

Summons to attend meeting of Full Council



Date: Tuesday, 8 November 2016
Time: 6.00 pm
Venue: Council Chamber, City Hall, College Green,
Bristol, BS1 5TR

To: All Members of Council

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
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Tel: 0117 92 22384
E-mail: democratic.services@bristol.gov.uk
Date: Monday, 31 October 2016



Agenda

1. Welcome and safety information

Please note: if the alarm sounds, everyone at the meeting should please exit the building via the way they came in, via the main entrance lobby area, and then the front ramp. Please then assemble on the paved area in front of the building on College Green by the flag poles.

If the front entrance cannot be used, alternative exits are available via staircases 2 and 3 to the left and right of the Council Chamber. These exit to the rear of the building. The lifts are not to be used. Then please make your way to the assembly point at the front of the building.

Please do not return to the building until instructed to do so by the fire warden(s).

2. Apologies for absence

3. Minutes of previous meeting

To agree the minutes of the previous Full Council meeting held on 13 September 2016 as a correct record.

(Pages 15 - 27)

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 7 November 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 2 November 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 noon on Monday 7 November 2016 at latest.

8. Petition debate - petition condemning the possession, sale and distribution of shark fins in Bristol

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

(Pages 28 - 30)

9. Designation of Monitoring Officer

To confirm the designation of the authority's Monitoring Officer.

(Pages 31 - 33)



10. Designation of Section 151 finance officer

To confirm the designation of the authority's Section 151 finance officer. **(Pages 34 - 36)**

11. Information item - Mayor's scheme of delegations - executive functions

To note the Mayor's scheme of delegations – executive functions (information item).

12. Report of the Independent Member Remuneration Panel

To consider the panel's recommendations. **(Pages 37 - 74)**

13. Treasury management annual report 2015-16

To note the treasury management annual report for 2015-16. **(Pages 75 - 89)**

14. Motions

To consider motions as follows:

1. Clean air now for Bristol

Motion submitted / to be moved by Cllr Bolton

“Full Council notes that:

1. Bristol's air pollution urgently needs to be reduced.
2. In many parts of Bristol, especially near our busy roads and in the city centre, air pollutants exceed legal and safe European and World Health Organisation limits.
3. Air pollution impacts on the health of people in our city, especially the most vulnerable. It can cause permanent lung damage in babies and young children and exacerbates lung and heart disease in older people, leading to an estimated 300 premature deaths in Bristol each year.¹
4. Other English cities such as Southampton and Nottingham are introducing Low Emission Zones or Clean Air Zones to reduce the level of these pollutants to safe and acceptable levels. Bristol is not one of these cities.
5. National legislation is anticipated which could enable Bristol City Council to implement its own Clean Air Zone. In the interim there are other steps that could be taken to improve Bristol's air.



Full Council believes that:

1. It is unfair for Bristol residents to be left behind breathing polluted air, when other major cities have Clean Air Zones planned.
2. A Clean Air Zone should be introduced in Bristol's Air Quality Management Area to ensure Bristol's air quality is within safe and legal limits by 2020.
3. Action on air pollution cannot wait for national legislation to be in place and we must take steps now.

Full Council resolves to ask the Mayor to:

1. Immediately take all steps needed to reduce deaths and illness linked to polluted air. This should include, but not be limited to:
 - a. restricting the most polluting vehicles from entering Bristol, and supporting transition of deliveries with freight consolidation centre;
 - b. cleaning up the bus fleet, working with Bristol's major bus providers;
 - c. supporting taxis to meet clean emission standards;
 - d. promoting and incentivising the use of electric vehicles and car clubs, and ensuring that Council vehicles are electric where possible;
 - e. promoting walking and cycling.
2. Lobby the appropriate government minister to ensure that new air pollution legislation is introduced in a timely fashion to ensure that all affected cities can introduce Clean Air Zones.
3. Commit to implementing a Clean Air Zone in Bristol once the appropriate legislation is in place so that the people of Bristol are not left breathing polluted air.
4. Commit to immediately develop an updated Bristol-wide strategy to bring air quality within safe and legal limits.
5. Ensure work to bring dangerous air pollution within safe and legal limits is adequately resourced.
6. Include key air pollution targets in the development of Bristol's 50 year plan, including a target to ensure air quality is within safe and legal limits by 2020 at the latest.
7. Initiate an educational campaign to highlight to the general public the impact of air pollution on public health and the economy.
8. Report back to Full Council on the progress made on these actions by no later than May 2017."



Note:

1. Report to be published, outline data available upon request.

2. Prince Street bridge

Motion submitted / to be moved by Cllr Morris

“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.”

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 possibly 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. The Bus Services Bill: Give councils the ability to manage local bus services

Motion submitted by Cllr Negus



“This Council notes:

1. That the Bus Services Bill currently passing through Parliament includes Clause 21 that will effectively “prohibit a local authority from forming a company for the purposes of providing a local bus service”.
2. That the Localism Act (2011) provides general powers of competence to local authorities.
3. That municipal bus companies like Reading and Nottingham provide some of the best bus services in the country and have a successful track record of increasing bus passenger numbers and providing high quality bus services.
4. That polling by We Own It found that a majority of the public (57%) oppose clause 21, whilst just 22% support it. The opposition to Clause 21 is consistent across voters from all political parties.

This Council believes:

1. Clause 21 contradicts the general powers of competence and the spirit of the Localism Act 2011.
2. Councils should be able to provide their own bus services if there is a need and a demand from their citizens.
3. Councils should be legally entitled to follow the model developed by Reading and Nottingham.
4. Consequently Clause 21 should be omitted from the Bus Services Bill.

This Council resolves:

1. To write to Lord Ahmad and to call on the Department for Transport to omit Clause 21 from the final legislation
2. To write to all Bristol MPs to ask them to oppose clause 21 when the Bus Services Bill reaches the House of Commons and ask them to write to Lord Ahmad and the Department of Transport to raise concerns about Clause 21.
3. To work with any organisations such as We Own It to publicise our opposition to clause 21 in local media.”

4. The Bus Services Bill

Motion submitted by Cllr Brook

“This Council notes:

1. That the Bus Services Bill, which is currently passing through Parliament, includes many measures that will be useful for Bristol and the West of England to introduce franchising, provide better journey information, and generally improve bus services.
2. That the proposed Clause 21 of this Bill will “prohibit a local authority from forming a company for the purposes of providing a local bus service”.
3. That Local Authority-run bus companies, such as Reading Buses and Nottingham City Transport, have a successful track record of increasing the number of journeys, gaining high passenger satisfaction ratings, and



improving quality. Furthermore, these public operators have won the UK Bus Operator of the Year award in four of the last five years, proving their consistent success.

4. That Key Performance Indicators with regards to bus services have improved in Bristol in recent years, but that there is further progress to be made.

5. That improving passenger satisfaction, increasing the number of journeys, and providing better quality are key aims of the current Council administration's approach to bus services.

6. That Clause 21 was removed through an amendment at the House of Lords report stage on the 24th October, but that the danger of reinsertion of the Clause by the government when it reaches the House of Commons remains.

This Council believes:

1. That the proposed Clause 21 of the Bus Services Bill contradicts the Localism Act 2011 and associated General Power of Competence Provisions which the act grants to Local Authorities.

2. That, if there is a need and demand from the public, Bristol City Council and/or the planned West of England Combined Authority should be able to provide a municipal bus service.

3. That, whilst no plans have currently been mooted by the Council administration for such a company, the option should remain open.

4. That, consequently, and in accordance with the cross-party Local Government Association's view, Clause 21 should be omitted from the Bus Services Bill.

This Council resolves:

1. To write to Lord Ahmad (Parliamentary Under-Secretary of State at the Department for Transport), who is responsible for this Bill, calling on the Department for Transport to omit Clause 21 from the final legislation.

2. To write to Bristol's MPs to ask them to oppose Clause 21 when the Bus Services Bill reaches the House of Commons, and to ask them to write to Lord Ahmad and the Department for Transport raising concerns about Clause 21.

3. To work with any relevant organisations, locally and nationally, to publicise this Council's opposition to Clause 21."

5. Reducing single-use plastics in Bristol City Council

Motion submitted by Cllr Denyer

"Full Council notes that:

Since the beginning of the 20th century, plastic has become the most commonly used material¹ and modern life is unthinkable without it.

Unfortunately, what makes it so useful, such as its durability, light weight and low cost, also makes it problematic when it comes to its end of life phase.



50 percent of plastic is used just once and thrown away, and over the last ten years more plastic has been produced than during the whole of the last century². In the UK 68.4% of plastic packaging is sent to landfill³. 8 million tonnes of plastic waste ends up in the world's oceans each year⁴. The largest ocean garbage site in the world lies off the coast of California and has a floating mass of plastic twice the size of Texas. One million sea birds and 100,000 marine mammals are killed annually from plastic in our oceans.²

As more people move to cities and demand a more convenient way of life, our casual use of single-use plastics (SUPs) increases. To solve the plastic waste problem we need to work both locally and globally and our response must include reducing the volume of waste we create in the first instance.

Across the UK and around the world we have already seen inspirational change from fellow progressive cities⁵. As a historic port-city, and as a former European Green Capital, Bristol should be a showcase for how to build a coherent strategy to optimize plastic waste policy.

Full Council therefore resolves:

To ask the Mayor to:

1. Develop a robust strategy to make Bristol City Council a 'single-use-plastic-free' authority by the end of 2017;⁶
2. Encourage and enable the city's institutions, businesses and citizens to adopt similar measures.

This will require changes in policy and strong leadership and championing from the Council around reducing our reliance on and use of SUPs. It should specifically include moves to:

- End all sales of SUP bottles in council buildings and phase out their use at all events hosted in Council-owned buildings.
- End the use of other SUP products in council buildings starting with (but not limited to) 'disposable' cups, cutlery and drinking straws.
- Ensure reusable and affordable food containers are available for sale in public markets – to be piloted at St Nicholas market in the city centre.
- Work with the Festivals Team to create policy in which single-use 'disposable' plastic cups are replaced at all city festivals with reusable or deposit-scheme cups. This will ultimately be a condition for obtaining a licence for large scale events.
- Work with tenants in commercial properties owned by the Council to phase out SUP glasses, bottles, cutlery and straws and help them to engage with Bristol's existing 'Go Green' scheme.
- Work with bars and cafes, starting with those situated on the



harbourside, to phase out single-use 'disposable' cups and to encourage the use of reusable and deposit scheme ones.

- Encourage, enable and aid all employees and councillors to engage with the Plastic Free July challenge.
- Work with existing local groups and experts to implement these changes."

Notes and sources:

1. http://ec.europa.eu/environment/waste/plastic_waste.htm
2. <http://www.ecowatch.com>
3. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/485117/UK_Statistics_on_Waste_statistical_notice_15_12_2015_update_f1.pdf
4. J. Jambeck, "Plastic waste inputs from land into the ocean." (2015) <http://www.sciencemag.org/content/347/6223/768>
5. Globally:
 - 2015: San Francisco introduced a ban which will phase out the sales of plastic water bottles that hold 21 ounces or less in public places.
 - 2015: The leadership of New York City joined a growing group of cities in banning Expandable Polystyrene Foam (EPS). (Single-use EPS products including cups, bowls, plates, take-away containers and trays and packing peanuts will not allowed to be possessed, sold, or offered in NYC.)
 - 2015: The US is set to ban personal care products that contain microbeads after the House of Representatives approved a bill that would phase out the environmentally-harmful items.
 - 2009: Bundanoon in Australia banned the sales of plastic bottled-water and became the world's first 'bottled-water free' town.

In the UK:

- 2016: Norwich City Councillors unanimously passed a motion calling on the Council to go single-use-plastic-free. <https://norwich.greenparty.org.uk/news/2016/09/28/norwich-a-step-closer-to-becoming-a-pioneer-plastic-free-city>
 - Six months after the introduction of the 5p bag charge, use of single-use plastic bags had already dropped by 85%⁶, while the TV programme Hugh's War on Waste has raised public awareness of the problems of our throwaway culture. <https://www.gov.uk/government/news/billions-fewer-plastic-bags-on-the-streets>
6. Exceptions can be made where single-use plastic is used within



specialist systems such as medical, security, forensic and construction uses, where it is often the lowest carbon footprint solution and the plastics are disposed of in a responsible way.

6. Clause 21 – The Bus Services Bill

Motion submitted by Cllr Combley

“Full Council notes:

1. That the Bus Services Bill currently passing through Parliament, as originally proposed included Clause 21 that will effectively “prohibit a local authority from forming a company for the purposes of providing a local bus service”.
2. That the Localism Act (2011) provides general powers of competence to local authorities.
3. That municipal bus companies like Reading and Nottingham provide some of the best bus services in the country and have a successful track record of increasing bus passenger numbers and providing high quality bus services.
4. That polling by We Own It found that a majority of the public (57%) oppose clause 21, whilst just 22% support it. The opposition to Clause 21 is consistent across voters from all political parties.

Full Council believes:

1. Clause 21 contradicts the general powers of competence and the spirit of the Localism Act 2011.
2. If there is a need and a demand from their public, then Councils should be able to provide their own bus services.
3. Should they wish, Councils should be legally able to follow the model developed by Reading and Nottingham.
4. Consequently Clause 21 should be omitted from the Bus Services Bill.

Full Council resolves to ask the Mayor:

1. To write to Lord Ahmad and to call on the Department for Transport to omit Clause 21 from the final legislation.
2. To write to all Bristol MPs to ask them to oppose or continue to oppose clause 21 in the House of Commons and ask them to write to Lord Ahmad and the Department of Transport to raise concerns about Clause 21.
3. To publicise our opposition to clause 21 in local media.”

7. Housing standards in Bristol

Motion submitted by Cllr Bolton

“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."

8. Shark fin free Bristol

Motion submitted by Cllr Fi Hance

"Full Council notes that:

Many Bristol residents are deeply concerned about the decline in shark populations. The conservation organisation Fin Fighters has been campaigning to make the UK shark fin free by 2023.

Full Council believes that:

1. Owing to the catastrophic declines of shark populations driven by the global market for shark fin and the health implications of consuming shark; shark finning and the sale and distribution of Shark fins in the city of Bristol should be opposed.

Full Council resolves:

1. To urge businesses and individuals in the City of Bristol to end the sale and consumption of shark fin products.
2. That it will not knowingly purchase shark fin products for Council provided catering or events.
3. To support the Fin Fighters community in its positive engagement with the businesses selling shark fin, and in their efforts to encourage participation in the Fin Fighters Shark Support certification scheme.



4. To work with the MPs representing Bristol in Westminster, to call on them to strengthen the laws surrounding the practice of commercial shark fishing and support the Fin Free UK by 2023 campaign to ban the sale and distribution of shark fin in the UK by the year 2023.”

9. Devolution deal

Motion submitted by Cllr Hopkins

“Bristol and the West of England are significant net contributors to the wealth of the UK. Bristol residents were told 4-5 years ago that voting to get a Mayor would be beneficial and would bring extra money and power to the city. We now have had a chance to see this extra money and power in action and have recently had the Mayor publish a list of proposals which amongst a list of unacceptable cuts to services includes the abandonment of school crossing patrols. The government meanwhile is insisting on yet another expensive Mayor and allowing them to decide on a small list of West of England matters. The public did not have a choice and nobody voted for this with enthusiasm.

This Council thinks that the government has a twisted idea of what devolution means and instructs the Mayor to invite neighbouring council leaders to accompany him to lobby central government for a proper deal that allows Bristol and neighbouring councils to retain a fair % of revenue raised here to provide good quality public services and proper investment in local infrastructure.”

Signed



Proper Officer
Monday, 31 October 2016





Bristol City Council Minutes of the Full Council

13 September 2016 at 6.00 pm



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

Councillors: Donald Alexander, Lesley Alexander, Nicola Beech, Nicola Bowden-Jones, Harriet Bradley, Mark Bradshaw, Charlie Bolton, Fabian Breckels, Tom Brook, Tony Carey, Craig Cheney, Barry Clark, Jos Clark, Harriet Clough, Eleanor Combley, Asher Craig, Chris Davies, Mike Davies, Carla Denyer, Jude English, Martin Fodor, Helen Godwin, Geoff Gollop, John Goulandris, Fi Hance, Margaret Hickman, Claire Hiscott, Helen Holland, Gary Hopkins, Chris Jackson, Hibaq Jama, Carole Johnson, Steve Jones, Anna Keen, Gill Kirk, Cleo Lake, Olly Mead, Matt Melias, Graham Morris, Anthony Negus, Paula O'Rourke, Steve Pearce, Ruth Pickersgill, Kevin Quartley, Liz Radford, Jo Sergeant, Afzal Shah, Paul Smith, Clive Stevens, Jerome Thomas, Mhairi Threlfall, Estella Tincknell, Jon Wellington, Mark Weston, Lucy Whittle and Mark Wright

Aldermen/women: John McLaren, Brian Price, Colin Smith, Pat Roberts, Rosalie Walker

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 Abraham, Brain, Campion-Smith, Clarke, Eddy, Goggin, Kent, Langley, Massey, and Windows.

3. Minutes of previous meeting

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

RESOLVED:

That the minutes of the meeting of the Full Council held on 19 July 2016 be confirmed as a correct record and signed by the Lord Mayor.



