which recognises good conduct such as having no (unjustified) rent arrears or ‘involvement in anti-social behaviour for one year’ by offering a faster and more comprehensive repairs service. Conversely, downgraded tenancies result in the provision of mere basic services or meeting the bare minimum requirements of legal obligations imposed on social landlords. It is envisaged that only serious or unreasonable breaches of tenancy conditions should attract such penalties.

Council is concerned that despite repeated campaigns over the years for a tougher stance to be adopted against nuisance or anti-social tenants, no practical steps or action has ever been taken to tackle this issue.

Consequently, Council requests that housing officers are tasked with preparing a report setting out all of the options available to the Mayor, which should then be submitted to the relevant scrutiny commission for consideration and comment, before this Council takes a final vote on the preferred route forward later in the autumn.”

Motion submitted by: Cllr Lesley Alexander

8. Community infrastructure levy formula

“This Council calls on the Mayor to establish a formulae or formal mechanism for the redistribution of so-called planning obligations money to those wards which experience large-scale building of new social housing.

The Community Infrastructure Levy (CIL) is a planning charge used by



local authorities to help deliver infrastructure improvements needed to support the development of an area. At present, around 80% of money raised in this way is held centrally for contributions towards generic projects. Currently, only 15% of such funds are actually allocated to Neighbourhood Partnerships and spent on local schemes.

Council recognises the Mayor's plan to build 2,000 homes – 800 affordable – by 2020 will impose a greater burden in terms of loss of space and disruption on some parts of the city than others. Accordingly, this sacrifice needs to be acknowledged and financially compensated.

Council believes that such a move is not only equitable in and of itself; this would also help to address the concerns of residents and make them much more likely to support such developments in their midst."

Motion submitted by: Cllr Mark Weston

Signed



Proper Officer
Monday, 5 September 2016



THE LORD MAYOR

J Lovell

Mayor M Rees

COUNCIL CHAMBER SEATING

ALDERMAN			
ALDERMAN	M Davies	H Jama	
	K Dudd	H Godwin	C Johnson
ALDERMAN	M Langley	F Breckels	P Smith
	J Sergeant	O Mead	A Craig
ALDERMAN	D Alexander	B Clark	C Cheney
	N Beech		E Tincknell
ALDERMAN	P Goggin	C Jackson	M Hickman

Page 11

ALDERMAN	L Whittle	M Brain	H Holland
	J Wellington	S Khan	M Bradshaw
ALDERMAN	H Bradley	S Pearce	M Threlfall
	N B.-Jones	C Phipps	R Pickersgill
ALDERMAN	T Brook	G Kirk	B Massey
		A Keen	A Shah
ALDERMAN			

H Clough	G Hopkins	C C.-Smith	
Flexible LD seat	T Kent	C Davies	
	A Negus	M Wright	
R Eddy		J Clark	
P Abraham	M Melias		
G Gollop	S Jones		
L Alexander	G Morris	K Quartley	
C Hiscott	L Radford	T Carey	
M Weston	J Goulandris	C Windows	

C Bolton	C Denyer	J Thomas	
C Lake	E Combley	S Clarke	
J English	C Stevens	P O'Rourke	
F Hance	M Fodor		

PUBLIC FORUM REPS / PRESS AREA

PUBLIC GALLERY

Agenda Item 1

Bristol City Council Minutes of the Full Council

19 July 2016 at 6.00 pm



Present: Jeff Lovell, Lord Mayor; Marvin Rees, Bristol Mayor

Councillors: Peter Abraham, Donald Alexander, Lesley Alexander, Nicola Beech, Charlie Bolton, Harriet Bradley, Mark Bradshaw, Mark Brain, Nicola Bowden-Jones, Fabian Breckels, Tom Brook, Clare Champion-Smith, Tony Carey, Craig Cheney, Barry Clark, Jos Clark, Stephen Clarke, Harriet Clough, Eleanor Combley, Asher Craig, Mike Davies, Carla Denyer, Kye Dudd, Richard Eddy, Jude English, Martin Fodor, Helen Godwin, Paul Goggin, Geoff Gollop, John Goulandris, Fi Hance, Claire Hiscott, Gary Hopkins, Chris Jackson, Hibaq Jama, Carole Johnson, Steve Jones, Anna Keen, Tim Kent, Gill Kirk, Cleo Lake, Mike Langley, Brenda Massey, Olly Mead, Matt Melias, Graham Morris, Anthony Negus, Paula O'Rourke, Steve Pearce, Celia Phipps, Ruth Pickersgill, Kevin Quartley, Liz Radford, Jo Sergeant, Paul Smith, Mhairi Threlfall, Estella Tincknell, Jon Wellington, Mark Weston, Lucy Whittle, Chris Windows and Mark Wright

Aldermen/women in attendance: R Griffey, A Massey, J McLaren, C Smith

1. Welcome and safety information

The Lord Mayor welcomed all attendees to the meeting, and made a safety announcement in relation to the fire/emergency evacuation procedure.

2. Apologies for absence

Apologies for absence were received from Councillors Davies, Stevens and Thomas.

3. Minutes - Full Council - 31 May 2016

On the motion of the Lord Mayor, seconded by Councillor Eddy, it was

RESOLVED:

That the minutes of the meeting of the Full Council held on 31 May 2016 be confirmed as a correct record and signed by the Lord Mayor.



4. Minutes - Extraordinary Full Council - 29 June 2016

On the motion of the Lord Mayor, seconded by Councillor Gollop, it was

RESOLVED:

That the minutes of the meeting of the Extraordinary Full Council held on 29 June 2016 be confirmed as a correct record and signed by the Lord Mayor.

5. Declarations of interest

There were no declarations of interest.

6. Lord Mayor's business

Urgent item – Designation of Section 151 Officer

The Lord Mayor informed Full Council that since the original publication of the agenda papers, he had agreed, in consultation with the Mayor and other party group leaders, that an urgent report should be considered at this meeting on the designation of the Council's Section 151 Officer.

A copy of the report had been circulated. The reason for urgency was that the current Section 151 Officer would be leaving the Council's employment shortly and there was a need to ensure that the authority filled this statutory post.

The Mayor then moved the report and the recommendation set out therein.

Councillor Weston seconded the report.

Upon being out to the vote, it was

RESOLVED:

That Annabel Scholes be designated as the authority's Section 151 Officer with effect from 29 July 2016 for an interim period.

On behalf of the Full Council, the Lord Mayor thanked the outgoing Section 151 Officer, Julie Oldale for her work during her employment with the Council.



