# Decision Recording Form

Decision determined at Cabinet meeting on 2 April 2019



#### **Cabinet members present:**

Marvin Rees, Mayor

Councillor Craig Cheney, Designated Deputy Mayor with responsibility for Finance, Governance and Performance

Councillor Asher Craig, Deputy Mayor with responsibility for Communities

Councillor Kye Dudd, Cabinet Member with responsibility for Transport & Energy

Councillor Helen Godwin, Cabinet Member for Women, Children and Young People, and Lead Member for Children's Services

Councillor Helen Holland, Cabinet Member with responsibility for Adult Social Care

Councillor Anna Keen, Cabinet Member with responsibility for Education and Skills

Councillor Paul Smith, Cabinet Member with responsibility for Housing

Councillor Steve Pearce, Cabinet Member with responsibility for Waste, Commercialisation and Regulatory Services

#### **Apologies:**

Councillor Nicola Beech, Cabinet Member with responsibility for Spatial Planning and City Design



(a)	Subject:	HMO Licensing Scheme Extension (agenda item 8)
(b)	Ward:	Ashley; Bishopston and Ashley Down; Central; Clifton; Clifton Down; Cotham; Easton; Hotwells and Harbourside; Lawrence Hill; Redland; Southville; Windmill Hill
(c)	Declarations of in	iterest:
	None	
(d)	Decision taken	
	<ol> <li>Cabinet approved the additional licensing scheme in the 12 wards specified in the report</li> <li>Cabinet approved the fee structure and discounts as set out in scheme.</li> </ol>	
(e)	Exempt Information?	
	Open	
(f)	Decision made in exempt session?	
	No	
(g)	Additional information at the meeting/documents taken into account:	
	Two Public Statements received One Councillor Statement received Consultation responses Equalities Impact Assessment	
(h)	Reason for decision	on:
. ,	As set out in the r	

Signed	•	Date :

**Cllr Paul Smith, Cabinet Member for Housing** 



(a)	Subject:	HMO New Article 4 Directions (agenda item 9)
(b)	Ward:	Avonmouth and Lawrence Weston; Bedminster; Bishopston and Ashley Down; Brislington West; Easton; Eastville; Filwood; Frome Vale; Hillfields; Horfield; Knowle; Lockleaze; Southville; St George Central; St George West; Windmill Hill
(c)	Declarations of in	nterest:
	None	
(d)	Decision taken	
	immediate article taking effect) to redwelling house (Uattached to the rewith regulations.  2. Cabinet delegations of their months of their	ised the Director - Legal and Democratic Services to make non- 4 directions (at least 12 months in advance of any such directions emove permitted development rights for a change of use from a Use Class C3) to a HMO (Use Class C4) for the areas set out in the plan eport (Appendix A2) and give notice of such directions in accordance ted authority to the Director - Development of Place to instruct the and Democratic Services to confirm the above article 4 directions within it making subject to the taking into account of any representations period of notice in accordance with regulations.
(e)	Exempt Informat	ion?
	Open	
(f)	Decision made in	exempt session?
	No	
(g)	Additional inform	nation at the meeting/documents taken into account:
	One Public Staten	
	Equalities Impact	Relevance Check



(h)	Reason for decision:
	As set out in the report.

Signed :...... Date : .....

Marvin Rees, Mayor of Bristol



(a)	Subject:	Affordable Housing Funding Policy (agenda item 10)
(b)	Ward:	All Wards
(c)	Declarations of in	terest:
	None	
(d)	Decision taken	
	Cabinet agreed to	adopt the revised Affordable Housing Funding Policy
(e)	Exempt Information?	
	Open	
(f)	Decision made in	exempt session?
	No	
(g)	Additional inform	nation at the meeting/documents taken into account:
	Two Public Questi	ons received – verbal reply given
	Consultation resp	onses
	Equalities Impact	Assessment
(h)	Reason for decision	on:
	As set out in the r	eport.