4. Declarations of interest

Councillor Smith declared an interest in relation to agenda item 10 (Appointment of Returning Officer and Electoral Registration Officer). It was noted that he would not participate in or vote on this item of business.

5. Lord Mayor's business

None.

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

Public petitions:

None received.

Public statements:

The Full Council received and noted the following statements (which were also referred to the Mayor for his consideration/information):

Statement PS 01 - Review of parking around Gloucestershire County Cricket ground - submitted by Dr Sion Hannuna

Statement PS 02 - West of England devolution and transport issues - submitted by David Redgewell, Martin Cinamond, Nigel Bray, Jenny Raggett and John Hassell

Statement PS 03 - Hengrove Park development - submitted by Claire Liddell

Statement PS 04 - Bedminster Green - submitted by Sarah Watkins

Statement PS 05 - Hengrove Park development - submitted by Jane Hewer

Statement PS 06 - Residents parking zones - submitted by Brian Inglis

Statement PS 07 - Southville residents parking scheme – parking bays in Coronation Road - submitted by Mark and Pearl Reed

Statement PS 08 - Hengrove Park development - submitted by Rita Youseph

Statement PS 09 - Hengrove Park development - submitted by David and Helena Branfield

Statement PS 10 - Hengrove Park development - submitted by C J Evans



Statement PS 11 - Hengrove Park development - submitted by Stephen Hall

Statement PS 12 - Hengrove Park development - submitted by Jim Plumley

Statement PS 13 - Hengrove Park development - submitted by Michael Warren

Statement PS 14 - Hengrove Park development - submitted by John Button

Statement PS 15 - Hengrove Park development - submitted by Norman Jennings

Statement PS 16 - Hengrove Park development - submitted by Mr and Mrs P Prytherch

Statement PS 17 - no. 51 bus service - submitted by Josephine Fisher

Statement PS 18 - Hengrove Park development - submitted by Sue Rosewarne

Statement PS 19 - Hengrove Park development - submitted by Mr and Mrs J Carnell

Statement PS 20 - Hengrove Park development - submitted by Tracey Martin

Statement PS 21 - Hengrove Park development - submitted by Naomi Jones

Statement PS 22 - Hengrove Park development - submitted by Margaret Brown

Statement PS 23 - Hengrove Park development - submitted by Shirley Webster

Statement PS 24 - Hengrove Park development - submitted by Dani Lott

Statement PS 25 - Hengrove Park development - submitted by Katrina Coulton

Statement PS 26 - Hengrove Park development - submitted by John Condon

Statement PS 27 - Hengrove Park development - submitted by Ross Whittard

Statement PS 28 - Hengrove Park development - submitted by Beth Tarleton

Statement PS 29 - Hengrove Park development - submitted by Joanne Mullins

Statement PS 30 - Hengrove Park development - submitted by Jan and Antony Willson

Statement PS 31 - Hengrove Park development - Submitted by Alana Wilson and Martin Ford



Statement PS 32 - Hengrove Park development - submitted by Linda Sparks

Statement PS 33 - Hengrove Park development - submitted by Richard Davies

Statement PS 34 - Hengrove Park development - submitted by Kenneth Pitchers

Statement PS 35 - Hengrove Park development - submitted by Phil Tonkin

Statement PS 36 - Hengrove Park development - submitted by Terence Andrews

Statement PS 37 - Hengrove Park development - submitted by Linda McCann

Statement PS 38 - Hengrove Park development - submitted by Mervyn Walters

Statement PS 39 - Hengrove Park development - submitted by Ruth Andrews

Statement PS 40 - Hengrove Park development - submitted by Madeleine Harris

Statement PS 41 - Hengrove Park development - submitted by Angela Garland

Statement PS 42 - Hengrove Park development - submitted by Faith Ooi

Statement PS 43 - Hengrove Park development - submitted by Marie Werrett

Statement PS 44 - Hengrove Park development - submitted by David Self

Statement PS 45 - Hengrove Park development - submitted by Brian Garland

Statement PS 46 - Hengrove Park development - submitted by Simon Garland

Statement PS 47 - Homelessness, rough sleepers in Bristol - submitted by Eileen Means

Statement PS 48 - Hengrove Park development - submitted by Rev. Alister Palmer

Statement PS 49 - Bristol for Europe - submitted by Harry Grayson

Statement PS 50 - Disposal of the freehold of the docks estate at Avonmouth and Portbury - submitted by Alderman Royston Griffey

Statement PS 51 - Residents parking zones / transport issues - submitted by Edward Bowditch

Within the time available, statements were presented by individuals present at the meeting. The Mayor responded verbally to issues raised in the statements.



Public questions:

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

Question PQ 01 - Tall buildings policy - sites adjacent to Malago Road, south Bristol
- submitted by Nigel Biggs

Question PQ 02 - ACORN ethical lettings charter and accommodation for homeless households
- submitted by Ann Cullum

Question PQ 03 - Investment in Icelandic bank
- submitted by Philip Morris

Question PQ 04 - Bedminster - air quality and Bedminster Green development
- submitted by Cynthia Goldstein

Question PQ 05 - Bedminster Green development
- submitted by Nick Townsend

Question PQ 06 - Bedminster Green development
- submitted by Dianne James

Question PQ 07 - Combined heat and power generation inside the Bristol air
quality management area
- submitted by Sarah Watkins

Question PQ 08 - Red Lodge museum
- submitted by Christine Townsend

Question PQ 09 - Residents parking income
- submitted by Michael Owen

Question PQ 10 - Residents parking zones
- submitted by Dianne Livingstone

Question PQ 11 - Residents parking zones - Southville
- submitted by Anne Sutton

Question PQ 12 - Residents parking zones
- submitted by Cliff Jeal

Question PQ 13 - Residents parking zones
- submitted by Kim Davies



Question PQ 14 - Clifton village pay and display parking
- submitted by Edward Bowditch

Question PQ 15 - Council's budget
- submitted by Jack Hazeldine

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 04.

7. Petitions notified by councillors

The Full Council received and noted the following petition:

Petition CP 01 – “Petition requesting highways department to address safety issues on Church Road and Julian Road in Sneyd Park”

Petition presented by Councillor Goulandris

Petition organiser: Alderman Brenda Hugill

8. Petition debate - "Save the 51 bus"

The Full Council considered a report of the Service Director - Legal and Democratic Services setting out details of a petition entitled “Save the 51 bus.” The petition had reached the threshold (3,500 signatures from people who live, work or study in Bristol) for a Full Council debate.

Councillor Clough, one of the petition organisers, 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.

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



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

The Full Council considered a report of the Service Director – Legal and Democratic Services recommending the appointment of the authority’s Head of Paid Service and Statutory Scrutiny Officer.

The Lord Mayor moved the report and the recommendations set out therein.

Councillor Davies, Deputy Lord Mayor, seconded the report.

Upon being put to the vote, it was

RESOLVED:

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.

10. Appointment of Returning Officer and Electoral Registration Officer

The Full Council considered a report of the Service Director – Legal and Democratic Services recommending the appointment of the authority’s Returning Officer and Electoral Registration Officer.

Note: having declared an interest in relation to this item of business (see item 4 above), Councillor Smith did not participate in or vote on this item of business.

The Lord Mayor moved the report and the recommendations set out therein.

Councillor Davies, Deputy Lord Mayor, seconded the report.

Upon being put to the vote, it was

RESOLVED:

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.

11. Licensing Committee - membership changes

The Full Council considered a report of the Service Director – Legal and Democratic Services recommending that Council note the resignation of Councillor Hance from the Licensing Committee and approve the appointment of Councillor Combley to the committee.

The Lord Mayor moved the report and the recommendations set out therein.

Councillor Davies, Deputy Lord Mayor, seconded the report.

Upon being put to the vote, it was

RESOLVED:

That the resignation of Councillor Hance from the Licensing Committee be noted and that the appointment of Councillor Combley to the Licensing Committee be approved.

12. Information report - Exception to call-in procedure

The Full Council considered a report of the Service Director – Legal and Democratic Services advising Council (as required under the Council's constitution) that an exception to the call-in procedure had been made in respect of the following decision taken by the Mayor at Cabinet:

- Cabinet decision – 29 June 2016 – Combined authority and devolution proposals

The Lord Mayor moved the report.

Councillor Davies, Deputy Lord Mayor, seconded the report.

RESOLVED:

That the report be noted.

13. Information report - ACORN's ethical lettings charter

The Full Council considered a report of the Service Director – Housing Solutions and Crime Reduction recommending that Council note that in line with arrangements made 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.



Councillor Smith moved the report.

Councillor Shah seconded the report.

Following debate, it was

RESOLVED:

That the report be noted.

14. Motions

a. Motion 1 – Bristol Arena traffic plan

Councillor Weston moved the following motion:

“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.”

Councillor Goulandris seconded the motion.

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

RESOLVED:

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.

b. Motion 2 – Opposing forced academisation

Councillor Pickersgill moved the following motion:

“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:

- States 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."

Councillor Don Alexander seconded the motion.

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

RESOLVED:



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'.
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- 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:

- **States 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.”**

Meeting ended at 9.04 pm

CHAIR _____



Full Council

8 November 2016



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

Title: **Petition debate – Petition organised by Fin Fighters – “Condemning the trade, sale and distribution of shark fins within our city”**

Ward: Citywide

Recommendation

That Full Council debates the petition and refers it to the Mayor 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 “Condemning the trade, sale and distribution of shark fins within our city.”

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: “Condemning the trade, sale and distribution of shark fins within our city”

Petition wording:

“We, the undersigned residents of Bristol support a city by-law that condemns the possession, sale and consumption of shark fins within our city.

Sharks are essential to the health of our oceans. As apex predators, sharks maintain a critical balance in the ocean. When sharks are eliminated, disastrous effects can happen further down the food chain, including the collapse of commercial fisheries and degradation of coral reefs. Ecosystems with healthy shark populations have higher numbers of fish. A third of shark species are threatened with extinction. Some populations have plummeted by over 90%. Sharks cannot easily recover from overfishing because they reproduce slowly, taking years to mature and producing few offspring.

The shark fin trade is decimating shark populations worldwide at a rate of over 73 million sharks slaughtered annually. Experts agree that sharks could be extinct in 20 years at the current rate of slaughter. The act of shark finning is a wasteful and inhumane practice that involves cutting off a shark’s fins and then tossing the still-alive shark back overboard to drown, bleed to death, or to be eaten alive by other animals. Shark fins have no significant nutritional value and are considered unhealthy for human consumption due to the accumulation of high levels of mercury and other toxins in fins and flesh. Shark fin soup is a luxury that is responsible for tens of millions of sharks being killed every year. While sharks are essential, this soup is not.

We personally pledge never to knowingly purchase or consume shark fins. When the buying stops, the killing can too.”

2. The petition organiser is Lou Ruddell.
3. The petition secured 5,602 signatures (approx. 1,400 of these are from a geographical area beyond the Bristol and immediate travel to work area).
4. The Full Council is asked to debate the petition.
5. Under the petition scheme, the petition organiser is 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.

Full Council

8 November 2016



Report of: Stephen Hughes – Interim Chief Executive

Title: Designation of Monitoring Officer

Ward: N/A

Recommendation:

That Full Council confirms the designation of Shahzia Daya, Service Director: Legal and Democratic Services as Monitoring Officer.

Summary:

Under section 5, Local Government and Housing Act 1989 section 5, the Council must designate one of its officers as the Monitoring Officer.

The significant issues in the report are:

Policy

The designation the Monitoring Officer is a Full Council responsibility

Consultation

Selection committee comprising Councillors Cheney, Tincknell, Holland, Hopkins, Clarke and Eddy held on 24th October 2016.

External

N/A



Proposal

Shahzia Daya be appointed as the Council's statutory Monitoring Officer

Other options considered

None

Risk Assessment

The appointment of Monitoring Officer is a statutory requirement.

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.

There are no proposals in this report, which require either a statement as to the relevance of public sector equality duties or an Equalities Impact Assessment.

Environmental checklist / eco impact assessment

There are no proposals in this report which have environmental impacts

Legal and Resource Implications

The position of Monitoring Officer is a statutory requirement. The post requires absolute integrity and a commitment to lawful and proper decision-making.

The Local Government and Housing Act 1989 section 5 states (and summarised):

- 1) It shall be the duty of every relevant authority -
- a) To designate one of their officers (to be known as "the monitoring officer") as the officer

- responsible for performing the duties imposed by this section; and
- b) To provide that officer with such staff, accommodation and other resources as are, in his opinion, sufficient to allow those duties to be performed:
- 2) It shall be the duty of a monitoring officer, if it at any time appears to him that any proposal, decision or omission by the authority, by any committee, or sub-committee of the authority, by any person holding any office or employment under the authority or by any joint committee on which the authority are represented constitutes, has given rise to or is likely to or would give rise to –
 - a) A contravention by the authority, by any committee, or sub-committee of the authority, by any person holding any office or employment under the authority or by any such joint committee of any enactment or rule of law or of any code of practice made or approved by or under any enactment; or
 - b) Any such maladministration or injustice as is mentioned in Part III of the Local Government Act 1974 to prepare a report to the authority with respect to that proposal, decision or omission.

Financial

(a) Revenue

- 1. There are no direct revenue implications contained with this report

(b) Capital

- 2. There are no direct capital investment implications contained within this report.

Land

- 3. There are no direct implications for this report.

Personnel

- 4. The role of Monitoring Officer is contained within the job description for the Service Director:
Legal and Democratic Services

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

None

Full Council

8 November 2016



Report of: Stephen Hughes, Interim Chief Executive

Title: Designation of Section 151 finance officer

Ward: n/a

Recommendation

That the Full Council confirms the designation of Denise Murray as the authority's Section 151 officer with effect from 30 November 2016.

Summary

Section 151 of the Local Government and Housing Act 1989 requires the authority to designate one of its officers as its chief financial officer.

Denise Murray is a qualified and highly experienced finance professional, and has been appointed as the Council's Service Director – Finance with effect from 30 November 2016.

The significant issues in the report are:

As set out.



Policy

1. Not applicable.

Consultation

2. **Internal**
Not applicable.
3. **External**
Not applicable.

Context

4. The main duties of the Section 151 Officer are:
 - Ensuring the lawfulness and financial prudence of decision-making.
 - Administration of the authority's financial affairs.
 - Contributing to strategic and corporate management.
 - Providing relevant advice.
 - Providing financial information.

The Section 151 officer should have a close working relationship with the authority's other statutory officers, namely the Head of Paid Service, and the Monitoring Officer.

Proposal

5. That the Full Council confirms the designation of Denise Murray as the authority's Section 151 Officer with effect from 30 November 2016.

Other Options Considered

6. None.

Risk Assessment

7. The authority is required by law to designate one of its officers as its Section 151/chief financial officer.

Public Sector Equality Duties

- 8a) 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.

Legal and Resource Implications

Legal

Under Section 151 of the Local Government and Housing Act 1989, the authority has a statutory duty to designate one of its officers as its chief financial officer.

Shahzia Daya - Service Director – Legal and Democratic Services

Financial

As set out in the report.

Land

Not applicable.

Appendices:

None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None.

MAYOR'S EXECUTIVE SCHEME OF DELEGATION

This document sets out how executive decisions are taken at Bristol City Council.

Section 1	Introduction to Executive arrangements
Section 2	Who makes decisions?
Section 3	Mayor and Cabinet areas of responsibility (portfolios)
Section 4	Neighbourhood Partnerships
Section 5	Executive functions discharged by Officers
Section 6	Delegations to Officers
Section 7	General provisions
Section 8	Delegations to joint committees

Appendix - Terms of reference, Neighbourhood committees

1. Introduction to the Executive arrangements

Marvin Rees is Bristol's Elected Mayor.

He leads the City, in particular, the City Council and has overall responsibility for the delivery of Council services. The Elected City Mayor is directly accountable to local people.

To help him oversee the delivery of Council services and to work with other partners across the City and region, he has appointed a Deputy Mayor and eight Councillors who together are known as the Executive or, more commonly, the Cabinet. The Mayor has given these Councillors areas of responsibility referred to as portfolios and these are set out in this document.

The Cabinet works closely with the Strategic Directors of the relevant services employed to oversee the Council's operations in their portfolio and support delivery of the Corporate Plan.

There is a need to ensure that departments work together and services are integrated. Many of the areas of responsibility overlap. In many instances a Cabinet Member may take the lead on one area but the responsibility is shared across the Cabinet.

The Mayor and Cabinet Members work collaboratively to ensure Council departments and initiatives are joined up and make effective use of the Council's budget and other resources, such as those of organisations in the City and the City Office.

The Cabinet have regular briefings and meetings to identify related issues and the overall direction for the Council. See attached decision making chart which sets out the process for decision making in the Council.

'Key Decisions' means an executive decision, which is likely –

- (a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the Council.

Bristol City Council has determined that for the purposes of (a) above that "significant" expenditure or savings are expenditure or savings (including the receipt of loss of income or capital receipts) in excess of £500,000

Decisions taken by the Mayor, Deputy Mayor and Cabinet Members are published on the Council's website.

The Mayor is committed to engaging with citizens and partners and to ensuring that the decision making process is transparent. This document supports this commitment by setting out who leads on what function.

2. Who takes decisions?

The City Council has agreed a constitution which sets out how it operates, how decisions are made and the procedures which are followed. The law requires some of these processes, while others are a matter of local choice.