7. Public forum

Public petitions:

The Full Council received and noted the following petitions:

Petition PP 01 – “Stopping pavement parking”

Petition organiser – Stephen Finch

Petition PP 02 – “Refurbish pedestrian crossing at junction of Two Mile Hill Road and New Queen Street and reduce speed limit from 30 to 20 mph”

Petition organiser – Emma Fenton

Public statements:

The Full Council received and noted the following statements (which would also be forwarded to the Mayor and relevant Cabinet member where appropriate):

Statement PS 01 – Speedwell Baths

Submitted by Mike Baker

Statement PS 02 – Traffic measures and residents parking

Submitted by Helen Murray

Statement PS 03 – Traffic and parking issues

Submitted by Stephen Petter

Statement PS 04 – re: Petition – residents parking

Submitted by Judith Tyler

Statement PS 05 – re: Petition – residents parking

Submitted by Dr Stefan Cembrowicz

Statement PS 06 – re: Petition – residents parking

Submitted by Patricia Kieran

Statement PS 07 – Residents parking, Clifton village

Submitted by Myra Stokes

Statement PS 08 – Devolution deal

Submitted by David Redgewell, Nigel Bray and Jenny Raggett

Statement PS 09 – City Hall

Submitted by Martin Cinnamon



Statement PS 10 – Residents parking, Clifton village
Submitted by Jocelyn Sewell

Statement PS 11 – Secondary school places in Bristol
Submitted by Christine Townsend

Statement PS 12 – Residents parking
Submitted by Huw Wells and Jenny Willbourn

Statement PS 13 – re: Petition – residents parking
Submitted by Andrew Morgan

Statement PS 14 – re: Motion 3 – Impact of Cribbs Patchway New Neighbourhood / new park and ride
Submitted by Martin Garrett

Statement PS 15 – Transport / traffic issues including residents parking
Submitted by Edward Bowditch

Within the time available, statements were presented by individuals present at the meeting.

Public questions:

The Full Council noted that the following questions had been submitted:

Question PQ 01 – Malcolm X community centre
Submitted by Daph Muir

Question PQ 02 – Residents parking – essential workers
Submitted by Daph Muir

Question PQ 03 – Transatlantic Trade and Investment Partnership
Submitted by Wilf Mound

Question PQ 04 – Living Wage Foundation accreditation / pay policy
Submitted by Paul Wheeler

Question PQ 05 – Budget issue – Local Government Association membership
Submitted by Philip Morris

Question PQ 06 – Budget issue – investment in Icelandic bank
Submitted by Philip Morris

Question PQ 07 – Disposal of the freehold of the docks estate at Avonmouth and Portbury docks
Submitted by Alderman Royston Griffey



Question PQ 08 – Clifton village RPZ
Submitted by Brian Latham

Question PQ 09 – Clifton village RPZ
Submitted by Ben Wallbridge

Question PQ 10 – Residents parking
Submitted by Hilary Bright

Question PQ 11 – Traffic congestion, Stockwood
Submitted by Kirsty Harper

Question PQ 12 – 20 mph speed limit
Submitted by Den Parkin

Question PQ 13 – Clifton village RPZ
Submitted by Patrick Halliwell

Question PQ 14 – Residents parking
Submitted by Phil Lewin

Question PQ 15 – 20 mph speed limit / mobile speed cameras
Submitted by Hazel Lackie

Question PQ 16 – RPZ, Kersteman Road
Submitted by Andy Pink

Question PQ 17 – Residents parking
Submitted by Alan Napier-Brown

Question PQ 18 – Residents parking
Submitted by Steve Wray

Question PQ 19 – 20 mph speed limit
Submitted by Steve Wray

Question PQ 20 – Traffic calming measures
Submitted by Richard Bond

Question PQ 21 – Residents parking
Submitted by Geoffrey Davies



Question PQ 22 – 20 mph speed limit
Submitted by Geoffrey Davies

Question PQ 23 – Residents parking
Submitted by James Hardy

Question PQ 24 – Residents parking
Submitted by Sue Luger

Question PQ 25 – Traffic measures in Kingsdown
Submitted by Tommi Grover

Question PQ 26 – Residents parking
Submitted by Anthony Davis

Question PQ 27 – 20 mph speed limit
Submitted by Anthony Davis

Question PQ 28 – Traffic issues
Submitted by James McCulloch

Question PQ 29 – Residents parking petition
Submitted by Nigel Cooke

Question PQ 30 – Residents parking
Submitted by Maita Robinson

Question PQ 31 – Residents parking
Submitted by Edward Bowditch

Within the time available, the Mayor responded to the following questions (also responding to supplementary questions where asked): PQ 01, PQ 02, PQ 03, and PQ 07.

ADJOURNMENT – At this point the Lord Mayor advised that the Full Council meeting would adjourn for a 20 minute refreshment break.

8. Petitions notified by councillors

The Full Council received and noted the following petition:

Petition CP 01 – “Council – let the Pavilion be used for Harbourside community events”
Presented by: Councillor Wright



9. Petition debate - petition on residents parking schemes

The Full Council considered a report of the Service Director – Legal and Democratic Services setting out details of a petition entitled “Halt any further Bristol residents parking schemes and roll back all in place.” The petition had reached the threshold (3,500 signatures from people who live, work or study in Bristol) for a Full Council debate.

Edward Bowditch, the petition organiser, was invited by the Lord Mayor to present the objectives of the petition.

The Full Council then debated the petition.

Following the debate, it was:

RESOLVED:

That the petition be noted and referred to the Mayor for consideration and response.

10. Audit Committee - annual report 2015-16

The Full Council considered the Audit Committee’s annual report for 2015-16.

Councillor Brain moved the report and the recommendation set out therein. In presenting the report, Councillor Brain suggested that future consideration be given to making a constitutional change whereby (in the interests of reinforcing the political impartiality of the committee) party group leaders should not serve on the Audit Committee.

Councillor Weston seconded the report.

During the debate, Councillor Gollop, on behalf of members, thanked Councillor Brain in relation to the quality and impartiality of the way he had chaired the Audit Committee over several years, noting that Councillor Mead had now been appointed to this role.

Upon being put to the vote, it was

RESOLVED:

That the annual report of the Audit Committee (at Appendix A) be accepted, and that the assurances provided in the report be noted.



11. Report from Place Scrutiny inquiry day - The Case for Culture: How can we support Bristol's cultural sector to continue to grow and flourish?

The Full Council considered a report on the outcomes of the Place Scrutiny inquiry day: "The Case for Culture – How can we support Bristol's cultural sector to continue to grow and flourish?" The report also set out details of the recent Cabinet decision (7 June 2016).

Councillor Bolton moved the report.

Councillor Hiscott seconded the report.

Following debate, it was

RESOLVED:

That the report be noted.

12. Motions

a. Altered motion 1 – Devolution engagement

Councillor Threlfall moved the following altered motion:

"This Council welcomes the Mayor and Cabinet's decision to move forward with a £1 billion devolution deal from Government, along with Bath & North East Somerset (B&NES) and South Gloucestershire councils. We note the deal is the largest in the country and is worth more than £1,000 per head of population. We further note a new Combined Authority would oversee the new funding and powers devolved from Government and would be chaired by a publicly-elected West of England Mayor, working alongside the Leaders and Mayor of the three councils.

We recognise that a public consultation on the creation of a new West of England Mayoral Combined Authority (MCA) is now open, running from Monday 4 July 2016 until 15 August 2016. This is being carried out in line with national legislation, which means that the scope of this initial consultation is narrower than what we as a council would wish.