Signed :	Date:
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**Cllr Paul Smith, Cabinet Member for Housing** 



(a)	Subject:	Bath Road West of Totterdown Bridge (agenda item 11)
(b)	Ward:	Windmill Hill
(c)	Declarations of interest:	
	None	

#### (d) Decision taken

- 1. Cabinet authorised underwriting the Delivery Partners' potentially wasted costs up to either the grant of detailed planning consent or confirmation of the Compulsory Purchase Order up to a value of £1,100,000. The figure of £1,100,000 is a budget for fees and surveys that are required to progress the project agreed between the Delivery Partner and the Council.
- 2. Cabinet authorised the procurement of a specialist contractor to treat and remove the Japanese Knotweed and delegate authority to the Executive Director, Growth & Regeneration to enter into a contract with the winning bidder.
- 3. Cabinet authorised the Executive Director, Growth & Regeneration in consultation with Cabinet Member for Housing, to progress Compulsory Purchase Order(s) for the acquisition of the CPO Land pursuant to powers under section 226(1)(a) and section 226(3) of the Town and Country Planning Act 1990 ("1990 Act"), and the Acquisition of Land Act 1981 to enable the development and improvement of the CPO Land including (if and when required) as follows:
- 3.1 Serving of all requisite notices on all persons with an interest in the CPO Land relating to the making, publicising and confirmation of the CPO Order
- 3.2 Seeking to acquire for the Council by agreement any interest in land wholly or partly within the limits of the CPO Land in respect of which a blight notice has been validly served in parallel to the CPO process;
- 3.3 Authorising the negotiation and payment of compensation to any person with a legal interest in the CPO Land; subject to independent valuation
- 3.4 If any part of the CPO Land shall become occupied removing all occupants from the CPO Land subsequent to the CPO Order;
- 3.5 Authorising the acquisition by agreement of all existing interests in and over the CPO Land under Section 227 of the 1990 Act before and after confirmation of the Order and



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Hous Bath and is 4. Cal with purport Land what 5. Cal CPO I mark authority (e) Exem Open (f) Decis	itional information at the meeting/documents taken into account:
Hous Bath and is 4. Cal with purport Land what 5. Cal CPO I mark authors.	
Hous Bath and is 4. Cal with purport Land what 5. Cal CPO I mark authors.	ision made in exempt session?
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Hous Bath and is 4. Cal with purpo Land what 5. Cal CPO I	mpt Information?
Hous Bath and is 4. Cal with purpo Land	abinet authorised the sale of the majority of the Bath Road Site and such parts of the Land as officers consider best suited to ensure the optimum development site at ket value for best consideration. The site will be disposed of under delegated nority (Scheme of Delegations, GROWTH AND REGENERATION, v7, July 2018.)
Hous Bath	abinet authorised the Executive Director, Growth & Regeneration in consultation a Cabinet Member for Housing where necessary, to appropriate for planning coses under section 122 of the Local Government Act 1972 of all interests in the CPO d and the Bath Road Site and secure possession of and title to the CPO Land using stever powers are available and appropriate.
the B	espect of any new rights required for the development or use of the CPO Land and/or Bath Road Site; and Authorising the use by the Council of its powers under sections 203-205 of the sing and Planning Act 2016 to override third party rights and covenants within the Road Site on the basis that the land is required for the Council's planning purposes is no longer required for its existing purpose.

Signed :	D - 1 -
Signed:	Date :
JIETICU	Date

As set out in the report.



(a)	Subject:	Article 4 Directions (agenda item 12)	
		(1801)1111111111111111111111111111111111	
(b)	Ward:	Ashley; Clifton; Cotham; Lawrence Hill; Redland	
(c)	Declarations of in	terest:	
	None		
(d)	Decision taken		
	<ol> <li>Cabinet agreed that the Article 4 directions issued between 2010 and 2011 be ratified;</li> <li>Cabinet agreed that the Director – Legal and Democratic Services be instructed to reissue the directions listed in paragraph 3 of the evidence base.</li> </ol>		
(e)	Exempt Information?		
	Open		
(f)	Decision made in	exempt session?	
	No		
(g)	Additional inform	nation at the meeting/documents taken into account:	
	One Councillor Sta	atement received	
(h)	Reason for decision	on:	
	As set out in the re	eport.	

Signed :..... Date : .....



(a)	Subject:	IT Device Contract Award (agenda item 13)
(b)	Ward:	All Wards
(c)	Declarations of in	terest:
	None	
(d)	Decision taken	
	<ol> <li>Cabinet authorised the award of a 3 year contract with an approved supplier for the purchase of IT hardware devices for a minimum of £2.2m and a maximum of £5m.</li> <li>Cabinet delegated authority to the Director for Digital Transformation to take all necessary steps to enter into the contract</li> </ol>	
(e)	Exempt Informati	on?
	Open	
(f)	Decision made in	exempt session?
	No	
(g)	Additional inform	ation at the meeting/documents taken into account:
	None	
(h)	Reason for decision	on:
``',		
	As set out in the re	eport.