Statute and the Constitution specifies which matters the Council can take decisions on. These are set out in www.bristol.gov.uk. These will either be designated for decision-making by Full Council or by a Committee of Council (various regulatory functions such as planning and licensing matters). The remaining functions are Executive functions.

The Mayor may discharge any of the functions that are the responsibility of the Mayor and Cabinet himself or may arrange for the discharge of those functions by the Cabinet as a whole, by another member of the Cabinet, or by an officer of the authority.

The Mayor may also arrange for the discharge of those functions by a Neighbourhood Partnership (through a neighbourhood committee), joint arrangements with another authority or by another authority. These arrangements are described below.

The Mayor is responsible for the allocation and discharge of all Executive functions and may decide how Executive functions are to be exercised.

Where agreed with the Mayor, Cabinet Members will make decisions that fall within their portfolio.

Where a decision falls across more than one portfolio it will be subject to consultation with all relevant Cabinet Members. In such cases, the Mayor will make the final decision.

All decisions taken by the Mayor or Cabinet Members will be taken in public in Cabinet meetings, the Health and Well being Board, Learning City Partnership Board, Bristol Property Board or the Bristol Homes Board.

Strategic Directors identify issues which may require Cabinet Member involvement or decision. These are recorded and considered via regular Cabinet Member briefings with the relevant portfolio holder(s).

The Mayor may identify issues and will consider whether any of these decisions should be taken in consultation with the Cabinet.

All decisions will be taken in accordance with statutory and legal requirements, the Council's constitution, budget and Financial Regulations. Where a decision affects a particular ward, then the Cabinet portfolio holder will, where practicable, consult the relevant ward Member.

This document will be subject to ongoing review by the City Mayor and an up to date version maintained on the Council's website.

3. Mayor and Cabinet Member portfolios

MAYOR- MARVIN REES

Portfolio Terms of Reference

1. Council Plan
2. Communications
3. West of England Local Enterprise Partnership
4. Devolution
5. Policy
6. External Relations including Health & Wellbeing Board, Learning City Partnership Board, Bristol Property Board & Homes Board
7. Sport
8. Major city projects
9. All other executive functions not otherwise listed within Cabinet portfolio terms of reference listed below
10. Any executive functions that the Mayor may wish from time to time to have reserved to himself or to be discharged in a different manner to the general delegation arrangements described below.

DEPUTY MAYOR- COUNCILLOR ESTELLA TINCKNELL (Lab)- CABINET PORTFOLIO: DEMOCRACY, CULTURE, POLICY, STRATEGY & COMMUNICATIONS, INTERNATIONAL

Portfolio Terms of Reference

1. Cultural Strategy and policy
2. City policy making, policy and strategy development
3. Partnership policy working with the universities

4. Communications
5. International relations
6. Democratic Engagement

**COUNCILLOR CLLR MARK BRADSHAW (Lab)- CABINET PORTFOLIO:
TRANSPORT AND HIGHWAYS**

Portfolio Terms of Reference

1. Transport and transport policy
2. Highways maintenance
3. Integrated public transport
4. Infrastructure
5. Flooding
6. Air Quality

**COUNCILLOR CLARE CAMPION-SMITH (Lib Dem)- CABINET PORTFOLIO:
PEOPLE**

Portfolio Terms of Reference

1. Safeguarding Children and Adults (including children's board and safeguarding boards)
2. Children's Social Care
3. Corporate Parenting
4. Fostering and Adoption
5. Adult Social Care
6. Children & families support services
7. Strategic Commissioning

**COUNCILLOR CRAIG CHENEY (Lab)- CABINET PORTFOLIO: FINANCE,
GOVERNANCE AND PERFORMANCE**

Portfolio Terms of Reference

1. Finance and Budget

2. Legal and statutory services
3. Corporate services, including HR, health and safety, audit, procurement
4. Performance
5. Innovation and Companies
6. Commercialism
7. Capital and Infrastructure
8. Council Tax and Benefits

COUNCILLOR FI HANCE (Green)- CABINET PORTFOLIO: CITY HEALTH AND WELLBEING

Portfolio Terms of Reference

1. Public Health including Improving Mental Health Services
2. Preventative Services
3. Commissioning
4. Public protection, regulatory and environmental health
5. Health Partnerships

COUNCILLOR ASHER CRAIG (Lab)- CABINET PORTFOLIO: NEIGHBOURHOODS

Portfolio Terms of Reference

1. VCS and Community initiatives
2. Neighbourhood Partnerships
3. Libraries, Leisure Centres and Community Assets
4. Community Safety and Safer Bristol Partnership
5. Community Cohesion
6. Citizen Services, including Benefits and Council Tax, Customer Service Centres and Customer Service Improvement
7. Streetscene (Lighting, Cleansing, Signage), Landscaping, Parks and Green Spaces
8. Waste and Recycling
9. Civil Contingency Planning

COUNCILLOR CLAIRE HISCOTT (Con)- CABINET PORTFOLIO: EDUCATION AND SKILLS

Portfolio Terms of Reference

1. Schools and Partnerships
2. Youth Services
3. Children's Centres
4. Higher education
5. Apprenticeships, training and work experience

COUNCILLOR HELEN HOLLAND (Lab)- CABINET PORTFOLIO: PLACE

Portfolio Terms of Reference

1. The Arena and major projects
2. Spatial planning
3. Local Enterprise Partnership
4. Inward investment and enterprise zone
5. Property, Property Board and development projects
6. Energy and Sustainability

COUNCILLOR PAUL SMITH (Lab)- CABINET PORTFOLIO: HOMES AND COMMUNITIES

Portfolio Terms of Reference

1. Council Housing and Housing Revenue Account
2. Housing Strategy
3. House-Building and Housing Innovation
4. Housing Support services and homelessness
5. Private rented sector
6. HRA Property and Land allocated for housing

4. Executive functions delegated to councillors in Neighbourhood Partnerships (Neighbourhood Committees)

4.1 Bristol has a Neighbourhood Partnership (NP) for each of the following areas

- Ashley, Easton and Lawrence Hill
- Avonmouth and Lawrence Weston
- Bishopston, Cotham and Redland
- Central, Clifton and Harbourside
- Dundry View
- Filwood, Knowle and Windmill Hill
- Greater Bedminster
- Greater Brislington
- Greater Fishponds
- Henbury, Brentry and Southmead
- Stoke Bishop, Westbury-on-Trym and Henleaze
- Horfield and Lockleaze
- St George
- Stockwood, Hengrove and Whitchurch
(each known as a “Neighbourhood”)

4.2 The councillors elected to serve the wards in a neighbourhood are members of the corresponding neighbourhood partnership and, for the purposes of the council constitution, comprise a council committee known as a “Neighbourhood Committee”. To the councillors in each Neighbourhood Partnership (ie. each Neighbourhood Committee) the Mayor has delegated executive functions relating to the following:

- a) Expenditure of well-being budget;
- b) Expenditure of budget for environment projects;
- c) Highways maintenance (ie. road surface dressing/renewal and footway reconstruction/resurfacing);
- d) Minor traffic schemes;
- e) Expenditure of monies paid to the council pursuant to a section 106 agreement (made under s.106 Town and Country Planning Act 1990) and decisions relating to prioritising site specific schemes to be funded from those monies;
- f) Expenditure of any other budget allocated to the NP by cabinet or by any strategic director.
- g) Take decisions in relation to the disposal (or retention) of green space sites within their area which have been declared surplus to Council requirements, within the protocol for surplus sites which was previously agreed by the Cabinet.

4.3 The neighbourhood partnership (NP) councillors may only take decisions that are in accordance with the Neighbourhood’s approved

budget for the function.

- 4.4 The NP councillors may only exercise a function in so far as the function impacts on their own NP area.
- 4.5 Where a neighbourhood committee or two or more neighbourhood committees jointly by resolution, refer a matter to the Mayor for decision, then the Proper Officer will complete on their behalf, an appropriate proforma describing the issue and setting out the resolution(s). The matter will be considered by the Mayor, normally at the next available Cabinet meeting. The Chair(s) of the relevant neighbourhood committee(s) will report to the Cabinet and the relevant service director will respond accordingly.
- 4.6 Rules and principles applying to NP councillor decisions are set out in the Neighbourhood Committee terms of reference as approved from time to time by the Mayor. *(NB: the current terms of reference follow these delegations)*

5. Summary of the executive functions to be discharged by the Chief Executive and each strategic director

5.1 Chief Executive

To the extent permitted by law, any executive function not being a key decision may be exercised by the City Director notwithstanding its delegation to another Strategic Director. In accordance with the “General Principles applying to the exercise of delegated powers by officers” set out in part 3 of the Constitution, the City Director may arrange for the discharge of these functions through a Strategic Director

5.2 People Directorate

Any function of the executive falling within the portfolio of the strategic director of **People** including functions relating:

- (a) Strategic Commissioning and procurement
- (b) Care Provision (including re-ablement, residential and community based services)
- (c) Housing Solutions
- (d) Adult Social Care
- (e) Child and Family Support
- (f) Education and Skills

5.3 Resources Directorate

Any function of the executive falling within the portfolio of the strategic director of **Business Change** including functions relating to:

- (a) Financial management, internal audit and treasury management;

- (b) Human Resources;
- (c) ICT
- (d) Legal and Democratic services;
- (e) Support to Lord Mayor's office
- (f) Registration of births, deaths and marriages
- (g) Support to the Coroner's Office and mortuary
- (h) Elections;

5.4 **Neighbourhoods Directorate**

Any function of the executive falling within the portfolio of the strategic director of **Neighbourhoods including functions** in relation to:

- (a) Neighbourhoods, including libraries, neighbourhood management, health improvement and regulatory services.
- (b) Environment and Leisure
- (c) Housing Delivery
- (d) Public Health
- (e) Integrated customer services
- (f) Food safety and weights and measures

5.5 **Place Directorate**

Any function of the executive falling within the portfolio of the strategic director of **Place including functions** in relation to:

- (a) Property (including asset management, facilities management, property strategy)
- (b) Planning and Place Strategy (including strategic planning, and strategic transport)
- (c) Highways and Transport Management
- (d) Development and Regeneration

6. **Delegation of executive functions to officers**

Each **delegated officer** shall be entitled to discharge executive functions allocated to the department described in section 5 above for which s/he is the **delegated officer**, subject to the general provisions governing delegations contained in section 7 below:

- (a) The officer occupying the post of service director legal services (and members of his/her team under his/her direction) is authorised to do all things necessary to perform legal services in connection with the discharge of **executive functions** delegated under this section of the constitution. For the avoidance of doubt the conferring of the function on the officer occupying the post of Service Director, Legal Services is not to intend or remove the power of any authorised officer engaged in investigation to obtain or seek from a Justice of the Peace, or the court, a warrant of entry, Order under RIPA 2000 or other process ancillary to the investigation he or she is engaged in.

- (b) The officer designated as the chief finance officer (and his/her team under his/her direction) is authorised to do all things necessary in the performance of financial services and insurance arrangements in connection with the discharge of **executive functions** delegated under this section of the constitution.
- (c) In addition to any other delegation to an officer contained in this section of the constitution, each city council officer may discharge any **executive function** as necessary for them to perform such of the duties as are set out in their job description as they are required to undertake by the officer or officers responsible for their management and subject to the general provisions governing delegations contained in section 7 below.
- (d) Strategic Directors are authorised to take decisions relating to council land as set out in the Council's Land Decisions - Scheme of Authorities as approved from time to time by the Mayor.
- (e) The officers specified in this paragraph may institute criminal proceedings at designated police stations by requesting the custody officer to charge a suspect on the council's behalf, but only:

in connection with offences the council has power to enforce; and following consultation with the service director legal services or an appropriate member of his team, except when the officer is acting outside of normal council business hours.

The following officers in the trading standards team are so authorised: trading standards manager or acting manager; enforcement officer; accredited financial investigator; trading standards officer.

The following officers in the South West illegal money lending/scam-buster team are so authorised: South West regional enforcement manager or acting manager; senior investigator; investigator.

7. General provisions governing delegations to neighbourhood committees, officers and executive members

- 7.1 The conferring of a delegated power is not intended to and does not in fact supersede or replace any statutory requirement or override any provision of the city council's articles, procurement regulations, financial regulations and any other provision of the constitution.
- 7.2 Accordingly decision makers acting under delegated powers must do so in accordance with any such provision and having due regard to any relevant city council policy or Government guidance.
- 7.3 Reference to any act, order or regulation etc. is deemed to be a reference to any modification or re-enactment thereof.
- 7.4 Where there is a clear and pressing need for a key decision to be taken and it is not reasonably practicable, for any reason, for that decision to be taken by the Mayor or Cabinet Member then the City Director and strategic directors shall have authority to take key decisions. Before exercising such exceptional authority, the responsible officer must, as far as practicable, consult with the monitoring officer, the chief finance officer, the Mayor, the relevant executive member and relevant scrutiny chair. Any decision taken under this exemption will be reported to all members immediately and be subject of a formal report to the Mayor at the next meeting of cabinet and of the relevant scrutiny

committee.

- 7.5 It is recognised that **delegated officers** cannot personally undertake the discharge of every function conferred upon them. **Delegated officers** are accordingly entitled to arrange for the discharge by their subordinate officers of functions allocated to them provided that the **delegated officer** remains responsible for and accountable to the city council for the exercise of his / her delegated powers and puts in place such measures as the delegated officer considers appropriate to ensure that those officers assisting him / her in the discharge of **functions** do so in accordance with the provisions of this constitution and do not exceed the limits of any authorisation made to them by the **delegated officer** to assist him / her in this task.
- 7.6 For the avoidance of doubt, any reference in this part to the discharge of any **functions** includes a reference to the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of those functions.
- 7.7 If any **delegated officer** receives any statutory notice which if contravened would give rise to a risk of prosecution, he / she shall immediately refer it to the service director legal services and to the Mayor, who shall be entitled to call for a report on the matter to himself and as necessary, to the cabinet.
- 7.8 For the avoidance of doubt, an officer seized of the power to make a decision, may, where he / she considers it necessary in the particular circumstances, refer the matter for decision by the Mayor;
- 7.9 All **delegated officers** and the Mayor should seek and obtain appropriate professional advice from those employed or otherwise engaged by the city council for that purpose in connection with the matter under consideration. Any report made by officers to the Mayor and as necessary, the cabinet should show on its face whether or not such advice has been obtained.
- 7.10 All decisions taken by neighbourhood committees and officers must be consistent with the council's budget and policy framework and in accordance with any policy, plan or criteria adopted by the Mayor.

8. Delegations to Joint Committees

- 8.1 The following functions are delegated to the **Joint Transport Committee** of Bath and North East Somerset Council, Bristol City Council, North Somerset Council and South Gloucestershire Council:
All executive functions and powers as may be necessary, calculated to facilitate, incidental or conducive to the discharge of the functions of the Joint Transportation Executive Committee as detailed in, and subject to such limitations and conditions set out in the Constitution of that committee.
- 8.2 **West of England Strategic Leaders Board**
1. This scheme authorises the establishment, and delegation of executive functions to the West of England Strategic Leaders Board ("the Board") The Board is established under Section 101(5) of the Local Government Act 1972, as applied by Section 20 of the Local Government Act 2000 and Regulation 11 of the Local Authorities (Arrangements for the Discharge of Functions)(England) Regulations 2012 by the Executives of Bath and North East Somerset Council, Bristol City Council and North Somerset District Council, and by South Gloucestershire District Council.

2. The Board shall exercise the functions as further described below and the Mayor has conferred delegated authority on the Board to the extent necessary to discharge those functions or for any purpose that is calculated to facilitate, or is conducive or incidental to the discharge of those functions and the objective of the Board.

3. The Objective of the Board

4. The overall objective of the Board is to focus on strategic economic issues and to unlock barriers to growth in support of delivering the Strategic Economic Plan.

5. The Functions of the Board

6. Provide strong collective leadership and strategic direction to realise the full economic potential of the West of England.

7. Provide clear direction to support the development and delivery of key strategies to improve the economic conditions across the West of England area.

8. Provide a means for the formulation and expression of joint views of the authorities to central government and other bodies and organisations in respect of legislation, proposed legislation and other matters of concern, interest or relevance to the West of England economy with a particular focus on removing barriers to growth and the delegation of additional powers and funding.

9. Strengthen the co-ordination of joint local authority activity across the West of England, including the activities of the Local Enterprise Partnership, West of England Strategic Leaders Board and the Planning, Housing and Communities Board.

10. Identify and develop any new areas of joint working between the local authorities to further joint economic objectives.

11. Work with other appropriate agencies and bodies beyond the West of England in order to achieve any shared economic objectives.

12. Watch over, protect and promote the interest, rights, powers, functions and duties of the Authorities.

13. Ensuring that any proposals, actions whether agreed or considered will be subject to an obligation upon the Leader of each of the Authorities to report it to their own authority.

14. Take any decisions required to deliver the Strategic Economic Plan, including additional funding, freedoms and flexibilities, and delivery directly resulting from the Plan and the subsequent Growth Deal. This will not include issues covered by existing Joint Committee arrangements (JTEC or any new PHCB).

15. Making decisions based on recommendations from the Local Enterprise Partnership ("LEP") Board.

16. Informing LEP policies and LEP applications for funding programmes.

17. Provide a formal and accountable forum for decision making relating to all relevant LEP or West of England funding streams; recommendations will come from the Investment Awards Board via the LEP.