As a Council we are determined to ensure that devolution works for the people of Bristol. We recognise that a greater public consultation and engagement is needed to identify the public's priorities for devolution.

As soon as the Secretary of State has granted approval for the creation of the West of England Mayoral Combined Authority, we as a council resolve to:



1. Establish a city wide engagement programme and consultation to identify the public's devolution priorities. This will include working with the neighbourhood partnerships, our public and voluntary sector partners, the business community, education, environmental and community partners, faith organisations and Trade Unions.
2. Work with the Council's Overview and Scrutiny Board and the West of England Joint Scrutiny Committee on developing robust and transparent scrutiny arrangements to strengthen the governance of the new authority.
3. Identify further powers which local people and businesses would wish to see devolved in any future deals.
4. Ensure that decision making, and the evaluation of the impact of those decisions, considers the social and environmental impact of them as well as the solely economic benefits."

Councillor Pearce seconded the altered motion.

Following debate, upon being put to the vote, the altered motion was CARRIED and it was

RESOLVED:

This Council welcomes the Mayor and Cabinet's decision to move forward with a £1 billion devolution deal from Government, along with Bath & North East Somerset (B&NES) and South Gloucestershire councils. We note the deal is the largest in the country and is worth more than £1,000 per head of population. We further note a new Combined Authority would oversee the new funding and powers devolved from Government and would be chaired by a publicly-elected West of England Mayor, working alongside the Leaders and Mayor of the three councils.

We recognise that a public consultation on the creation of a new West of England Mayoral Combined Authority (MCA) is now open, running from Monday 4 July 2016 until 15 August 2016. This is being carried out in line with national legislation, which means that the scope of this initial consultation is narrower than what we as a council would wish.

As a Council we are determined to ensure that devolution works for the people of Bristol. We recognise that a greater public consultation and engagement is needed to identify the public's priorities for devolution.

As soon as the Secretary of State has granted approval for the creation of the West of England Mayoral Combined Authority, we as a council resolve to:

1. Establish a city wide engagement programme and consultation to identify the public's devolution priorities. This will include working with the neighbourhood partnerships, our public and voluntary sector partners, the business community, education, environmental and community partners, faith



organisations and Trade Unions.

2. Work with the Council's Overview and Scrutiny Board and the West of England Joint Scrutiny Committee on developing robust and transparent scrutiny arrangements to strengthen the governance of the new authority.

3. Identify further powers which local people and businesses would wish to see devolved in any future deals.

4. Ensure that decision making, and the evaluation of the impact of those decisions, considers the social and environmental impact of them as well as the solely economic benefits."

At this point in the meeting, the Full Council stood and observed a minute's silence in remembrance of the victims of recent terrorist attacks.

b. Motion 2 – Living in a diverse and tolerant society

Councillor Hopkins moved the following motion:

"We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Our council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

We will work to ensure that local bodies and programmes have the support and resources they need to fight and prevent racism and xenophobia.

We reassure all people living in this area that they are valued members of our community."

Councillor Carey seconded the motion.

Following debate, upon being put to the vote, motion was CARRIED and it was

RESOLVED:

We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Our council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

We will work to ensure that local bodies and programmes have the support and resources they need to fight and prevent racism and xenophobia.



We reassure all people living in this area that they are valued members of our community.

Meeting ended at 8.44 pm

Lord Mayor _____



Full Council

13 September 2016



Report of: Shahzia Daya – Interim Service Director – Legal & Democratic Services

Title: **Petition debate – “Save the 51 bus”**

Ward: Hengrove, Knowle, Whitchurch Park, and central city wards

Recommendation

That Full Council debates the petition and refers it to the Mayor / relevant Cabinet member for a formal response.

Summary

Under the Council’s petitions scheme, where a petition has 3,500 or more signatures from people who live, work or study in Bristol, the petition organiser can request a Full Council debate.

The Council has received a petition entitled “Save the 51 bus.”

The petition organisers have requested that Full Council debates the petition.



Details of the petition

1. The wording of the petition is as follows:

Petition title / subject: “Save the 51 bus”

Petition wording:

“We call on Bristol City Council and First Bus to urgently work to save the 51 bus service which connects the communities of Whitchurch, Hengrove, Knowle and the city centre. We demand that the withdrawal of these services from September be scrapped.”

2. The petition organisers are Councillor Tim Kent, Councillor Gary Hopkins, Councillor Harriet Clough and Councillor Chris Davies.
3. The petition had secured 4,554 signatures as at 30 August 2016.
4. The Full Council is asked to debate the petition.
5. Under the petition scheme, the petition organisers are permitted up to 5 minutes to present and speak to the petition. The petition scheme allows a further period of up to 15 minutes for discussion of the petition by councillors at the Full Council meeting.
6. The Full Council has agreed the following in relation to dealing with petitions with over 3500 signatures:
The topic of the debate should be referred to the Mayor/Cabinet, or other relevant body with the petitioner views and Full Council’s views.

The Full Council is therefore recommended to refer the petition to the Mayor, together with the comments as expressed by members in the debate at this meeting, in order that the Mayor can consider his response, in liaison with the relevant Cabinet member(s).



Full Council

13 September 2016

Report of: Shahzia Daya, Interim Service Director – Legal & Democratic Services

Title: **Appointment of Statutory Officers – Head of Paid Service and Statutory Scrutiny Officer**

Ward: Citywide

Recommendation

- 1. That Stephen Hughes, Interim Chief Executive be appointed as the authority's Head of Paid Service, as an interim appointment to ensure legislative requirements are met.**
- 2. That Anna Klonowski, Interim Strategic Director – Business Change be appointed as the authority's Statutory Scrutiny Officer, as an interim appointment to ensure legislative requirements are met.**



Context / proposal:

The City Council must appoint named individuals to particular roles, including the roles of Head of Paid Service and Statutory Scrutiny Officer.

Head of Paid Service

The functions of the Head of Paid Service (as reflected in Article 13.02 of the Council's constitution) are:

The Head of Paid Service will report to the Full Council on the manner in which the discharge of the council's functions is coordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

The Full Council is asked to appoint Stephen Hughes, Interim Chief Executive as the authority's Head of Paid Service, as an interim appointment to ensure legislative requirements are met.

Statutory Scrutiny Officer

Originally introduced by the Local Democracy, Economic Development and Construction Act 2009, the requirement for English councils to designate a "statutory" scrutiny officer can now be found at s9FB of the Local Government Act 2000 (the legislative framework having been altered by the Localism Act 2011).

The statutory scrutiny officer's role is (these points paraphrase the precise wording of the Act, which can be found at <http://www.legislation.gov.uk/ukpga/2011/20/schedule/2>):

- To promote the role of the authority's overview and scrutiny committee(s);
- To provide support to the authority's overview and scrutiny function and to local councillors;
- To provide guidance to members and officers of the council in relation to overview and scrutiny functions.

The statutory scrutiny officer cannot be the authority's Head of Paid Service, the Monitoring Officer or the Chief Finance Officer.