NEIGHBOURHOOD COMMITTEES TERMS OF REFERENCE

1. Overview

1.1 There is a Neighbourhood Partnership (NP) for each of the following 14 areas (each to be known as a “Neighbourhood”):

- Ashley, Easton and Lawrence Hill
- Avonmouth and Lawrence Weston
- Bishopston, Cotham and Redland
- Central, Clifton and Harbourside
- Dundry View
- Filwood, Knowle and Windmill Hill
- Greater Bedminster
- Greater Brislington
- Greater Fishponds
- Henbury, Brentry and Southmead
- Stoke Bishop, Westbury-on-Trym and Henleaze
- Horfield and Lockleaze
- St George
- Stockwood, Hengrove and Whitchurch

1.2 The councillors elected to serve the wards in a neighbourhood are members of the corresponding NP, along with other individuals who live and work in the Neighbourhood. For the purposes of the council constitution, all of the councillors on a NP comprise a council committee known as a “Neighbourhood Committee” and have delegated power to take certain local decisions on behalf of the council.

1.3 The Neighbourhood Committee sits within the Neighbourhood Partnership and is expected to take its decisions as part of a public meeting. When taking decisions, the Neighbourhood Committee should take into account the Neighbourhood Plan any relevant views expressed by other members of the Neighbourhood Partnership .

1.4 Non-councillor members of NPs do not have delegated authority to make decisions on behalf of the council. Council decisions include decisions to spend council monies, award a grant or contract on behalf of the council, or determine the materials or methods to be used by the council or its contractors in carrying out works (this is not an exhaustive list). Non-councillor members of an NP may consider such matters and express a view to its councillors, the Cabinet or council officers in relation to decisions that are relevant to their Neighbourhood. For example, they may identify priorities for

service delivery in their area, or agree how to respond to a consultation.

2. Functions delegated to Neighbourhood Committees

2.1 Executive functions

The Elected Mayor Council shall determine from time to time the executive functions that may be exercised by Neighbourhood Committees and will set out these functions in the Mayor's Scheme of Delegation.

2.3 Non-executive functions

Full council has not yet delegated any non-executive functions to Neighbourhood Committees. (Non-executive functions include regulatory functions such as planning decisions and licensing as well as nominations to outside bodies.)

3. Membership

- 3.1 The membership of each Neighbourhood Partnership will include all councillors who have been elected for wards in the Neighbourhood and no other councillors. All NP councillors for a Neighbourhood will constitute the Neighbourhood Committee for that Neighbourhood. It is expected that all NP councillors will attend each meeting of their respective Neighbourhood Partnership.

4. Procedure rules

Meeting arrangements

- 4.1 Neighbourhood Partnership meetings will normally be held quarterly. The expectation is that Neighbourhood Committees will make their decisions within Neighbourhood Partnership meetings. Agenda items which require a decision by the Neighbourhood Committee will be chaired by the Neighbourhood Committee Chair, all other agenda items will be chaired by the Neighbourhood Partnership chair.

Election of Neighbourhood Committee Chair

- 4.2 A Neighbourhood Committee Chair will be elected by the Neighbourhood Committee at the first NP meeting of the Municipal Year.
- 4.3 The Neighbourhood Committee Chair will be elected by overall majority. Where there is no overall majority of votes, the Neighbourhood Committee Chair shall be either: a member of the political group with the most councillors on the Neighbourhood Committee; or where there is no such largest group, a member of whichever political group represented on the Neighbourhood Committee, is the largest group on the council.

Quorum

- 4.4 The quorum for the Neighbourhood Committee to take a delegated council decision is 50% of councillors in the Neighbourhood Committee.

Voting

- 4.5 Only elected councillors are entitled to vote on delegated council decisions taken by Neighbourhood Committees.
- 4.6 In the event of an equality of votes the Neighbourhood Committee Chair will have a second, or casting vote.

Substitute arrangements

- 4.7 Neighbourhood Committee councillors cannot be substituted.

Agenda

- 4.8 A model agenda is set out in the notes to this document. Each agenda must include Declarations of Interests of councillor members.

Minutes of meetings

- 4.9 The meeting of Neighbourhood Partnerships shall be minuted and such minutes will be made available to the public in accordance with the Access to Information Procedure Rules (in part 4 of the council's constitution).

Right to submit statements

- 4.10 Members of the public may submit statements that relate to issues that are on the agenda for the meeting or any other issues, provided sufficient advance notice is given.

Statements may be submitted by e-mail to:
democratic.sevices@bristol.gov.uk

or:

Post to: Bristol City Council, Democratic Services Section, City Hall, College Green Bristol BS1 5TR (if delivered by hand) or Bristol City Democratic Services Section PO Box 3176 Bristol BS3 95S or Fax: 0117 9222146

5. Access to Information Rules

Neighbourhood Committees will comply with the Access to Information Rules contained in part 4 of the council's constitution, which means, among other things, that:

- Meetings must be held in public
- 5 days notice of meetings must be given
- Agendas and reports must be published 5 days in advance of meetings
- Minutes and records of decisions with reasons must be published.

6. Code of Conduct

- 6.1 Neighbourhood Committee councillors shall comply with the Members' Code of Conduct and any other code of conduct or protocol relating to the conduct of councillors which may be adopted by the council (eg. officer member protocol).

7. Reports to full Council

7.1 The Neighbourhood Committee Chair, on behalf of the Neighbourhood Partnership, may bring a report to full Council on the work of their Neighbourhood Partnership. Full Council will normally only receive one such report at each of its meetings (unless otherwise agreed by the Lord Mayor).

8. Decision making

- 8.1 Neighbourhood Committees must make decisions:

- in accordance with the council's budget and policy framework;
- in accordance with the approved neighbourhood budget for its area;
- in accordance with the approved budget for its area for the relevant function in the case of S106 funds.
- After due regard to the Neighbourhood Partnership Plan.
- in accordance with the Councils Equalities Duties.
- in accordance with all relevant procedure rules within the constitution including -
 - financial regulations
 - contract procedure regulations
 - procurement regulations;
- in accordance with any other council policy, plan or criteria approved by cabinet and with any relevant contractual arrangements; and
- in a meeting following consideration of a report from a strategic director or his/her nominee.

- 8.2 A Neighbourhood Committee may only exercise a function in so far as the function impacts on its own area.

- 8.3 Neighbourhood Committees may not make a decision which impacts in a significant way on another Neighbourhood without first consulting with the committee for that area. If they cannot secure the agreement of that neighbouring committee, then the matter should be referred to either the relevant strategic director or cabinet for decision.

- 8.4 A Neighbourhood Committee, or two or more Neighbourhood Committees

jointly, may refer a matter to either the relevant strategic director or cabinet for a decision.

- 8.5 The Elected Mayor may require a matter in relation to an executive function due to be considered by a Neighbourhood Committee to be determined by himself, cabinet or the relevant strategic director.
- 8.6 Where the Monitoring Officer or Chief Finance Officer is of the opinion that a proposal, decision, or omission of a Neighbourhood Committee is or if made would be:
- (a) outside its terms of reference; or
 - (b) outside its approved budget; or
 - (c) outside any relevant policy, plan or criteria approved by cabinet or with any relevant contractual arrangements; or
 - (d) outside the budget and policy framework; or
 - (e) not in accordance with any relevant procedure rules,

the Monitoring Officer or Chief Finance Officer shall refer the matter to cabinet or full Council as appropriate for consideration at the next available meeting.

- 8.7 Where a matter has been referred to cabinet or full Council under section 8.6, the implementation of the proposal or decision shall be suspended until the matter is considered by cabinet and/or full Council.

Where a matter has been referred to cabinet under 8.6 (a) (b) or (c) cabinet may:

- decide the matter itself; or
- endorse any decision already made; or
- refer the matter back to the Neighbourhood Committee for determination; and/or
- make any other decision it considers appropriate.

- 8.8 Where a matter has been referred to cabinet under 8.6 (d) or (e), then Cabinet may:
- (a) refer the matter to full Council for consideration; or
 - (b) decide the matter within the budget and policy framework or in accordance with the procedure rules; or
 - (c) refer the matter back to the Neighbourhood Committee for determination within the budget and policy framework, or in accordance with the procedure rules.
- 8.9 Before deciding any matter in accordance with section 8.6 to 8.8, cabinet will consider a report from a statutory officer or strategic director.

Guidance notes

- i. The Neighbourhood Committees are established pursuant to regulation 6 of The Local Authorities (Arrangements for the Discharge of Functions (England) Regulations and are “area committees” as defined by s.18 Local Government Act 2000.
- ii Councillors will be expected to work closely together with other members of their Neighbourhood Partnership to promote their area and help in the improvement of services in the area. Non-councillor NP members will have the opportunity to put their comments/recommendations/views in relation to decisions to be made to the Councillors. Whilst Councillors will be expected to take into account these, this should not compromise their independence as Councillors and not constrain them from making decisions that they deem to be in the interests of the wider community.
- iii The Neighbourhood Committee may decide to appoint Neighbourhood Committee Chairs on a rotating, or other temporary basis, in which case the Neighbourhood Committee Chair appointed at one meeting holds office until another Neighbourhood Committee Chair assumes the role at a subsequent meeting.
- iv Agendas of meetings will normally include the following items:
 - a) Apologies for absence
 - b) Approval of minutes from previous meeting.
 - c) Declarations of Interest (of councillors)
 - d) Public Forum statements (maximum time of 30 minutes)
 - e) Reports on proposed decisions for councillors, and on other matters to be considered by the Neighbourhood Partnership
 - f) Consider matters that the Chair of the Neighbourhood Partnership has agreed are urgent

Sometime prior to the public meeting the NP Chair, Neighbourhood Committee Chair and other interested parties as appropriate, may meet with relevant officers in private to plan and agree what business is to be transacted during the coming and future meetings.

- (v) The statements should normally be no longer than one side of A4 paper. Members of the public may then address the meeting (the chair may wish to set a time limit, eg. a maximum of three minutes). Anyone wishing to submit a statement is expected to contact the Democratic Services Officer named on the agenda and submit their statement by no later than 12.00 noon the working day before the meeting. The Chair has the discretion to allow any member of the public, whether or not they have submitted a written statement, to speak during the meeting.

Full Council

8 November 2016



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

Title: **Report of the Members Remuneration Independent Review Panel (IRP)**

Ward: Citywide

Recommendation

To consider the recommendations of the IRP in relation to member remuneration.

Should Council agree to the recommendations put forward by the IRP, it is suggested that the new allowances become operative from 1 December 2016.



Policy

1. The policy and procedure for the Members Independent Remuneration Panel are governed by the Local Authorities (Members' Allowances) (England) Regulations 2003 and subsequent amendments to the regulations.

Consultation

2. **Internal**
Mayor and Party group leaders / whips
Senior Leadership Team
3. **External**
Not applicable.

Context

4. The Panel was convened under the Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021). These regulations, which arise out of the relevant provisions in the Local Government Act 2000, require all local authorities to set up and maintain an advisory Independent Remuneration Members' Allowances Panel to review and provide advice on members' allowances.
5. All councils are required to seek the advice of its Independent Panel before they make any changes or amendments to their allowances scheme. They must 'pay regard' to the Panel's recommendations before setting a new or amended Members Allowances Scheme.

Background / Proposal

6. The Panel previously carried out a full review of the Members Allowances Scheme and its recommendations were presented to Full Council originally on 26 May 2015. These recommendations were rejected by the Full Council at that meeting.
7. The original IRP report as considered at the 26 May 2015 Full Council is at Appendix B.
8. The IRP met again on 30 October 2015 to reconsider their previous recommendations.
9. The IRP was asked to further review their recommendations and met again on 19 February 2016.
10. The IRP met again on 8 April 2016, when it was asked to consider recommending appropriate SRA(s) for the Deputy and Assistant Mayors, in that event that, following the 5 May election, a new Mayor might decide to give decision making responsibilities to the Deputy and Assistant Mayors. The Panel did not consider that it had enough information available to it at that stage to come to a conclusion / recommendation regarding an appropriate SRA(s) for the Deputy and Assistant Mayors in the event that they were to be granted decision making responsibilities. The Panel therefore made no recommendations on this point at that stage.

11. Following the 5 May election, the IRP met with the Mayor on 1 July 2016 when the Mayor outlined his reasons for proposing to allow delegated decision making by Cabinet members. At the meeting, it was agreed that the IRP would receive (draft) job descriptions for the Deputy and Assistant Mayors along with the (draft) Scheme of Delegations when these became available. The IRP agreed to meet again on 8 August 2016.
12. The IRP met on 8 August 2016, confirmed their recommended SRA for the Mayor and made recommendations relating to SRAs for the Deputy and Assistant Mayors. **Please see the supplementary report at Appendix A, which sets out the panel's recommendations in detail.**

Risk Assessment

To not approve the recommendations would mean the scheme would continue in its current form.

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.

Public sector equalities duties have been taken into account by the IRP as part of their deliberations.

Legal and Resource Implications

Legal

The Local Authorities (Members' Allowances)(England) Regulations 2003 ("the Regulations") provide that it is for each local authority to decide its scheme and the amounts to be paid under that scheme. Councils are required to establish and maintain an independent remuneration panel which will broadly have the functions of providing the local authority with advice on its scheme, the amounts to be paid and the pensionability of allowances where relevant. Local authorities must have regard to this advice.

The approach, therefore, is one where questions as to the amounts payable to members are matters for local determination. In this way, authorities can take full account of their particular circumstances, including the precise form of their new constitution, and be directly accountable to their electorate. This accountability is sharpened through each Authority being advised on its own allowances scheme by a local panel whose members are required to be independent.

(Legal advice provided by Shahzia Daya, Service Director and Monitoring Officer)

Financial (revenue)

The total full year cost of Members Allowances (excluding the Mayor) as proposed by the IRP is £1.273m. Employers' National Insurance Contributions are also payable, and this is estimated to be a further £176k. Therefore, the total estimated cost of the proposed Members' Allowances Scheme is £1.450m. The current available budget for Members' Allowances is £1.341m, and therefore the proposals included within this report will result in an estimated budget pressure of £110k from 2017/18. Budget provision for this will need to be made in the Medium Term Financial Plan for 2017/18 onwards.

It is proposed that the changes to Members Allowances be introduced from 1st December 2016. The estimated full year cost of Members' Allowances in 2016/17 is £1.193m, with Employers' National Insurance Contributions being estimated to be £165k, a total of £1.358m, compared to a budget provision of £1.341m. Therefore, it is estimated that in the current financial year, the cost of these proposals will create a budget pressure of £17k. It will be necessary to draw on the Council's General Contingency in the current financial year to fund this budget shortfall. The balance on the general contingency as at the end of Period 5, was £2m.

It is also proposed the Mayor's Allowance is increased to £72k, which is an increase of c£5,600, plus on-costs. The additional cost in the current financial year is c£1,900, plus on-costs. This is funded from the Mayor's budget.

(Finance advice provided by Janet Ditte: Service Manager: Finance Business Support
Date: 14th October 2016)

Land

Not applicable

Personnel

Not applicable

Appendices:

Appendix A – Supplementary report and recommendations of the IRP – August 2016

Appendix B – Original report of the IRP dated February 2015 (considered at Full Council on 26 May 2015)

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

Please note the present Members Allowances Scheme can viewed as part of the constitution on the web page <http://www.bristol.gov.uk/page/council-and-democracy/constitution> or via the Councillor Allowances and Payments page at <http://www.bristol.gov.uk/page/council-and-democracy/councillors-allowances-and-payments#jump-link-6>

**Supplementary Report of Independent Remuneration
Panel to Bristol City Council**

August 2016

Introduction

1. Following the consideration of our original report by the Council at its Annual meeting on the 26 May 2015 we were asked to re – convene and re- consider our original recommendations based on affordability given the serious financial pressures the Council faced and, indeed continues to face.
2. We have met on 5 occasions since then at members’ request to consider various aspects of the allowance scheme and this supplementary report sets out our final recommendations in full for ease of reference. However, please do also read our original report which sets out our overall approach together with the detailed analysis, justification and basis for individual recommendations.
3. We are conscious that the current scheme was adopted in June 2011 and so a full review of the Member Allowance Scheme is now long overdue. With this in mind we would recommend that the new allowance scheme should take effect from 1 October 2016.

General Principles & Methodology

4. As a Panel we were satisfied that our original methodology and the principles upon which we based the recommendations in our original report were sound and based upon careful consideration of the information and evidence before us.
5. We therefore reaffirmed those principles and were not persuaded we needed to revisit or review the Multipliers recommended to calculate individual SRA’s. There was one exception to this, which related to a different approach by the new Mayor to the delegation

of executive decision making, and we have made an adjustment to the multiplier in that instance.

Basic Allowance

6. This is the allowance that every councillor in Bristol is entitled to and includes recognition of the time and effort involved in performing ward councillor duties. The present level of Basic Allowance is set at £11,530. Our original recommendation was to increase it to £12,500 but we were asked to review our recommendations based upon affordability. Somewhat reluctantly, we agreed to recommend a 7.5% reduction at our Panel meeting in October 2015 to an allowance of £11,562.50.
7. We were reluctant to make this reduction, which of course then impacts upon all the levels of SRA allowances, because we firmly believed that an inadequate scheme of allowances could act as a threat to democracy and a potential disincentive to securing good councillors from all sections of the community.
8. When we met again in February 2016 and were addressed by the Deputy Mayor, Group Leaders and Whips there seemed to an almost general consensus that the revised figure recommended as the Basic Allowance was a matter for concern and there would be general support for an upward review.
9. As a result we have reconsidered the position and recommend that the Basic allowance is increased to £12,000. This does, of course, have an impact on all levels of SRA and the revised figures are set out in the body of this report and at Appendix 1.

RECOMMENDATION 1: That the Basic Allowance be increased to £12,000 with effect from October 2016.

Special Responsibility Allowances – Specific Roles:-

Executive Mayor

10. The Elected Mayor is not a councillor and unlike other SRA post holders is not entitled to receive a Basic Allowance. In making a recommendation for the level of the SRA for the Mayor we have been mindful of the need to attract high calibre candidates with the relevant skills knowledge and experience. The current allowance is £66,395 and we have reaffirmed our original recommendation that the new allowance is based upon a multiplier of 6 x BA, resulting in a recommended allowance of £72,000.

RECOMMENDATION 2: That the allowance for the Executive Mayor of Bristol be set at £72,000 (6 x Basic Allowance) with effect from October 2016.

Cabinet Members and the Deputy Mayor

11. The present allowance to Cabinet Members/ Assistant Mayors is £20,266. Under the previous administration the Mayor chose not to share his executive decision making powers and we felt for a number of reasons, which we set out in our original report, that the present level of allowance needed to be reduced. Our recommendation was that the SRA should be 1.5 x BA with an additional supplement of £1500 to recognise the additional responsibilities of the Deputy Mayor

12. We were asked to review this recommendation and were addressed at our meeting in February 2016 by the Deputy Mayor on various aspects of the role and responsibilities of an Assistant Mayor. After careful consideration, however, we reaffirmed our original methodology and our original recommendation.

13. However, we were subsequently asked to consider what our recommendation would be in the event that the new Mayor decided to establish a scheme of executive decision making to his cabinet

and we met to consider the position in April, July and August 2016. At our July meeting we were greatly assisted by evidence from the Mayor personally outlining the makeup of his cabinet, his vision for how he hoped it would develop and the priorities and key tasks as he saw them.

14. We subsequently had sight of draft role descriptions for the new Cabinet Members together with a draft executive scheme of delegation and updated comparator figures with the Core Cities and other Mayoral governance models. As a result we have revised our recommendations and recommend that for Cabinet Members exercising delegated decisions the SRA should be £24,000 (2 x BA) with an additional lead-in payment of £2,000 per annum for the Deputy Mayor to recognise the nature of this particular role.

RECOMMENDATION 3: That the special responsibility allowance for Cabinet Members be set at £24,000 (2 x Basic Allowance) with effect from October 2016;

RECOMMENDATION 4: That the special responsibility allowance for the Deputy Mayor be set at £24,000 plus a lead-in payment of £2000 per annum in order to recognise the additional responsibilities of this position (total £26,000).

NB : In the event that the Mayor does not make a scheme of delegation for executive decision making and the situation continues that, as previously, the Cabinet Members and the Deputy Mayor do not carry the personal responsibility for decision making we recommend that the SRA allowances are as follows:

RECOMMENDATION 3A: That the special responsibility allowance for Cabinet members be set at £18,000 (1.5 x Basic Allowance) with effect from October 2016;

RECOMMENDATION 4A: That the special responsibility allowance for the Deputy Mayor be set at £18,000 plus a lead-in

payment of £1,500 per annum in order to recognise the additional responsibilities of this position (total £19,500).

Cabinet Advisors

15. Since our original report we have been advised that there is no longer any current intention to appoint Cabinet advisors, accordingly our original recommendation that such Advisors should receive a SRA based on a multiplier of 0.25 x Basic Allowance is no longer relevant and we make no recommendation as to an SRA in this supplementary report.

Overview and Scrutiny Chairs

16. The present allowance for the Chairs of the 5 x scrutiny bodies is £6,080. Our original report recommended that the multiplier should be set at 0.75 x BA and we reaffirm this formula which would mean that Overview and Scrutiny Chairs receive a BA of £9,000.

RECOMMENDATION 5: That the special responsibility allowance for Scrutiny Chairs be set at £9,000 (0.75 x Basic Allowance) with effect from October 2016.

Regulatory Committee Chairs

17. The present Scheme of Allowances provides an SRA for the Chairs of 4 x Regulatory Committees at £6,080.

18. We originally recommended that the Chairs of the Development Control, Licensing, Public Safety and Protection and Audit Committees be set at 0.75 x Basic Allowance. We were subsequently asked to consider the possibility of the Public Safety and Protection sub - Committee Chairs also receiving an SRA. We reviewed this at our meeting in October 2015 and agreed that this was appropriate and that the SRA should be set at the same level of 0.75 SRA which is £9,000.

RECOMMENDATION 6: That the special responsibility allowance for the Chairs of the Development Control, Licensing, Public Safety and Protection and Audit Committees be set at £9,000 (0.75 x Basic Allowance) with effect from October 2016.

RECOMMENDATION 7: That the special responsibility allowance for the, Public Safety and Protection sub Committee Chairs be set at £9,000 (0.75 x Basic Allowance) with effect from October 2016.

19. At present, no allowance is paid to the Chair of the Public Rights of Way and Greens Committee. We have been advised of a likely decline in the workload of this Committee, specifically with regard to town and village greens. Accordingly, we do not recommend any change to this position.

RECOMMENDATION 8: That the Chair of the Public Rights of Way and Greens Committee should continue to NOT receive an SRA.

Vice Chairs of the Development Control Committees and Scrutiny Bodies

20. Under the present Scheme, the Vice Chairs of Development Control and Scrutiny Bodies are entitled to an allowance of £1,216. This allowance was intended to recognise the responsibility of those members who support the chairs by attending briefings and sitting in when absence prevents the chair from sitting.

21. We believe the increase to the Basic Allowance should cover the occasional need to Chair a meeting and the separate allowance for the Vice Chair role on committees should be discontinued. Long term absence for a period of 3 months or more should be addressed by the Vice Chair receiving the relevant SRA.

RECOMMENDATION 9: That the special responsibility allowance for the Vice Chairs of all Development Control and Scrutiny Bodies be deleted from the Scheme of Allowances with effect from October 2016

RECOMMENDATION 10: That, in the event that a Chair becomes absent/unavailable for a period of 3 months or more, the Vice Chair receives the relevant SRA

Licensing (Hearings) Sub Committees

22. The Panel received a request as part of its original review to consider a scaled attendance allowance for Licensing Committee members to compensate members for their time and effort in committing to serve on these hearings. Such an arrangement is already in place for employment hearings.

23. The evidence suggests that there is a significant time commitment on such members to read carefully the reports for each case and to formulate judgements based on these and the evidence presented. We believe that a graded scheme of allowances is required to help members and to make sure the administrative burden on the Council in setting up these hearings is minimised and our original recommendation is unchanged.

RECOMMENDATION 11: That a special responsibility allowance be introduced with effect from October 2016 for Members of the Licensing Committee who attend Licensing (Hearings) Sub Committees on the basis of £500 for a minimum of 5 attendances and that any attendances over and above 5 attract a payment of £100 per meeting. In the event of a hearing being cancelled, no SRA would be payable. No SRA would be payable for a telephone-conference based hearing.

Party Group Leaders and Party Whips

24. Both roles are recognised in the present Scheme of Allowances at £12,158 and £6,080 respectively and we recommended that these SRA's were retained based on a multiplier of 1x BA for Group Leaders and 0.5 x BA for Group Whips.

25. At the Panel meeting in February 2016 we were addressed by Group Leaders and Whips in relation to the level of these allowances but concluded that our original recommendation and relevant multiplier should be affirmed. Accordingly it is recommended that Group Leaders receive an SRA of £12,000 and Whips of £6,000.

RECOMMENDATION 12: That the special responsibility allowance for Group Leaders be set at £12,000 (1x Basic Allowance) with effect from October 2016;

RECOMMENDATION 13: That the special responsibility allowance for Group Whips be set at £6,000 (0.5 x Basic Allowance) with effect from October 2016;

RECOMMENDATION 14. That the present restriction that these allowances apply only to Leaders and Whips whose groups hold 10% or more of Council seats should remain.

Lord Mayor and Deputy Lord Mayor

26. Under the present Scheme, the Lord Mayor and Deputy Lord Mayor are entitled to an allowance of £20,266 and £6,080 respectively. The Panel believes the roles of Lord Mayor/Deputy Lord Mayor (i.e. the civic and ceremonial office and not the Executive Mayor) should be recognised in the same way as in the current Scheme. However there is a small adjustment to the allowance to reflect our links to the Basic Allowance.

RECOMMENDATION 15: That the special responsibility allowances for the Lord Mayor and the Deputy Lord Mayor be set at £19,920 (1.66 x Basic Allowance) and £6,000 (0.5 x Basic Allowance) respectively with effect from October 2016.

Multipliers

27. As explained in our main report the Panel recommendations are geared to multipliers of the Basic Allowance of £12,000. These multipliers have been consciously set with regard to what appear to the Panel to be the different levels of responsibility and time commitment attaching to the various roles for which we regard the payment of an SRA as justified.

28. Accordingly, if the Council does not accept our recommended Basic Allowance, we further recommend that the values of the SRAs be adjusted to the present or alternative Basic Allowance, using the same multipliers.

RECOMMENDATION 16: That in the event that the Council does not accept the Panel's recommended level of Basic Allowance, the values of special responsibility allowances be adjusted to the present or alternative Basic Allowance, using the same multipliers.

Co-opted Members' Allowance

29. The present Scheme provides for an allowance of £577 per annum to those persons appointed (including statutory co-optees) to serve as co-opted or appointed members on Scrutiny Commissions and other bodies from time to time as required.

30. As outlined in our main report we believe this arrangement should continue and accordingly make a recommendation, in line with other allowances, relating this allowance as a multiplier of the Basic Allowance.

RECOMMENDATION 17: That the co-opted members' allowance be set at £600 (0.05 of Basic Allowance) with effect from October 2016.

Travel and Subsistence

31. The Panel has noted the provisions for travelling and subsistence within the present Scheme. No evidence has been received in respect of this aspect of the Scheme. Accordingly, the Panel wishes to make no proposal for change in this regard.

RECOMMENDATION 18: That no change be made to the current provisions of the Scheme in relation to members' travel and subsistence (including the list of approved duties to which it applies).

Carers' Allowance

32. The Panel has noted the provisions for the payment of dependent carers' allowance within the present Scheme. No evidence has been received in respect of this aspect of the Scheme. Accordingly, the Panel wishes to make no proposals for change in this regard.

RECOMMENDATION 19: That no change be made to the current provisions of the Scheme in relation to dependent carers' allowance (including the list of approved duties to which it applies).

Indexing of Basic and other Allowance

33. The Panel has noted that the present Scheme makes provision for the Basic Allowance, Special Responsibility Allowances and the Co-optees' Allowance to be increased in line with officers' pay increases.

34. The Panel has taken on board the recent pay award for Officers in making its recommendation on the level of Basic Allowance in this report. The Panel sees great merit in this current provision remaining within the Scheme to provide for any future adjustments pending the next fundamental review of the Scheme.

RECOMMENDATION 20: That the present provisions of the Scheme regarding adjustments to the Basic Allowance (and consequently to other allowances) related to offer pay awards be continued and confirmed for the period up to the next fundamental review of the Scheme.

Michael Cole

Chair of Panel

20 August 2016

Allowances and SRAs

Appendix I

			Final Recommendations following Meeting on 8th August 2016			
	Numbers	Present Scheme SRA	Totals	Formula	SRA	Totals
Mayor	1	£66,395.00	£66,395.00	BA x 6	£72,000.00	£72,000.00
Deputy Mayor (See notes 2 and 3)	1	£20,266.00	£20,266.00	BA x 2 + £2,000	£26,000.00	£26,000.00
Cabinet Members (See notes 2 and 3)	8	£20,266.00	£162,128.00	BA x 2	£24,000.00	£192,000.00
Party Group Leaders	4	£12,158.00	£48,632.00	BA x 1	£12,000.00	£48,000.00
Party Group Whips	4	£6,080.00	£24,320.00	BA x 0.5	£6,000.00	£24,000.00
Scrutiny Chairs	5	£6,080.00	£30,400.00	BA x 0.75	£9,000.00	£45,000.00
Regulatory Chairs	4	£6,080.00	£24,320.00	BA x 0.75	£9,000.00	£36,000.00
PSP Sub Committee Chairs	2	£0.00	£0.00	BA x 0.75	£9,000.00	£18,000.00
Audit Committee Chair	1	£6,080.00	£6,080.00	BA x 0.75	£9,000.00	£9,000.00
Lord Mayor	1	£20,266.00	£20,266.00	BA x 1.66	£19,920.00	£19,920.00
Deputy Lord Mayor	1	£6,080.00	£6,080.00	BA x 0.5	£6,000.00	£6,000.00
Vice Chars of D C Comms & Scrutiny	7	£1,216.00	£8,512.00		£0.00	£0.00
Licensing Sub Committee Members (See note 1)		£0.00	£0.00			£9,000.00
Totals			£417,399.00			£504,920.00
Basic Allowance (BA)	70	£11,530.00	£807,100.00		£12,000.00	£840,000.00
Totals			£1,224,499.00			£1,344,920.00

Notes

1. Licensing Sub Committee figure is for Budget purposes only.

2. These recommendations relate to Deputy Mayor and Cabinet Members with delegated decision making powers.

3. Recommendations relating to Deputy Mayor and Cabinet Members without delegated decision making powers are as follows:

Deputy BA x 1.5 + £1,500 = £19,500

Cabinet Members BA x 1.5 = £18,000

Report of Independent Remuneration Panel to Bristol City Council

February, 2015

Introduction

1. Under the Local Government (Members Allowances) (England) Regulations, 2003, Councils have to set up an Independent Remuneration Panel to make recommendations on councillors' allowances.

2. The Panel comprises:

Michael Cole, Management Consultant, Head of Branch Operation and Sales Force - Bradford and Bingley Bank (retired)

Julie Hart, Member Management Team, Lloyds TSB, Management (retired), Company Director.

Rosa Hui, Deputy Lieutenant of the City & County of Bristol and Director of Bristol and Avon Chinese Women's Group.

Julian Legg, Business Continuity Manager, RSA

Peter Langan, retired Circuit Judge

Geralyn Meehan, Senior HR Manager and Employment Tribunal member

3. The Panel has met on 4 occasions at the offices of the City Council. Our meetings have been supported by Mr Norman Cornthwaite, Democratic Services Section and Mr Graham Russell as an independent adviser. We are deeply indebted to both for their support in our work.

4. Our special thanks are also due to the Mayor and the many councillors who gave up their time to come and talk to us (see background information in Appendix). The evidence we have gained has been invaluable and has helped us to formulate our recommendations.

General Principles

5. This is a very difficult time for local authorities and for councillors in particular. The economic climate has resulted in local authorities having to make difficult decisions about local services and budgets. We are aware of the most recent grant settlement for Bristol and acknowledge that these difficulties will continue for some time to come.

6. The role of local councillors is equally challenging. They work hard to secure local improvements to services and act as the voice of local people on matters of concern. Through overview and scrutiny roles, councillors are able to call the Executive Mayor and his Cabinet to account as well as actively engage in the development of new and improved policies.

7. In undertaking its legal responsibilities to consider and make recommendations on members' allowances and associated matters, the Panel has been aware of

- (a) the need for allowances to fairly reflect the public's high expectations of their elected representatives in a modern and progressive local authority;
- (b) the reality of the responsibilities that councillors carry out for their constituents and in support of the effective management of the Council;
- (c) the need for the allowances framework to support councillors and not itself to serve as a barrier to those who might wish to consider standing or remaining as a councillor;
- (d) the Council's requirement and expectation of the roles of those councillors performing special responsibilities (as set out in role descriptions and offered in face-to-face evidence); and
- (e) the impact of this first term of an Elected Mayor model of governance on how the Council works.

8. The Panel has been quite clear in its view that Bristol is one of the English core cities and holds strategic significance both regionally and nationally. We have looked at the core elements of the current Scheme of Allowances and considered the extent to which it provides adequate and effective support for both the leadership of this strategic local authority and the complementary roles of councillors.

9. The framework of the current Scheme was set some years ago. This is the first opportunity the Panel has had to have a fundamental review of the Scheme since the Elected Mayor model was introduced.

10. On some of the issues we have considered, there has had to be compromise among the Panel members. We recognise that our overall package of recommendations will have financial consequences. The Council will need to receive advice on this from its Officers. However, we are firmly of the view that Bristol needs an allowances framework that

- is fully supportive of the Executive Mayor and councillor roles;
- recognises the significant responsibilities that certain member roles carry on behalf of the Council and the City;
- does not serve as a disincentive to securing good quality candidates for the future, from all sectors of the local community; and
- reflects the strategic importance of the City of Bristol and of its effective governance.

11. The Panel has also sought to make the Scheme of Allowances more transparent in the way the allowances are calculated and with regard to the banding and differentials between allowances.

Methodology of our review

12. The majority of the evidence we have analysed has come directly from councillors and from the Panel's support staff. Of particular value were the role descriptions prepared by the Council for the various councillor roles. These have given us valuable insight into what the Council expects from these roles. We have taken into account also the results of a member survey of hours devoted to Council duties.