The Full Council is asked to appoint Anna Klonowski, Interim Strategic Director – Business Change as the authority's Statutory Scrutiny Officer, as an interim appointment to ensure legislative requirements are met.

Legal and Resource Implications

Legal Implications

Failure to ensure appointment to these roles could lead to the Council being challenged for failing to meet its statutory duties.

Shahzia Daya

Interim Service Director: Legal and Democratic Services

Financial Implications

None.

Appendices

None.

Full Council

13 September 2016



Report of: Shahzia Daya, Interim Service Director – Legal & Democratic Services

Title: **Appointment of Returning Officer and Electoral Registration Officer**

Ward: Citywide

Recommendation

- 1. That Stephen Hughes, Interim Chief Executive be appointed as the Returning Officer and Electoral Registration Officer for Bristol City Council, as an interim appointment to ensure legislative requirements are met.**
- 2. That Yvonne Dawes be re-confirmed as Deputy Electoral Registration Officer.**
- 3. That other deputy appointments are revoked and the appointments reviewed by the Returning Officer once confirmed in post.**

Summary:

The significant issues in the report are:

The Returning Officer is the person who has the overall responsibility for the conduct of elections in Bristol.

The Representation of the People Act 1983 Section 35 requires the council to appoint an officer of the council to be the Returning Officer in local elections.

The Returning Officer is an officer of the council but the role of the Returning Officer is a personal responsibility independent and separate from their duties as an employee of the council. The Returning Officer may appoint one or more persons to discharge all or any of his/her functions.

The Electoral Registration Officer (ERO) is the person with statutory responsibility for the creation and maintenance of the register of electors and the absent voters list. This person takes responsibility for publishing a revised electoral register and issuing monthly alterations notices. The ERO is also the Acting Returning Officer for UK parliamentary elections.

The Electoral Registration Officer is an officer of the council but the role of the Electoral Registration Officer is a personal responsibility, independent and separate from their duties as an employee of the council. These two roles of Returning Officer and Electoral Registration Officer are typically combined and performed by a single person.

The Returning Officer, Electoral Registration Officer and Deputy Electoral Registration Officer are appointed by Full Council.

At an election, the Returning Officer may appoint election specific deputies.

Policy

The City Council must appoint named individuals to the roles of Returning Officer, Electoral Registration Officer and Deputy Electoral Registration Officer

Consultation

Internal

Mayor and Party Group Leaders.

External

None.

Context

1. The Returning Officer is the person who has the overall responsibility for the conduct of elections in Bristol. They are appointed under the Representation of the People Act 1983. It is the duty of the Returning Officer to organise and conduct elections.

It is the Returning Officer's general duty at elections to do all such acts and things as may be necessary for effectively conducting the election for example:

- the nomination process for candidates and political parties;

- provision, administration, security and notification of polling stations;
- appointment of staff such as presiding officers and count staff;
- preparation and issue of all ballot papers; issue, receipt and counting of postal ballot papers;
- organising and delivering the count and declaration of results;
- receipt of all candidates' election expenses returns;
- presentation of final account and claiming appropriate funding from central government as prescribed.
- retention of election documents.

2. The Electoral Registration Officer is the person with statutory responsibility for the creation, maintenance, security and distribution of the register of electors and the absent voters list. The register of electors is based on an annual canvass and monthly rolling registration of all properties where electors reside. The Electoral Registration Officer maintains four registers of those entitled to vote at various types of elections.

3. The Electoral Registration Officer takes responsibility for publishing a revised electoral register and issuing monthly alterations notices.

4. At an election the Electoral Registration Officer has a statutory obligation to provide registers and absent voters lists for each polling station as well as to candidates at the election and to the Returning Officer.

5. In the event of a Parliamentary election being called, the Electoral Registration Officer would be the Acting Returning Officer. The Lord Mayor is the Returning Officer at Parliamentary elections as an honorary position.

Proposal

The proposal is to make the appointments as set out in the recommendation.

Other Options Considered

This is an interim appointment to ensure legislative requirements are met and a reaffirmation of an existing appointment as Deputy ERO.

Public Sector Equality Duties

Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation;

There are no specific issues arising from these appointments.

Legal and Resource Implications

Legal Implications

The Representation of the People Act 1983 Section 35 requires the council to appoint an officer of the council to be the Returning Officer in local elections.

It is a requirement of Section 8 of Representation of the People Act 1983 that the Council appoints an Electoral Registration Officer. By virtue of s28(1) of the Act only the ERO may act as Acting Returning Officer in parliamentary elections.

Any failure to do so could lead to the council being challenged for failing to meet its statutory duties.

Responsibility for appointing a Deputy Returning Officer rests with the Returning Officer. However s52(2) of the Act provides that any deputy ERO must also be approved by the Council.

The appointment of the Returning Officer is a separate role and payment made by government reflects this. Consideration is to be given to the inclusion of this role/responsibility in the job description of the appropriate senior Council officer for future elections.

Caroline Elwood

Interim Service Manager: Statutory Services

Financial Implications

The Representation of the People Act 1983 makes provision for a scale of expenses to be fixed for the purpose of determining the Returning Officer's expenditure.

Elections are categorised as either "local" (i.e. parish, district, county or unitary) or "Parliamentary" (i.e. Westminster).

Parliamentary elections have their own fees and charges, set by the Cabinet Office and appropriate expenditure on these elections is reclaimed from central government.

In local elections the Returning Officer is paid a fee based on the number of wards where seats are being contested. Payment for the Returning Officer is subject to a scale of fees issued by the Cabinet Office. In the event of a West of England Mayoral Combined Authority election, any payments for the Returning Officer would be reclaimed from the combined authority.

There is no change to the existing budget and charging arrangements in place as a result of this report.

Janet Ditte

Service Manager: Finance Business Support

Appendices

None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers

None.

Full Council

13 September 2016



Report of: Shahzia Daya – Interim Service Director – Legal & Democratic Services

Title: **Licensing Committee – membership changes**

Ward: Citywide

Recommendation

That Full Council notes the resignation of Councillor Fi Hance from the Licensing Committee and approves the appointment of Councillor Eleanor Combley to the committee.

Summary

The Licensing Committee is established under Section 6 of the Licensing Act 2003 and is a standing committee. Any vacancies on the committee must be filled by the Full Council. This task is non-delegable, i.e. only Full Council can decide who will serve on the committee.



Background and proposal

- 1.** The Council must have a licensing committee of between 10-15 members. As one of the largest licensing authorities in the country, Bristol has established a 15 member committee (14 members are currently appointed with one vacancy). Members serve on the committee until they either resign or are removed by the Full Council.
- 2.** Councillor Fi Hance has indicated that she wishes to resign from the committee.
- 3.** Councillor Eleanor Combley has indicated that she is willing to be appointed to the committee.
- 4.** The Full Council is asked to note the resignation of Councillor Fi Hance from the Licensing Committee, and to approve the appointment of Councillor Eleanor Combley to the committee.