13. We have used comparative data from other Mayoral authorities and from English core cities, of which Bristol is one. However, while such data is an indicator, it has been treated with caution since we might not be comparing like with like. For example, some of the local authorities that have adopted the Elected Mayor form of governance are smaller District Councils with nothing like the range of responsibilities that Bristol has. There might also be variations in the level of delegated decision making to executive members in the core cities, which will impact upon individual levels of responsibility and accountability.

Basic Allowance

14. This is the allowance that every councillor in Bristol is entitled to and includes a recognition of the time and effort involved in performing ward councillor duties. The present level of Basic Allowance is set at £11,530.

15. The Basic Allowance will never totally compensate for all the hours spent by councillors on Council related duties. Indeed the Government anticipates that independent remuneration panels will apply a discount to the assessed total hours spent on councillor duties to reflect what they see as the voluntary element of a councillor's role. In most cases, Panels across the UK apply a 33% discount for this voluntary element.

16. The present Basic Allowance was set in 2012 and is based on a formula which the previous Panel adopted relating to the local median wage rate, applying a 33% voluntary element discount. While recognising the need for caution on comparator information, the Panel has noted that the average Basic Allowance in English core cities is £12,803. The median value is £13,001.

17. In addition, the Panel has noted that Officers in local government have recently been awarded an overall pay settlement of 2.2%. Hitherto, there has been a general reluctance by Councils across the region to increase allowances at a time of stagnation in Officers' pay.

18. There is no justification, in our view, in maintaining a position where Bristol City councillors are significantly under-valued through the allowances scheme compared to councillors in these other core cities. There has been a significant lapse of time since the last review. The

workload for local councillors has increased since the present Basic Allowance was set, particularly in terms of constituent queries. Irrespective of the form of executive governance in the Council, members of the Council have to manage the public interface with their constituents at times of financial difficulty.

19. The Panel has received impressive evidence, particularly from more-recently elected and working councillors, of the heavy and to some degree unanticipated time commitment which is required of them.

20. As Dame Jane Roberts, Chair of the Councillors Commission in 2008 described it – *“They [councillors] are the community champions. They are the two-way translators bringing the voices of the different communities that they represent into the Council to inform the decision making process.”*

21. Councillors face challenges in securing service provision and improvement in an era of restraint and cut-backs. The relatively high cost of living in Bristol is another significant factor in helping the Panel to reach a conclusion about the Basic Allowance.

22. While the Panel would have liked to recommend a Basic Allowance at, or close to, the average level for the core cities, we accept that this would constitute an unacceptable level of increase at this time.

23. However, the Panel is mindful of the need to put in place a robust Scheme of Allowances that will ensure the City Council can continue to attract councillors from all sectors of the local community. To achieve this, the level of allowances must not serve as a disincentive to younger or working people. While allowances will never fully compensate councillors for the costs of their time and effort, they must minimise the financial burden on councillors as they perform their Council-wide and local ward duties and responsibilities.

24. We have balanced all issues on this matter and have determined that the Basic Allowance does fall short of what might reasonably be expected to support councillors in a strategically important city like Bristol. It is our recommendation therefore that the Basic Allowance should rise to £12,500. However, in considering the need for special

responsibility allowances (see below) we have taken into account that a councillor receiving a Basic Allowance at this level would be expected to perform some duties relating to the governance of the Council without additional recognition through the allowances Scheme. This is referred to below in the justification for some of our recommendations.

RECOMMENDATION 1 : That the Basic Allowance be increased to £12,500 with effect from May, 2015.

Special Responsibility Allowances (SRA) – General Principles

25. These are discretionary allowances within the Scheme of Allowances. They are intended to recognise the responsibility, accountability, time and effort required from those members of the Council who perform duties significantly over and above what might reasonably be expected of them through the Basic Allowance.

26. We have noted the guidance of the Government that no more than 50% of councillors in an authority should receive a special responsibility allowance. There are currently 28 SRA's awarded under the present Scheme, well within this guideline. Collectively, our recommendations also fall well within this guideline. The present Scheme also provides that a councillor may receive no more than one SRA – with the higher-valued allowance being received where two or more such allowances are applicable to the councillor concerned.

27. The Panel has looked very carefully at member roles in the context of the need for special responsibility payments and

- recognises that an SRA is relevant only where the role carries a significant additional responsibility, level of accountability, time or effort over and above that of a councillor receiving only the Basic Allowance;
- seeks to value what the Council sees as the core role and the level of delivery (in this context the role descriptions have been invaluable) – recognising that this can sometimes be at variance with the role as described in direct evidence;

- has reviewed the roles that currently receive an SRA as to their continued relevance for such a payment;
- is not bound by earlier decisions of the Panel about roles and SRAs but has looked objectively at all roles in the context of setting a Scheme of Allowances for the next 4 years;
- has had to make a balanced judgement where there has been contrary evidence provided.

28. In making our recommendations, we wish to make it clear that any negative impact they may have is not intended to reflect adversely on any individual member of the Council and their performance in the role.

29. The Panel believes it is more transparent if special responsibility allowances are calculated as multipliers of the Basic Allowance. This also better demonstrates the Panel's thinking on the differentials between bands of allowances, reflecting levels of responsibility, time or effort. Our recommendations are therefore shown as multipliers of the Basic Allowance.

30. The following comments and recommendations are made for consideration by the Council

Special Responsibility Allowances – Specific Roles:-

Executive Mayor

31. Of the 12 English core cities that were required by the Government to hold a public referendum on the option of a directly elected City Mayor with executive powers, only Bristol returned a "Yes" vote. Accordingly in 2012 the City Council moved from a Leader with Cabinet form of governance to an Elected Mayor with Cabinet.

32. The Elected Mayor is not a councillor, and is therefore not entitled to receive the Basic Allowance. The Mayor determines the size of the Cabinet, the number and range of portfolios, the level of any delegation and the individual councillors that will serve in Cabinet positions.

33. The Bristol Mayor “runs the City” and takes all the key executive decisions within the policy framework and budget set by the full Council. He answers to the full Council of 70 councillors and is held to account through the overview and scrutiny function.

34. In comparing the current elected Mayor’s allowance of £66,395 with those of other directly elected Mayors in the UK, it is the third highest with only Salford and Liverpool Councils paying more (£69,690 and £79,500 respectively). However, the Panel is aware that a number of authorities that have elected Mayors are smaller District Councils and will pay a correspondingly lower allowance.

35. In making our recommendation on an allowance for the elected Mayor, we are mindful that the Council needs to be able to attract high calibre candidates with the skills, knowledge and experience for this position – candidates who are able to commit to the leadership of the City and therefore paid an allowance to reflect that. We have greatly appreciated the evidence of the present incumbent in giving his understanding of the role, its support mechanisms and its significance.

RECOMMENDATION 2: That the allowance for the Executive Mayor of Bristol be set at £75,000 (6 x Basic Allowance) with effect from May, 2015.

Assistant Mayors and the Deputy Mayor

36. The present allowance to the Assistant Mayors is £20,266.

37. The Panel has noted that Assistant Mayors, who together form the Cabinet, advise the Mayor, support him in his decision making role and work alongside strategic directorates. The only decision making powers are those that may be given from time to time by the Mayor. In the majority of cases, Assistant Mayors do not carry the personal responsibility for decision making.

38. One of the Assistant Mayors acts as Deputy Mayor, but at present does not receive a higher allowance.

39. The Panel has looked at comparator information from other Mayoral Councils. This is entirely valid given the nature of a directly elected Mayor form of governance and that the level of personal delegation to Cabinet Members is likely to be broadly the same, irrespective of the size or type of the local authority.

40. That said, Bristol is paying the highest Assistant Mayor/Cabinet Member allowance of any local authority with an elected Mayor and the 4th highest payment among the core cities.

41. While the position of Assistant Mayor does involve significant time and effort and has a clear strategic value to the Council in terms of working up a business case for decisions, the Panel believes that the present allowance needs to be reduced.

42. We have also considered evidence that the role of the Deputy Mayor needs to be at a level higher than for other Assistant Mayors. This is to recognise the over-arching responsibilities of the position, on behalf of the Mayor, as well as the preparation and knowledge required for those occasions when the Mayor is unable to act or wishes to step away from decision making where there is a conflict of interest.

43. Our conclusion is that the Deputy Mayor should receive an SRA equivalent to that of other Assistant Mayors plus a lead-in payment of £1,500 per annum to recognise the nature of this particular role.

RECOMMENDATION 3: That the special responsibility allowance for Assistant Mayors be set at £18,750 (1.5 x Basic Allowance) with effect from May 2015;

RECOMMENDATION 4: That the special responsibility allowance for the Deputy Mayor be set at £18,750 plus a lead-in payment of £1,500 per annum in order to recognise the additional responsibilities of this position (total £20,250).

Cabinet Advisors

44. The Panel has noted that the present Scheme of Allowances recognises the relatively new position of Cabinet Advisor with a temporary holding allowance of £3,040, for each of the 4 post-holders.

45. We have received conflicting evidence about this new role and its perceived value. In some Mayoral authorities there is a clear role for members outside of the Cabinet to work in support of Cabinet Members by

- managing part of a large portfolio;
- attending meetings with or on behalf of the Cabinet Member;
- meeting interest groups;
- developing certain policy areas with overview and scrutiny members
- providing some succession planning for leadership roles.

46. The Panel understands that in Bristol, the role is very much dependent upon the relevant Assistant Mayor and whether or how they choose to use the support of a Cabinet Advisor .

47. We have considered a recommendation, made in evidence, that such Advisors should be awarded an allowance of £5,000. The Panel feels that this role is very much in its infancy in Bristol and needs time to develop fully into a recognised and accepted role. We do not therefore believe that such an increase is justified at the present time. This is however a matter that the Panel would be prepared to consider in the future against further emerging evidence.

48. Accordingly we believe that the special responsibility allowance should remain at a holding level for the time being. However, because of our approach in applying multipliers of the Basic Allowance to set SRAs, there would be a marginal adjustment upwards.

RECOMMENDATION 5: That the special responsibility allowance for the Cabinet Advisors be set at £3,125 (0.25 x Basic Allowance) subject to the Panel being given the opportunity to review the allowance after a further one year of operation, or at such earlier time in the event that there is suitable evidence to justify an earlier reconsideration.

Overview and Scrutiny Chairs

49. The present allowance for the Chairs of the 5 x scrutiny bodies is £6,080 (see Appendix for details of these bodies).

50. The Panel recognises that scrutiny is an important legal function of the Council and that it assumes a special significance in Mayoral councils in calling the Mayor to account.

51. The evidence presented to us has been mixed. While there is a recognition of the value of the function in both scrutiny and policy development/formulation terms, there is some frustration that scrutiny members have difficulty in accessing information to carry out their role effectively.

52. We have looked at the role description and have considered evidence on the workload and responsibilities of the Chairs of Scrutiny in a culture where support for the role is low but expectations of it are high. We have disregarded evidence about internal cultural difficulties which we believe is a matter for the Council to resolve and does not impact upon our consideration of the significance of the scrutiny role as it is envisaged both in terms of its legal powers and by the Council itself.

53. With our cautionary view about comparative information, we have noted that Bristol is the second lowest Mayoral authority and the second lowest of the English core cities in terms of its value placed on the role of scrutiny chairs.

54. With the challenging times for local authorities continuing and possibly getting more difficult with the recently announced local government funding settlement, we believe the Council needs to maintain a robust scrutiny function. Those members who lead that function, by chairing Commissions and serving on the Overview and Scrutiny Management Board, must have their workload and significance recognised more adequately in the Scheme of Allowances, in our view.

RECOMMENDATION 6: That the special responsibility allowance for Scrutiny Chairs be set at £9,375 (0.75 x Basic Allowance) with effect from May 2015.

Regulatory Committee Chairs

55. The present Scheme of Allowances provides an SRA for the Chairs of 4 x Regulatory Committees at £6,080 (see Appendix for details of these bodies).

56. The Panel recognises that regulatory matters are determined by Committees of the Council to whom they are accountable and address statutory provisions. They stand outside of the executive arrangement and consequently the Mayor is not answerable for decision making other than on overall strategic policy as it affects regulatory services.

57. It follows therefore that those who chair and provide the member lead for regulatory matters (Development Control, Licensing, Public Safety and Protection) carry a significant responsibility for the integrity of the decision making process and accordingly for the management of risk to the Council on such sensitive and matters. Most decisions made by regulatory committees can be challenged through relevant appeals processes external to the Council. Cases of maladministration can be referred to the Ombudsman. These regulatory matters also generate significant public interest and pressure and those items that come to members for decision (rather than being dealt with by officer delegation) are by their nature the most controversial.

58. The evidence we have heard has emphasised the time and effort commitment for those who serve on these committees which determine matters referred to them against statutory deadlines.

59. We are convinced that the member management of regulatory functions does continue to equate to the responsibility level of the scrutiny chairs and accordingly needs to be enhanced within the Scheme of Allowances.

60. At present, no allowance is paid to the Chair of the Public Rights of Way and Greens Committee. We have been advised of a likely decline in the workload of this Committee, specifically with regard to town and village greens. Accordingly, we do not recommend any change to this position.

RECOMMENDATION 7: That the special responsibility allowance for the Chairs of the Development Control, Licensing, Public Safety and Protection and Audit Committees be set at £9,375 (0.75 x Basic Allowance) with effect from May 2015.

RECOMMENDATION 7A: That the Chair of the Public Rights of Way and Greens Committee should continue to NOT receive an SRA.

Vice Chairs of the Development Control Committees and Scrutiny Bodies

61. Under the present Scheme, the Vice Chairs of Development Control and Scrutiny Bodies (see Appendix) are entitled to an allowance of £1,216.

62. Recently introduced, this allowance was intended to recognise the responsibility of those members who support the chairs by attending briefings and sitting in when absence prevents the chair from sitting.

63. In the context of our recommendation to increase significantly the level of the Basic Allowance to all members, the Panel believes that it is a reasonable expectation on members that from time to time they may be asked to act up to a chairing or vice chairing role and otherwise assist in the good governance of the Council.

64. Accordingly we believe that a separate allowance for the Vice Chair role on committees should be discontinued. We are however content to keep this matter under review in the light of operational experience and do recognise the need for substitute chairing when the elected chair is absent for a long period.

RECOMMENDATION 8: That the special responsibility allowance for the Vice Chairs of all Development Control and Scrutiny Bodies be deleted from the Scheme of Allowances with effect from May, 2015.

RECOMMENDATION 8a: That, in the event that a Chair becomes absent/unavailable for a period of 3 months or more, the Vice Chair receive the relevant SRA

Licensing (Hearings) Sub Committees

65. There is one aspect of regulatory decision making that is causing difficulties for both members and officers and that is securing attendance at Licensing (Hearings) Sub Committees.

66. Because of the large number of hearings, generated by the receipt of representations from responsible authorities and/or relevant persons, a Licensing Sub Committee is convened approximately every fortnight, with meetings convened in the intervening weeks only when there is a legal requirement for an application to be determined before the normal fortnightly meeting can take place.

67. The 15 x members of the Licensing Committee are canvassed to serve on these sub committees, for which 3 x members are required for each sitting. This creates an administrative burden on Democratic Services to obtain sufficient members who have the capacity to serve on such regular meetings and a difficulty for members to commit to so many attendances without impacting on their other commitments. It is clear from the attendance statistics that relatively few members are contributing to the majority of hearings with some members unable to commit to any in a year.

68. The Panel has received a request to consider a scaled attendance allowance to compensate members for their time and effort in committing to serve on these hearings. Such an arrangement is already in place for employment hearings.

69. The evidence suggests that there is a significant time commitment on such members to read carefully the reports for each case and to formulate judgements based on these and the evidence presented. We believe that a graded scheme of allowances is required to help members and to make sure the administrative burden on the Council in setting up these hearings is minimised.

RECOMMENDATION 9: That a special responsibility allowance be introduced with effect from May 2015 for Members of the Licensing Committee who attend Licensing (Hearings) Sub Committees on the basis of £500 for a minimum of 5 attendances and that any attendances over and above 5 attract a payment of £100 per meeting. In the event of a hearing being cancelled, no SRA would be payable. No SRA would be payable for a telephone-conference based hearing.

Party Group Leaders and Party Whips

70. Both roles are recognised in the present Scheme of Allowances at £12,158 and £6,080 respectively.

71. The Panel has given careful consideration to the role and activities that are being recognised by these allowances. To some extent, both are performing party political roles which some may see as being outside the scope of the allowances arrangements.

72. We have received strong evidence about the close liaison that exists between the Group Whips and Democratic Services in the context of managing member issues such as committee membership and attendance. The role description identifies the role that Group Whips play in overseeing Council performance, internal governance and member/officer relationships.

73. For Group Leaders, the main issue for the Panel has been the balance between group management and making a contribution to effective governance of the Council. The Panel is convinced that each Group Leader is playing an important role as an intermediary between the Mayor and Cabinet on the one hand and his/her group of councillors on the other.

74. We discussed with witnesses the current 10% rule - that allowances are only awarded to Leaders of Groups and Group Whips whose groups hold 10% or more of Council seats. There was no support for any change to this rule and we accordingly reinforce it in our recommendations.