Full Council

13 September 2016



Report of: Shahzia Daya, Interim Service Director – Legal & Democratic Services

Title: Information report - Exception to call-in procedure

Ward: Citywide

RECOMMENDATION

Full Council is asked to note that an exception to the call-in procedure has been made in respect of the following decision taken by the Mayor at Cabinet:

- Cabinet decision - 29 June 2016 – Combined authority and devolution proposals (agenda item 8)



Background

1. The principle of call-in of executive decisions is firmly embedded within the Council's constitution (Overview and Scrutiny procedure rules).
2. In general, subject to the prescribed constitutional criteria being met, and the relevant procedure being followed, all executive decisions taken by the Mayor at Cabinet are potentially subject to the call-in procedure.
3. The constitution does provide (under Overview and Scrutiny procedure rule 17j) (OSR17j), however, for the call-in procedure not to apply in circumstances where an urgent decision needs to be taken by the executive, and where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. In these circumstances, the Head of Paid Service and the Monitoring Office must agree, in consultation with the Mayor, taking into account all relevant circumstances, that it is reasonable for the call-in procedure to not apply.
4. The constitution also requires that such exceptions to the call-in procedure are reported to the Full Council for information.
5. This report provides details of exceptions since the last report to Full Council on 15 September 2015 and the reasons for urgency. As follows:

Exception to call-in procedure:

- Cabinet Decision 29 June 2016 – Combined authority and devolution proposals (agenda item 8)

6. At the Cabinet meeting held on 29 June 2016, the Mayor took the following decision:

That, having taken account of the views of Full Council (meeting held on 29 June 2016) and the views of the Overview and Scrutiny Management Board (meeting held on 15 and 27 June 2016), which were endorsed by Full Council on 29 June 2016, approval be given to the following recommendations:

1) To agree to proceed with the devolution deal as set out in the governance scheme.

2) To note the West of England Devolution Agreement (Appendix 1 of the report).

3) Having considered the Governance Review for the West of England 2016 (Appendix 2) conducted under s.108 of the 2009 Act, to agree the conclusion that the establishment of a Mayoral Combined Authority for the area of Bath and North East Somerset Council, Bristol City Council and South Gloucestershire Council would be likely to improve the exercise of statutory functions in relation to the area and secure the offer within the devolution agreement.

4) Having considered the proposed Governance Scheme for a Mayoral Combined Authority (Appendix 3), to agree to publish the Scheme for public consultation under s.109 of the 2009 Act (as amended).

5) To authorise the City Director to subsequently submit to the Secretary of State:

- a. The Governance Scheme;
- b. The consultation responses received (or an appropriate summary); and
- c. Any further consultation response that the Council itself may wish to make to the Secretary of State for the Department of Communities and Local Government.

6) To authorise the City Director to make any minor amendments or corrections to the governance scheme to enable publication of the scheme for public consultation.

7). To delegate the decision whether or not to grant consent to the making of any resulting Order establishing the Combined Authority to the Mayor

7. This decision was not subject to call-in in the normal way. Call-in was triggered automatically by the decision being referred immediately to Full Council on the same day for overview and scrutiny review and then taken back to Cabinet for final decision, taking into account the views of Full Council.

Full Council

13 September 2016



Report of: Nick Hooper, Service Director – Housing Solution and Crime Reduction

Title: **Information report – ACORN’s Ethical Lettings Charter**

Ward: Citywide

Recommendation

That Full Council notes that in line with arrangements made by the Mayor at the Cabinet meeting of 6 October 2015, ACORN’s Ethical Lettings Charter has been formally endorsed by the Service Director – Housing Solutions and Crime Reduction on behalf of the Council.

Summary

In March 2015, Full Council passed a motion recommending that ACORN’s Ethical Lettings Charter be endorsed by the Council. This was subsequently agreed by Cabinet in October 2015 subject to certain conditions being met. The Charter has now been formally endorsed by the Council and this report is to advise Full Council of the formal endorsement of the Charter.



The significant issues in the report are:

In March 2015, Full Council passed a motion recommending endorsement of ACORN’s Ethical Lettings Charter. The Charter sets out criteria for landlords and agents of privately rented accommodation to meet if they are to be recognised as an ethical landlord. To enable the Council to formally endorse ACORN’s charter, a report was required to be submitted to the Cabinet. On 6 October 2015, Cabinet decided that criteria had to be met to allow formal endorsement of ACORN’s charter. Cabinet delegated the formal endorsement of the charter to the Service Director – Housing Solutions and Crime Reduction, and instructed that Full Council should receive a report once formal endorsement of the charter had been achieved. ACORN improved their charter to meet the criteria specified by the Council, and the Service Director is pleased to confirm that the charter has now been formally endorsed. The revised charter is set out in Appendix A.

Policy

1. In the manifesto “Our Bristol Plan”, Mayor Marvin Rees outlined that:
“Bristol is facing a housing crisis. Yet decent affordable homes are the foundation of a successful city. Our aim is to create balanced communities which avoid concentrations of deprivation and the worst excesses of gentrification. If Bristol is to flourish, people must be able to afford to live here and live well. Good quality homes will help us ensure our children get the best possible start in life. It is a matter of both social justice and economic common sense.”
2. Bristol’s Housing Strategy 2016 – 2020 “More Than a Roof” sets out key outcomes including to deliver the best use of existing homes. Key priorities are to raise standards in the private rented sector and this includes the action to improve management and standards in the private rented sector.

Consultation

3. **Internal**
Following the submission of the paperwork from ACORN, the document was reviewed and was considered to be satisfactory in that it sets out a clear pathway to ensure accreditation by landlords, and that the bronze, silver and gold levels of endorsement achieve higher levels than the minimum legal requirements. Additionally, ACORN has procedures in place to ensure that the parties signed up to the Charter are, and continue to be, compliant with it. Both planned and reactive processes are in place to check compliance on a continuing basis and consideration has been given to sanctions/disciplinary processes if those signed up to the Charter do not meet the required standards. This therefore is sufficient to use the description “charter” and the operation of an accreditation scheme.

Sarah Davey – Team Leader – Trading Standards

4. **External**
ACORN has been advised that their Ethical Lettings Charter has been formally endorsed by the Council and a formal agreement in relation to the use of the Council’s Logo has been agreed.

Context

5. The private rented sector (PRS) in Bristol is growing rapidly. The 2011 census reported the PRS accounted for 24.9% of all accommodation across the city, 45,571 properties. In certain areas, the level of the PRS can be as high as 54% of all housing and in the case of properties in the Stapleton Road licensing area, 75% of private rented accommodation has been found to be not decent. The demand for privately rented housing in Bristol and the surrounding area is very high, with demand outstripping supply. This means, on the whole, that landlords and agents are in a strong position with regard to what they offer the market.