75. We are convinced that in both cases there is every justification in an authority like Bristol for recognising these roles through the Scheme of Allowances at the responsibility levels shown in the recommendations below.

RECOMMENDATION 10: That the special responsibility allowance for Group Leaders be set at £12,500 (1x Basic Allowance) with effect from May 2015;

RECOMMENDATION 11: That the special responsibility allowance for Group Whips be set at £6,250 (0.5 x Basic Allowance) with effect from May, 2015;

RECOMMENDATION 12. That the present restriction that these allowances apply only to Leaders and Whips whose groups hold 10% or more of Council seats should remain.

Lord Mayor and Deputy Lord Mayor

76. Under the present Scheme, the Lord Mayor and Deputy Lord Mayor are entitled to an allowance of £20,266 and £6,080 respectively.

77. The Panel has considered carefully the special responsibility aspects of these roles as distinct from the civic support allocated through other budgets of the Council.

78. With civic engagements totalling in the region of 922 in a year (130 of which are attended by the Deputy Lord Mayor) there is clearly a significant time and effort commitment for the office –holder to commit to. The Panel recognises that many of these engagements will impact on the Lord Mayor's other commitments (Council, family and work).

79. The Panel believes the roles of Lord Mayor/Deputy Lord Mayor (i.e. the civic and ceremonial office and not the Executive Mayor) should be recognised in the same way as in the current Scheme. However there is a small adjustment to the allowance to reflect our links to the Basic Allowance.

RECOMMENDATION 13: That the special responsibility allowances for the Lord Mayor and the Deputy Lord Mayor be set at £20,750 (1.66 x Basic Allowance) and £6,250 (0.5 x Basic Allowance) respectively with effect from May, 2015.

Impact of our recommendations

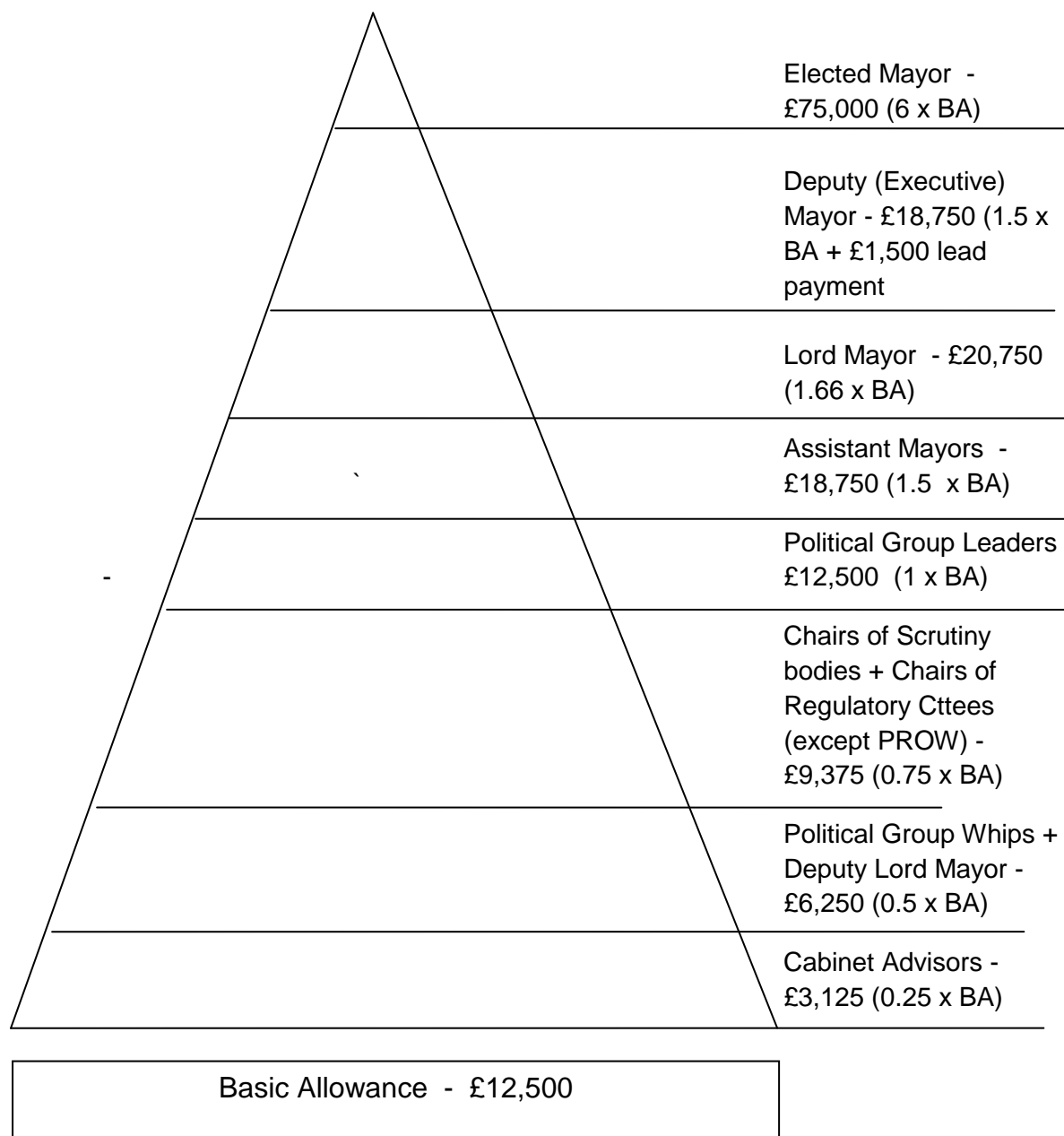
80. There are two main issues here. The first is that our recommended special responsibility allowances are (apart from the special case of the Licensing (Hearings) Sub Committees) geared to multipliers of the Basic Allowance of £12,500. These multipliers have been consciously set with regard to what appear to the Panel to be the different levels of responsibility and time commitment attaching to the various roles for which we regard the payment of an SRA as justified. Accordingly, if the Council does not accept our recommended Basic Allowance, we further recommend that the values of the SRAs be adjusted to the present or alternative Basic Allowance, using the same multipliers.

RECOMMENDATION 14: That in the event that the Council does not accept the Panel's recommended level of Basic Allowance, the values of special responsibility allowances be adjusted to the present or alternative Basic Allowance, using the same multipliers.

81. The second issue is the financial impact of our proposals compared with the cost of the present Scheme of Allowances. On the following page there is a pyramid of responsibility showing how our recommendations reflect in allowance bandings for the future.

Basic and Special Responsibility Allowances

Bristol City Council



82. The following table shows how the present and proposed scheme values compare.

Present Scheme			Proposed Scheme	
Role	SRA - £	Total	SRA - £	Total
Mayor	66,395	66,395	75,000	75,000
Deputy Mayor	20,266	20,266	18,750 + 1,500	20,250
Assistant Mayors x 4	20,266	81,064	18,750	75,000
Cabinet Advisers x 4	3,040	12,160	3,125	12,500
Political Group Leaders x 3	12,158	36,474	12,500	37,500
Political Group Whips x 3	6,080	18,240	6,250	18,750
Chairs of Scrutiny x 5	6,080	30,400	9,375	46,875
Chairs of Regulatory Committees x 5	6,080	30,400	9,375	46,875
Lord Mayor	20,266	20,266	20,750	20,750
Deputy Lord Mayor	6,080	6,080	6,250	6,250
Vice Chairs of Committees x 7	1,216	8512	Nil	Nil
Licensing Sub members	Nil	Nil	9,000	9,000
	Total SRAs	<u>330,257</u>	Total SRAs	<u>368,750</u>
Basic Allowance x 70	11,530	807,100	12,500	875,000
TOTALS		1,137,357		1,243,750**

** plus amount for Licensing member attendances (as defined)

Based on (say) 30 Meetings per year this would cost £9,000 (30 Meetings x 3 Members x £100 per Member per Meeting).

Co-opted Members' Allowance

83. The present Scheme provides for an allowance of £577 per annum to those persons appointed (including statutory co-optees) to serve as co-opted or appointed members on Scrutiny Commissions and other bodies from time to time as required.

84. We believe this arrangement should continue and accordingly make a recommendation, in line with other allowances, relating this allowance as a multiplier of the Basic Allowance.

RECOMMENDATION 15: That the co-opted members' allowance be set at £625 (0.05 of Basic Allowance) with effect from May, 2015

Travel and Subsistence

85. The Panel has noted the provisions for travelling and subsistence within the present Scheme. No evidence has been received in respect of this aspect of the Scheme. Accordingly, the Panel wishes to make no proposal for change in this regard.

RECOMMENDATION 16: That no change be made to the current provisions of the Scheme in relation to members' travel and subsistence (including the list of approved duties to which it applies) .

Carers' Allowance

86. The Panel has noted the provisions for the payment of dependent carers' allowance within the present Scheme. No evidence has been received in respect of this aspect of the Scheme. Accordingly, the Panel wishes to make no proposals for change in this regard.

RECOMMENDATION 16: That no change be made to the current provisions of the Scheme in relation to dependent carers' allowance (including the list of approved duties to which it applies) .

Indexing of Basic and other Allowance

87. The Panel has noted that the present Scheme makes provision for the Basic Allowance, Special Responsibility Allowances and the Co-optees' Allowance to be increased in line with officers' pay increases.

88. The Panel has taken on board the recent pay award for Officers in making its recommendation on the level of Basic Allowance in this report. The Panel sees great merit in this current provision remaining within the Scheme to provide for any future adjustments pending the next fundamental review of the Scheme.

RECOMMENDATION 17: That the present provisions of the Scheme regarding adjustments to the Basic Allowance (and consequently to other allowances) related to offer pay awards be continued and confirmed for the period up to the next fundamental review of the Scheme.

Michael Cole

Chair of Panel

3rd February, 2015

Councillors offering evidence to the Panel

In addition to the Executive Mayor, the Panel has received a wide variety of evidence from

Group Leaders,
Group Whips,
Front-line Councillors,
Assistant Mayors,
Scrutiny Commission Chairs and
a Regulatory Chair.

Comparator statistics have been viewed in respect of allowances awarded in English Core Cities, other Mayoral Councils and generally in the South West.

The Regulatory Committees

Development Control A

Development Control B

Licensing

Public Rights of Way and Greens (no allowance paid)

Public Safety and Protection

Audit Committee (part regulatory and part scrutiny)

The Overview and Scrutiny Bodies

Overview and Scrutiny Management Board

Business Change and Resources Scrutiny Commission

Neighbourhoods Scrutiny Commission

People Scrutiny Commission

Place Scrutiny Commission

Full Council

8 November 2016



Report of: Anna Klonowski – Interim Strategic Director – Business Change

Title: Treasury Management Annual Report 2015/16

Ward: Citywide

Member presenting report: Councillor Craig Cheney, Cabinet member for Finance, Governance and Performance

Recommendation:

That Council note the Treasury Management Annual Report for 2015/16.

Summary:

Under the CIPFA Code of Practice on Treasury Management (the Code) the Section 151 Officer is required to produce an outturn report on activities in the year to account for how the Strategy set at the start of the year has been implemented. This report meets the requirements of both the Code and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

The significant issues in the report are:

- The Council has complied with treasury management legislative and regulatory requirements during the period and all transactions were in accordance with the approved Treasury Management Strategy.
- No additional long term borrowing was undertaken in the year. The Council's long term debt at 31 March 2016 was £415m (£415m at 31st March 2015) with an average interest rate of 4.81%.
- Investments were £146m at the 31 March 2016 (£191m at 31 March 2015) with an average rate of 0.63% in 2015/16 (0.69% in 2014/15).



The proposal:

Background

1. The Council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management (the Code), which requires local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. The Code also requires reports to full Council mid-year and after the year end.
2. The Code also requires the Council to nominate one of its Committees to have responsibility for scrutiny of its treasury management strategy, policy and activity. Council has delegated that responsibility to the Audit Committee. Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council's treasury management objectives.

3. Treasury management is defined as:

"The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

Economic Background for 2015/16

4. Market expectations for the first increase in Bank Rate moved considerably during 2015/16, starting at quarter 3 2015 but soon moving back to quarter 1 2016. However, by the end of the year, market expectations had moved back radically to quarter 2 2018 due to many fears including concerns that China's economic growth; the potential destabilisation of some emerging market countries particularly exposed to the Chinese economic slowdown; and the continuation of the collapse in oil prices during 2015 together with continuing Eurozone growth uncertainties.
5. These concerns have caused sharp market volatility in equity prices during the year with corresponding impacts on bond prices and bond yields due to safe haven flows. Bank Rate, therefore, remained unchanged at 0.5% for the seventh successive year. Economic growth (GDP) in 2015/16 has been disappointing with growth falling steadily from an annual rate of 2.9% in quarter 1 2015 to 2.1% in quarter 4.
6. The sharp volatility in equity markets during the year was reflected in sharp volatility in bond yields. However, the overall dominant trend in bond yields since July 2015 has been for yields to fall to historically low levels as forecasts for inflation have repeatedly been revised downwards and expectations of increases in central rates have been pushed back. In addition, a notable trend in the year was that several central banks introduced negative interest rates as a measure to stimulate the creation of credit and hence economic growth.
7. The ECB commenced a large quantitative easing programme of purchases of Eurozone government and other bonds starting in March at €60bn per month. This put downward pressure on Eurozone bond yields. There was a further increase in this programme of QE in December 2015.

8. In the US, the economy has continued to grow due to consumer demand. The first increase in the central rate occurred in December 2015 since when there has been a return to caution as to the speed of further increases due to concerns around the risks to world growth.
9. The UK elected a majority Conservative Government in May 2015, removing one potential concern but introducing another due to the promise of a referendum on the UK remaining part of the EU. The government maintained its tight fiscal policy stance but the more recent downturn in expectations for economic growth has made it more difficult to return the public sector net borrowing to a balanced annual position within the period of this parliament.

Treasury position as at 31 March 2016

10. The table below indicates the balance of borrowing (principle only) and investments at the beginning and end of the year:

	31 March 2015		31 March 2016	
	£m	Rate%	£m	Rate%
Long Term Debt (fixed rates) - PWLB	292	5.09	292	5.09
Long Term Debt (fixed rates) – Market	123	4.14	123	4.14
Short Term Borrowing	-	-	2	0.55
Total borrowing	415	4.76	417	4.81
Investments	191	0.69	146	0.63
Net Borrowing Position	224		271	

11. The total borrowing excludes accrued interest of £5m (£5m at 31/3/15), and the outstanding finance on PFI and service contracts leases of £152m at 31 March 2016 (£161m at 31/3/15).
12. During the year the authority borrowed £2m @ 0.55% overnight (31st March 2016) to meet planned financial obligations.
13. The authority also has long term service investments valued at £26m (cost £10m) primarily relating to the equity investment within the Bristol Port and Bristol Holdings Companies. These are not categorised as Treasury Management investments.

Long Term Borrowing – Strategy and outturn

14. The 2015–2018 Treasury Strategy (approved 17th February 2015) identified a medium term borrowing requirement of £150m to support the existing and future Capital Programme with the debt servicing costs predominately met from revenue savings from capital investment. The £150m was planned to be borrowed equally in 2015/16 (£75m) and 2016/17 (£75m).
15. The Council's Strategy is to defer borrowing while it has significant levels of cash balances (£146m at March 2016). Deferring borrowing will reduce the “net” revenue interest cost of the Authority as well as reducing the Council's exposure to counter party risk for its investments. The Council recognises that utilising investments in lieu of

borrowing clearly has a finite duration and that future borrowing may be required to support capital expenditure (see 2015/16 Treasury Management Strategy approved by Council 17th February 2015).

https://democracy.bristol.gov.uk/Data/Full%20Council/201502171400/Agenda/0217_5.pdf

16. Borrowing activity in year was in accordance with the Strategy approved at the beginning of the year:

- **Borrowing** – No new long term borrowing was undertaken in 2015/16, as the authority maintained higher levels of investments than originally anticipated for a variety of reasons including the time taken to progress capital schemes where the source of financing is external borrowing. The authority did borrow £2m @ 0.55% overnight (31st March 2016) to meet planned financial obligations.
- **Rescheduling** – No debt rescheduling activity was undertaken in 2015/16.
- **Repayment** – No debt which matured within the period.

Annual Investment Strategy and Outturn

17. Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for seven years. Market expectations as to the timing of the start of monetary tightening was originally quarter 3 of 2015 but this has since changed to monetary loosening, first reduction expected in quarter 3 2016. Monetary tightening is then expected in quarter 2 2018. Deposit rates remained depressed during the whole of the year.

18. Security of capital remained the Council's main investment objective. This was maintained by following the Council's policy for assessing institutions to which the council might lend. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

19. Investments held by the Council - the Council maintained an average balance of £245m (£248m 2014/15) of internally managed funds. The internally managed funds received an average return of 0.63% (0.69% 2014/15). The comparable performance indicator is the average 7-day LIBID rate, which was 0.36%.

Compliance with Treasury Limits and Treasury Related Prudential Indicators

20. The Council can confirm that:

- All treasury related transactions were undertaken by authorised officers and within the limits and parameters approved by the Council;
- All investments were to counterparties on the approved lending list

- The Council operated within the Prudential Indicators within Appendix 1.