Proposal

6. ACORN is a community based union which, amongst other things, is campaigning for the reform of the PRS in Bristol. ACORN promotes a scheme it calls “The Ethical Lettings Charter.”
7. Residential letting and managing agents or landlords can sign up to ACORN’s charter on a voluntary basis. The agents or landlords pledge that they will meet one of the three levels set out in the scheme – bronze, silver or gold.
8. A motion asking the Council to endorse ACORN’s Ethical Lettings Charter was put to Full Council in March 2015 and was unanimously passed. The motion acted as a recommendation to the then elected Mayor. Prior to his consideration of the motion, he asked that it be considered by scrutiny.
9. The joint People and Neighbourhoods scrutiny meeting on 13 April 2015 recommended that the elected Mayor endorse ACORN’s scheme.
10. On 4 August 2015, Cabinet approved the “Rent with Confidence*” scheme to replace existing property based accreditation schemes. There are currently five organisations approved under the Rent with Confidence scheme which means that thousands of properties are signed up to providing realistic standards of housing. The Council is in discussions with ACORN and other nationwide accrediting bodies who we hope will also be given the Rent with Confidence seal of approval.
* *formerly West of England rental standard*
11. The elected Mayor set out in his manifesto that he wanted Bristol to have an Ethical Lettings Charter. This action has been adopted by the Bristol Homes Board. The ACORN Ethical Lettings Charter for Bristol will allow socially responsible landlords and agents to not only sign up to realistic property and management in their properties but to also sign up to ethical practices when letting their properties to tenants.
12. In October 2015, Cabinet agreed to:
 1. Support ACORN’s work to improve the management and condition of homes in the private rented sector in Bristol.
 2. Note that ACORN intends to be approved under the Rent with Confidence standard.
 3. Note that the Council’s housing delivery service (council housing) will abide by the relevant requirements in ACORN’s Ethical Lettings Charter.

4. Agreed that formal endorsement of the charter and granting permission to use the BCC logo would be delegated to the Service Director – Housing Solutions and Crime Reduction, subject to conditions being met.
13. ACORN submitted revised paperwork and an updated Ethical Lettings Charter. The updated paperwork was reviewed and it was agreed that expectations under both housing and trading standards legislation had been met, and on 22 July 2016, the Service Director – Housing Solutions and Crime Reduction wrote to ACORN confirming the Council's formal endorsement. ACORN was presented with a certificate by Mayor Marvin Rees endorsing the Charter at a recent event for tenants, co-hosted with ACORN.
14. Legal Services were instructed to provide an agreement on the use of the Council's logo which sets out how the logo may be used and gives the Council the power to rescind the agreement with immediate effect in line with the conditions of approval made by Cabinet.

Other Options Considered

15. Not applicable.

Risk Assessment

16. Not applicable

Public Sector Equality Duties

Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
- tackle prejudice; and
 - promote understanding.

Note – not applicable as the decision to endorse the charter was made at Cabinet and delegated to an officer.

Legal and Resource Implications

Legal

The endorsement of the Charter was an executive decision delegated by the Mayor in Cabinet to the Service Director - Housing Solutions and Crime Reduction subject to:

- compliance in relation to the use of the description “charter” and the operation of an accreditation scheme.
- The charter achieving legal minimum standards with regard to housing legislation.
- Ensuring that any agreement allowing the use of the logo (or any other intellectual property belonging to the council) can be rescinded at the council’s option and with immediate effect.

The report demonstrates and legal services have confirmed that these have now been met, enabling delegated authority to be properly exercised.

(Legal advice provided by Nancy Rollason, Service Manager - Legal, 21 August 2016)

Financial

(a) Revenue

There are no specific financial implications contained within this report. However, there may be minimal administrative costs arising from the management of the scheme which can be contained in the revenue budget for the service.

(b) Capital

None.

(Financial advice provided by Christie Fasunloye, Finance Business Partner (People) Date: 7 August 2015; Reviewed by Rob Hamilton Finance Manager - Neighbourhoods & Place Directorates 15 August 2016)

Land

No implications

Personnel

No implications

Appendices:

Appendix A – Ethical Letting Charter – Revised

Appendix B – Bristol City Council Landlord News – Winter 2015 edition

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

Cabinet report – 6 October 2015 – “ACORN’s Ethical Lettings Charter



***Ethical Lettings
Charter...***

**From the houses we have...
...to the homes we need.**

Let's Take a Step Forward.

We - the Private Rental Sector –are now the 2nd most common form of housing tenure and an increasingly complex and diverse community. We represent a young but increasingly vital service industry going through growing pains, and will certainly need to change as we develop. But how?

The Ethical Lettings Charter is a statement of intent, a declaration of decency and one part of the answer.

More than 10,000 renters have signed their support for the Charter, and it was initially created in consultation with more than 200. Not only that; several landlords, letting agents, charities and local authority representatives also helped shape the Charter – a truly collective creation which is now supported by Bristol City Council.

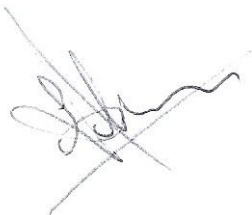
The Charter lays out Bronze, Silver and Gold commitments (for landlord and letting agents respectively) on key issues of concern including “Quality”, “Security of Tenure” and “Access & Affordability”.

While ensuring real choice is a key challenge for the PRS, the more than 10,000 renters who are supporting the Charter represent an increasingly organised customer community – and they’re searching for property professionals who meet their needs.

By signing up to the Charter, landlords and agents will not only be able to secure a clear market advantage by serving that community, but will be actively joining forces with that community to collectively shift the market in favour of quality, affordable, stable housing. Progress!

If this could be you – let’s start the conversation! Reach out now at www.ethical-lettings.org.uk.

Please read on for the full set of commitments (supporting notes, information and terms & conditions will shortly be available on our website). I look forward to speaking to you!



Stuart Melvin,
National Organiser
ACORN

The Ethical Landlord Charter

BRONZE COMMITMENTS

LEGAL COMPLIANCE

- I will comply with all statutory requirements related to the letting of properties in the private rental sector as set nationally and by the Local Authority, including but not limited to any property licensing scheme in effect.

SECURITY OF TENURE

- I will supply a written tenancy agreement in all cases.
- I will use recurring Assured Shortland Tenancies of not less than 6 months as default in place of periodic tenancies.
- I will apply the sections of the Deregulation Act 2015 relating to retaliatory evictions retroactively i.e. to all tenancies and not only those beginning on or after October 2015.

ACCESS & AFFORDABILITY

- I will not ask for a deposit of more than 6 weeks or 1.5 months rent (whichever the greater). I will not undertake any rental increases within the fixed-term of any tenancy.
- I will undertake an inventory at the commencement of each tenancy and supply the tenant with a copy of this without charge.

QUALITY

- I will ensure that all repairs are completed or scheduled promptly and without delay (see notes for specific required timescales).
- I will ensure a minimum EPC rating of E in all my properties.
- In addition to statutory requirements, I will meet the recommendations of the Electrical Safety Council and Gas Safe Register

OTHER

- For the avoidance of confusion, where I engage a Letting Agent to manage a property, I will communicate this to my tenants, ensuring clarity and awareness of our respective responsibilities.
- I will welcome tenants with children or other dependents.

SILVER COMMITMENTS

I will meet all Bronze Standards plus the following:

SECURITY OF TENURE

- I will commit to increasing notice periods for repossessions by one month for each year the tenant has lived in the property up to a maximum of 6 months.

ACCESS & AFFORDABILITY

- In the interests of transparency, I will make clear in the tenancy agreement the maximum percentage rental increase that may be requested upon the renewal of a fixed-term AST.
- I will not charge tenants fees other than rent and deposit.

QUALITY

- I will carry out all improvements recommended by the Local Authority.

OTHER

- I will welcome tenants in receipt of housing or other state benefits.
- Where I engage the services of a Letting Agent, I commit to using a Letting Agent that is a signatory to the Ethical Lettings Charter where possible.

GOLD COMMITMENTS

I will meet all Bronze and Silver Standards plus the following:

SECURITY OF TENURE

- I commit to using Assured Shorthold Tenancies of 48 months or longer as default.

ACCESS & AFFORDABILITY

- I commit to provide tenants with not less than 6 months notice of any proposed rent increase I commit to charge only a fair rent relative to market rates
- I commit not to use any letting agent that charge tenants any fees related to the letting or re-letting of any property.

QUALITY

- I will ensure a minimum Energy Performance Certificate rating of D in all my properties.



The Ethical Lettings Agent Charter

BRONZE COMMITMENTS

LEGAL COMPLIANCE

- We will comply with all statutory requirements related to the running of our business (specifically the letting and management of properties in the private rental sector) as set nationally and by the Local Authority, including but not limited to any property licensing scheme in effect.
- We will advise client landlords of their statutory obligations in all aspects of letting and - in the case of managed properties - will ensure that such obligations are met. Further, we will advise client landlords of independent support and advice to aid them meeting these obligations.

SECURITY OF TENURE

- We will promote the use of recurring Assured Shorthold Tenancies of not less than 6 months to our clients as default in place of periodic contracts.
- We will apply the sections of the Deregulation Act 2015 relating to retaliatory evictions retroactively i.e. to all tenancies and not only those beginning on or after October 2015. We will refuse to facilitate the eviction of tenants in managed properties in line with the above.

ACCESS & AFFORDABILITY

- We will promote that clients do not ask for deposits of not more than 6 weeks or 1.5 months rent (whichever the greater)
- We will encourage client landlords to undertake a professional photographic inventory at the commencement of each tenancy and supply the tenant with a copy of this without charge. In the case of managed properties we shall undertake or arrange this ourselves.

QUALITY

- In any managed property, we will ensure that all repairs are completed or scheduled promptly and without delay (see notes for specific required timescales)
- We will neither manage nor let properties with an EPC rating lower than E.
- We will neither manage nor let properties that do not meet the recommendations of the Electrical Safety Council and Gas Safe Register

OTHER

- Where we manage a property on behalf of a landlord, we will communicate this to the tenants, ensuring clarity and awareness of our respective responsibilities.
- We will encourage landlords to welcome tenants with children or other dependents.

SILVER COMMITMENTS

We will meet all Bronze standards plus the following:

SECURITY OF TENURE

- We will encourage landlord clients to provide tenants with Assured Shorthold Tenancies of no less than 12 months.
- We will encourage landlord clients to increase notice periods by one month for each year the tenant has lived in the property, up to a maximum of 6 months.

ACCESS & AFFORDABILITY

- We will provide recurring Assured Shorthold Tenancies at no extra cost to landlords or tenants.

QUALITY

- We will encourage all landlord clients to carry out all improvements recommended by the Local Authority.

OTHER

- We will encourage landlord clients to welcome tenants in receipt of housing or other state benefits.

GOLD COMMITMENTS

We will meet all Bronze and Silver standards plus the following:

SECURITY OF TENURE

- We will encourage landlord clients to provide tenants with Assured Shorthold Tenancies of no less than 48 months.

ACCESS & AFFORDABILITY

- We will commit to a 6 month trial period during which tenants shall not be charged any fees related to the letting or re-letting of any property.
- We will neither manage nor let properties where we believe a landlord is seeking to charge an unreasonably high rent comparative to market rate.

QUALITY

- We will not let or manage properties without a minimum Energy Performance Certificate rating of D.



ACORN is a mass-membership organisation representing more than 13,000 tenants and residents dedicated to championing social and economic justice.

Originally founded in Bristol 2014, ACORN now has offices and membership in every region of the country, campaigning for housing justice.

The Ethical Lettings Charter is an initiative of ACORN, created in consultation with our membership, landlords, letting agents, politicians and other key stakeholders.



**ACORN,
CWU, 20 Church Road, Lawrence Hill,
Bristol, BS5 9JA
www.ethical-lettings.org.uk**

Landlord News



Issue 50, Winter 2015

Inside this Issue

- **Government consider extending mandatory licensing**
- **Right to Rent requirement**
- **Get Winter Ready**
- **Ethical Lettings Charter**
- **Bristol Tenant Finder**
- **Prosecution news**

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Do you have any stories or items of interest that you would like to share with other landlords? If so please contact **Julie Norris** on:

Tel: **0117 352 1853**

Email: **Julie.norris@bristol.gov.uk**

Government consider extending mandatory licensing

The Government has launched a new technical discussion document regarding the private rented sector which contains a proposal to extend mandatory licensing of Houses in Multiple Occupation (HMOs).

The paper suggests amending the three-storey criteria for licensing, either by changing it to two-storey or extending licensing to all HMOs containing five or more people.

The Government is also considering national minimum room sizes of 6.5 sqm for a single room and 10.2sqm for a double room in line with existing overcrowding standards.

Further details and the online survey can be found at www.gov.uk/government/consultations/extending-mandatory-licensing-of-houses-in-multiple-occupation-and-related-reforms

The consultation closes on 18 December and the changes are due to be introduced next year.

Right to Rent introduced

From 1 February 2016, all landlords in England will have to check that a tenant or lodger can legally rent.

How to make a check:

1. Check which adults will live in the property as their main home.

2. See the original documents that allow the tenant to live in the UK.

You need to check that:

- the documents are originals and belong to the tenant
- the dates for the tenants' right to stay in the UK haven't expired

- the photos on the documents look like the tenant

- the dates of birth are the same in all documents

- the documents aren't too damaged or don't look like they've been changed

- if any names are different on documents, there are supporting documents to show why, eg marriage certificate or divorce decree

If the tenant is arranging their tenancy from overseas, you must see their original documents before they start living at the property.

3. Check that the documents are genuine and belong to the tenant.

4. Make copies and record the date you made the check

Keep copies for the time they're your tenants and for one year after.

You can be fined up to £3,000 for renting your property to someone who isn't allowed to stay in the UK.

You must make a further check on your tenant if their permission to stay in the UK is time limited. You can get a fine if you don't do this. You must make a further check either:

- just before the expiry date of your tenant's right to stay in the UK
- within 12 months of your previous check

You won't have to make a further check if your tenant doesn't have any restrictions on their right to stay.