Performance Indicators set for 2015/16

21. One of the key requirements in the Code is the formal introduction of performance measurement relating to investments, debt, and capital financing activities. Whilst investment performance criteria have been well developed and universally accepted, debt performance indicators continue to be a more problematic area with the traditional average portfolio rate of interest acting as the main guide. The Council's performance indicators were set out in the Annual Treasury Management Strategy.

22. The following performance indicators have been set:

- Average rate of borrowing for the year compared to average available - £2m was borrowed overnight (short-term borrowing) at 0.55% compared to average overnight borrowing rates for the year of 0.48%. The margin reflects the timing of borrowing where there is increased demand.
- No long-term borrowing was undertaken in 2015/16. The target rate for the year is 25 year PWLB, the annual average for the year was 3.55%
- Debt – Average rate movement year on year
- Pool rate in 2014/15: 4.81 %
- Pool rate in 2015/16: 4.81%
- Investments – Internal returns above the 7 day LIBID rate
- Average rate for the year 0.63% vs. annual average 7 day LIBID of 0.36%

Consultation and scrutiny input

23. The report does not require any internal consultation to be undertaken. The report has been discussed with the Council's external treasury management advisers.

Risk Assessment

24. The principal risks associated with treasury management are:

- The risk of loss as a result of failure of counterparties
- This is mitigated by limiting the types of investment instruments used, setting lending criteria for counterparties, and limiting the extent of exposure to individual counterparties;
- The risk of loss as a result of borrowing at high rates of interest/lending at low rates of interest
- This is mitigated by planning and undertaking borrowing and lending in the light of assessments of future interest rate movements, and by undertaking most long term borrowing at fixed rates of interest (to reduce the volatility of capital financing costs).

Public sector equality duties:

25. There are no proposals in this report, which require either a statement as to the relevance of public sector equality duties or an Equalities Impact Assessment.

Environmental checklist / eco impact assessment

26. There are no proposals in this report which have environmental impacts

Legal and Resource Implications

27. Legal- the Council is under a duty to manage its resources prudently and therefore due consideration must always be given to its borrowing and lending strategy. A wide range of local authority financial activities, including borrowing, lending, financial management, and the approval of types of investment vehicle are governed by legislation and various regulations. The Council is obliged to comply with these.

Legal advice provided by Shahzia Daya

Financial

(a) Revenue

28. The financing costs arising from planned borrowing are provided for in the revenue budget and medium term financial plan.

Advice given by Jon Clayton (Principal Accountant)

(b) Capital

29. There is no direct capital investment implications contained within this report.

Land

30. There are no direct implications for this report.

Personnel

31. There are no direct implications for this report.

Appendices:

Appendix 1: Treasury Management Annual Report 2015/16

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

32. Treasury Management Strategy 2015/16

https://democracy.bristol.gov.uk/Data/Full%20Council/201502171400/Agenda/0217_5.pdf

Appendix 1

Annual Report on the Treasury Management Service 2015/16 (Incorporating Outturn Prudential Indicators)

Introduction

1. This report summarises:

- The capital activity during the year
- What resources the Council applied to pay for this activity;
- The impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
- The reporting of the required prudential indicators;
- Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;
- A summary of interest rate movements in the year;
- The detailed debt activity;
- The detailed investment activity;
- Local Issues

The Council's Capital Expenditure and Financing 2015/16

2. The Council undertakes capital expenditure to invest in the acquisition and enhancement of long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

3. The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

	2014/15 Actual £m	2015/16 Original Budget £m	2015/16 Final Budget £m	2015/16 Actual £m
Non-HRA capital expenditure	137	158	193	157
HRA capital expenditure	32	52	48	43
Total capital expenditure	169	210	241	200
Resourced by:				
Capital receipts	15	10	15	18
Capital grants	71	56	75	76
HRA Self Financing	30	31	37	37
Prudential borrowing	47	97	84	39
Revenue	6	16	30	30
Total Resources	169	210	241	200

The Council's Overall Borrowing Need

4. The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is a gauge of the Council's debt position. It represents 2015/16 and prior years' net capital expenditure that has not yet been paid for by revenue or other resources.
5. Part of the Council's treasury activities is to address this borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council.
6. Reducing the CFR – Whilst under treasury management arrangements actual debt can be borrowed or repaid at any time within the confines of the annual treasury strategy, the Council is required to make an annual revenue charge to reduce the CFR – effectively a repayment of the Non-Housing Revenue Account (HRA) borrowing need. There is no statutory requirement to reduce the HRA CFR.
7. This statutory revenue charge is called the Minimum Revenue Provision - MRP. The total CFR can also be reduced by:
- the application of additional capital resources (such as unapplied capital receipts); or
 - charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).

8. The Council's 2015/16 MRP Policy (as required by CLG Guidance) was approved on 17th February 2015.
9. The Council's CFR for the year is shown below, and represents a key prudential indicator. Accounting rule changes in previous years has meant that PFI schemes are now included on the balance sheet, which increases the Council's borrowing need, the CFR. No borrowing is actually required against these schemes as a borrowing facility is included in the contract.

CFR	General Fund 31 March 2015 Actual £m	General Fund 31 March 2016 Actual £m	HRA 31 March 2015 Actual £m	HRA 31 March 2016 Actual £m	Total CFR 31 March 2016 Actual £m
Opening balance	439	470	245	245	715
Add unfinanced capital expenditure (as above)	47	39	-	-	39
Less MRP/VRP	(10)	(11)	-	-	(11)
Less PFI & finance lease repayments	(6)	(9)	-	-	(9)
Closing balance	470	489	245	245	734

Treasury Position at 31 March 2016

10. Whilst the Council's gauge of its underlying need to borrow is the CFR, Finance can manage the Council's actual borrowing position by either:
- Borrowing to the CFR; or
 - Choosing to utilise some temporary internal cash flow funds in lieu of borrowing or
 - Borrowing for future increases in the CFR (borrowing in advance of need).

11. The figures in this report are based on the principal amounts borrowed and invested and so may differ from those in the final accounts by items such as accrued interest.

	31 March 2015		31 March 2016	
	Principal £m	Average Rate%	Principal £m	Average Rate%
Fixed Interest Rate Debt	415	4.81	417	4.81
Variable Interest Rate Debt	-	-	-	-
PFI & embedded leases	161	-	152	-
Total Debt	576	4.81	569	4.81
Debt administered of behalf of Unitary Authorities (Ex Avon Debt)	(50)	-	(48)	-
Revised Debt	526	4.81	521	4.81
Capital Financing Requirement	715		734	
Over/(Under) borrowing	(189)		(213)	
Investment position				
Investments (Fixed & Call)	191	0.69	146	0.63
Net borrowing position (excl leasing arrangements)	224	-	271	-

12. The fixed Interest rate debt is apportioned between the General Fund and HRA as set out in the table below.

Fixed Interest Rate Debt	31 March 2015 £m		31 March 2016 £m	
	Principal £m	Average Rate%	Principal £m	Average Rate%
General Fund	175	4.98	177	4.98
HRA	240	4.69	240	4.69
Total	415	4.81	417	4.81

13. The maturity structure of the debt portfolio (excluding accrued interest) was as follows:

	Approved Min Limit%	Approved Max Limit%	31 March 2015		31 March 2016	
			Actual £m	%	Actual £m	%
Under 12 Months	0	20	-	0.0	2	0.5
1 to 2 years	0	20	-	0.0	-	0.0
2 to 5 years	0	40	3	0.7	3	0.7
5 to 10 years	0	40	15	3.6	20	4.8
10 years and over	25	100	397	95.7	392	94.0
Total			415	100	417	100

14. The authority borrowing strategy is to delay borrowing and use its existing resources to support the Capital Programme to reduce its exposure to counterparty risk and the net interest cost of the authority. Therefore the authority has not undertaken any new borrowing during the year.

Prudential Indicators and Compliance Issues

15. Some of the prudential indicators provide either an overview or specific limits on treasury activity. These are shown below:

16. **Net Borrowing and the CFR** - In order to ensure that borrowing levels are prudent over the medium term the Council's external borrowing, net of investments, must only be for a capital purpose. The table below highlights the Council's net borrowing position against the CFR. The Council has complied with this prudential indicator.

	31 March 2015 Actual £m	31 March 2016 Actual £m
Net borrowing position	224	271
CFR (excluding PFI)	554	582

17. **The Authorised Limit** - The Authorised Limit is the "Affordable Borrowing Limit" required by S3 of the Local Government Act 2003. Once agreed the authorised limit cannot be breached. The Council does not have the power to borrow above this level. The table below demonstrates that during 2015/16 the Council has maintained gross borrowing within its Authorised Limit.

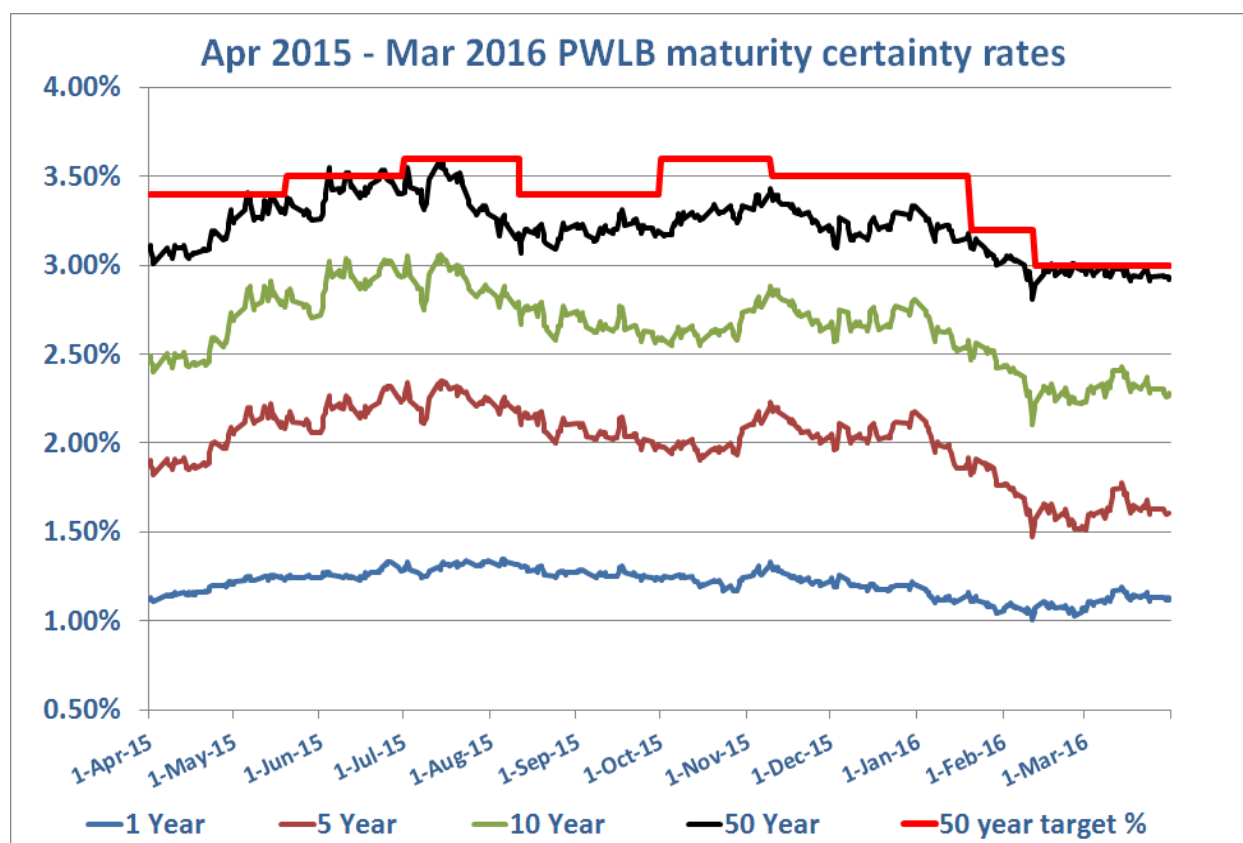
18. **The Operational Boundary** – The Operational Boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the Boundary is acceptable subject to the Authorised Limit not being breached.

19. **Actual financing costs as a proportion of net revenue stream** - This indicator identifies the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

	2015/16 £m
Authorised Limit	810
Operational Boundary	651
Average gross borrowing position (including PFI)	569
Financing costs as a proportion of net revenue stream:	
General Fund	8.63%
HRA	8.68%

Borrowing Rates in 2015/16

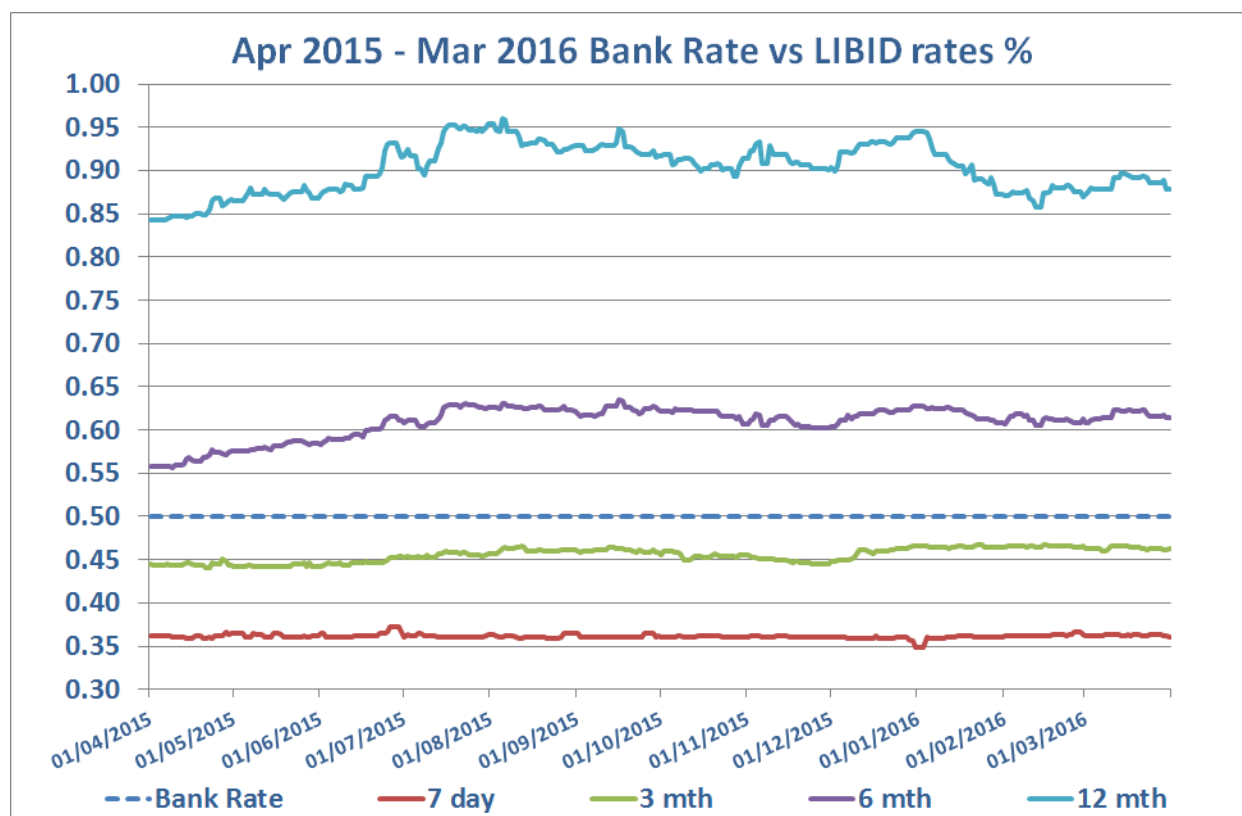
20. PWLB borrowing rates - the graph below shows how PWLB certainty rates have fluctuated throughout the year falling to their historically low levels.



21. **Summary of Debt Transactions** – The overall position of the debt activity remains unchanged as no activity was undertaken during the year. The average rate of interest for long term borrowing is 4.81%.

Investment Rates in 2015/16

22. Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for seven years. Market expectations as to the timing of the start of monetary tightening started the year at quarter 3 2015 but then moved back to around quarter 1 2016 by the end of the year. Monetary policy has since loosened, first reduction expected in quarter 3 2016, with monetary tightening returning in quarter 2 2018. Deposit rates remained depressed during the whole of the year, primarily due to the effects of the Funding for Lending Scheme and due to the continuing weak expectations as to when Bank Rate would start rising.



23. The Council's investment policy is governed by CLG guidance, which has been implemented in the annual investment strategy approved by the Council on 17th February 2015. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.). The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

Local Issues

24. **Ethical Investment Policy-** The Ethical Investment Policy was approved by Cabinet on 15th December 2011. There are no breaches to report.

Regulatory Framework, Risk and Performance

25. The Council's treasury management activities are regulated by a variety of professional codes and statutes and guidance:

- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;
- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions have been made);
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;
- Under the Act the CLG has issued Investment Guidance to structure and regulate the Council's investment activities.
- Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8th November 2007.

26. The Council has complied with all of the above relevant statutory and regulatory requirements which require the Council to identify and, where possible, quantify the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable, and its treasury practices demonstrate a low risk approach.

27. The Council has ensured that the principles of security, liquidity and yield have been adhered to within the treasury operation. This implies that the safeguarding of the principal investment with a suitable counterparty remains the Council's highest priority followed by liquidity (i.e. ease of access to the principal amount deposited) and yield (i.e. return) on investment.