You must tell the Home Office if you find out that your tenant no longer has the right stay. You might get a civil penalty if you don't.

You can ask any agents that manage or let your property to carry out the checks for you. You should have this agreement in writing.

If a tenant sub-lets the property without you knowing, they're responsible for carrying out checks on any sub-tenants. They will liable for any civil penalties if they don't do the check correctly.

There is a guidance document on illegal immigrants and private rented accommodation, this can be found on www.gov.uk and search 'right to rent'.

#GetWinterReady: Don't get caught out this winter

As a landlord, winter is not only about keeping you warm and putting more layers on perhaps, but it is also important to ensure that your rental properties are well insulated. A badly insulated property is more likely to fall victim to damage caused by a frozen pipe and can cost you dearly. At Total Landlord Insurance, the months between November and March are the busiest ones for claims, as many landlords get caught out by a cold spell and pipes can freeze really fast! Before you know it, you have a leak or a burst pipe and your rental property needs urgent repair.

Our team are experts in providing advice on how to prevent damage to your property during the winter. The claims we encounter again and again each year during the cold seasons are mostly related to poor maintenance and preparation for the winter because landlords got caught out.

That is why we have put together some expert advice to help landlords navigate those difficult months and make sure their properties are prepared for winter. Make sure you take advantage of this free advice, covering topics such as flood damage, what to do ahead of a cold spell, preparing your property for snow and information on what can be important to prevent a burglary during the darker season. Each week in the run up to Christmas, we will be releasing a new factsheet on our dedicated winter page.

Go to www.totallandlordinsurance.co.uk/winter-2015 and follow us on Facebook, Twitter and YouTube and search for #GetWinterReady on Twitter for regular updates.

For a quick quote, please go to www.totallandlordinsurance.co.uk or call **0800 63 43 880**.



Ethical Lettings Charter – A message from Acorn

We – the Private Rental Sector – are now the 2nd most common form of housing tenure and an increasingly complex and diverse community. This vital service industry is still young, perhaps going through growing pains, and will certainly need to change as it develops. But how?

The Ethical Lettings Charter is a statement of intent, a declaration of decency and one part of the answer.

More than 10,000 renters have signed their support for the Charter, and it was initially created in consultation with more than 200 Bristol Renters. Not only that; several landlords, letting agents, charities and local authority representatives also helped shape the Charter – a truly collective creation which is now supported by Bristol City Council.

The Charter lays out Bronze, Silver and Gold commitments (for landlord and letting agents respectively) on key issues of concern including “Quality & Maintenance”, “Stability & Security of Tenure” and “Cost & Barriers to Entry”. While ensuring real choice is a key challenge for the PRS, the more than 10,000 renters who are supporting the Charter represent an increasingly organised customer community – and they’re searching for property professionals who meet their needs.

By signing up to the Charter, landlords and agents will not only be able to secure a clear market advantage by taking advantage of that community, but will be actively joining that community in collectively shifting the market in favour of quality, affordable, stable housing. Progress!

If this could be you – let’s start the conversation! Reach out now at www.ethical-lettings.org.uk



Redress reminder to agents

All agents are reminded of the requirement to belong to a redress scheme. Bristol City Council will shortly be serving notices where agents are not complying. Please check that you are a member of one of the national redress schemes, see www.gov.uk for further details.

Home is where the heart is...



There are many families in Bristol looking for private rented accommodation.

If you are a landlord you can help and we’ll look after you with free professional services and attractive financial incentives.

#newdealforlandlords

For details of our new offer go to www.bristol.gov.uk/tenantfinder

E: private.renting@bristol.gov.uk
T: 0117 352 6888



Bristol Landlord Forum – Special meeting

Introduction from George Ferguson, Mayor of Bristol

To include:

- Support of Acorn Ethical Lettings Charter
- Launch of Private Renting Team new offer for landlords
- Launch of West of England Rental Standard
- Presentation from Home Office speaker on Right to Rent requirements.

Tues 5 January, 6.30 – 9pm,
Armada House,
Telephone Avenue,
BS1 4BQ

Booking: www.eventbrite.co.uk
(Search Bristol Landlord Forum)

For further details email:
Julie.Norris@bristol.gov.uk

Tel: **0117 352 1853**

UWE SU Campaign

The Students' Union at UWE will be launching their 'Rent SMART' Campaign at the end of December. This campaign will encourage students to rate their landlord through an App and educate them on their rights when it comes to renting – ensuring they are choosing quality accommodation, stressfree.

Check out www.thestudentsunion.co.uk/RentSmart – launching later in the month.

The Students' Union at UWE Lettings Agency is excited to announce that our Student lettings agency has now removed their agency fee charged to the tenant when a property is let.



The Students' Union feel that the housing market in Bristol is currently leaving students out of pocket and hope that with us removing the agency fee we can get other agencies to follow suit. Research shows that agency fees in Bristol are some of the highest in the UK, this just isn't acceptable. www.thestudentsunion.co.uk/lettings

Prosecution news

On Wednesday 18th November 2015 a Bristol landlord was convicted for offences under the Housing Act 2004 and the Local Government (Miscellaneous Provisions) Act 1976.

The landlord has a property in the discretionary licensing area of Easton. In May 2014 it had come to the attention of officers from Bristol City Council Private Housing Team that the property in Easton was licensable and required a selective licence under the Housing Act 2004. The landlord as the owner of the property had failed to apply to the Council for the appropriate licence.

At trial in Bristol Magistrates Court, the landlord was found guilty of failing to licence a property that required to be licensed within the discretionary licensing area under Section 95 Housing Act 2004. He was also found guilty of failing to comply with notices requesting him to provide documents and information to the council.

The landlord was required to pay a total of £4,140 in fines and costs. The magistrate found the landlord guilty of the offences as he had "chosen" not to apply for a licence and had "chosen" not to comply with the notices served.

In April 2013 Bristol City Council declared a discretionary licensing scheme within the area of Stapleton Road, Easton and surrounding streets.

Discretionary licensing is the collective term used for Additional and Selective licensing schemes in the Housing Act 2004. The scheme requires properties that are rented by private landlords to be licensed by Bristol City Council.

It is important that Landlords in the private rented sector with properties in the area of Easton realise the importance of ensuring that their properties are licensed with the Local Authority.

There are still properties in this area that have not been licensed even though the scheme has been in force since April 2013.

Failure to communicate with the Council and ignoring formal requests for information and documents can lead to conviction and high fines issued by the court.

It is an offence that on conviction could lead to a fine of £20,000 to operate a Licensable property without a licence.

If you would like this information in another language, Braille, audio tape, large print, easy English, BSL video or CD rom or plain text please contact: Julie Norris, 0117 3521853



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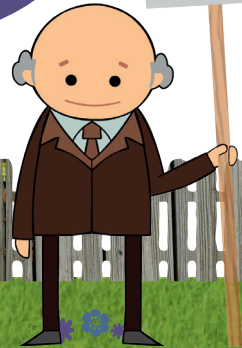
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Page 52