Signed :	Date :
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(a)	Subject:	Joint Procured Litho & Digital Printing Framework Agreement (agenda item 14)	
(b)	Ward:	All Wards	
(c)	Declarations of interest:		
	None		
(d) Decision taken			
	<ol> <li>Cabinet approved proposals set out in this report to enter into the proposed new joint framework for litho and digital printing.</li> <li>Cabinet delegated Authority to the Executive Director Resources, in consultation with the Deputy Mayor for Finance, Governance and Performance, to take all required steps to procure (jointly with partner authorities) and enter in to the proposed framework.</li> </ol>		
(e)	Exempt Information?		
	Open		
(f)	Decision made in exempt session?		
	No		
(g)	Additional information at the meeting/documents taken into account:		
	Equalities Relev	vance check	
(h)	Reason for dec	ision:	
	As set out in the	e report.	

Signed :	Date :
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(a)	Subject:	Avonmouth Severnside Enterprise Area Infrastructure Phase 2 (agenda item 15)
(b)	Ward:	Avonmouth and Lawrence Weston
(c)	Declarations of interest:	
	None	

#### (d) Decision taken

- 1. Cabinet approved the Council's involvement in the scheme for the design, construction and maintenance of flood defences and ecology mitigation works within the Avonmouth Severnside Enterprise Area (ASEA) detailed in Appendix A.
- 2. Cabinet approved the Council's contribution of up to a maximum of £31.95m for the scheme to be funded initially through borrowing but which will be reimbursed from the West of England Economic Development Fund (EDF) as detailed in the report.
- 3. Cabinet agreed the Council's capital programme be amended to incorporate the budget profile as set out in Table 1 to Appendix G of this report and associated funding sources as detailed in this report.
- 4. Cabinet agreed to reprofile £20m of the EDF to the scheme as referred to in Appendix A paragraph 35c and Appendix G).
- 5. Cabinet noted that it is intended that £36.6 m grant funding, in total, for the flood defence design build scheme will also be provided by DEFRA (administered by the Environment Agency)- £4m via the Wessex Regional Flood and Coastal Committee (confirmed) and £32.6m via Flood Defence Grant in Aid (business case approved but no allocation yet made see Appendix A paragraphs 24-28 and Appendix G).
- 6. Cabinet delegated authority to the Strategic Director for Growth and Regeneration, in consultation with the Cabinet Member for Finance, Governance and Procurement, and the Director of Finance:
- a) to agree the completion of the Inter-Authority Legal Agreement between the Council, Environment Agency, and South Gloucestershire Council, and
- b) to take programme and financial decisions within the budget envelope and scheme of



	delegation as the project develops.		
	7. Cabinet approved the process for the award of the contract for the scheme, which has been procured via the Environment Agency's Water and Environmental Management Framework (Lot 4), on the basis of the Contract Award Report.		
	8. Cabinet acknowledged both the economic benefits and the financial and contractual risks associated with the implementation of the scheme, (as detailed in the report) and therefore, requires Officers to utilise the project governance arrangements to identify opportunities to re-programme the scheme as necessary to ensure (so far as practicable) the scheme can be completed within the budget envelope. It is noted that further Cabinet approval will be required to agree any scheme re-programming which has a financial impact on the Council.		
(e)	Exempt Information?		
	Part		
(f)	Decision made in exempt session?		
	No		
(g)	Additional information at the meeting/documents taken into account:		
	One Councillor Statement received		
	One Councillor Question received – verbal reply given		
	Consultation responses		
	Equalities relevance check		
(h)	Reason for decision:		
	As set out in the report.		

Signed	•	Date :



(a)	Subject:	City Leap (agenda item 16)
(b)	Ward:	All Wards
(c)	Declarations of interest:	
	Cllr Pearce declared an interest as a board member of the Bristol Energy Company and took no part in this item	

#### (d) Decision taken

- 1. Cabinet approved proposals for procuring a suitable party for a strategic partnership, with a third party to deliver City Leap in accordance with the recommended joint venture structure set out in the Business Case contained at Appendix A (the "City Leap Energy Partnership Structure").
- 2. Cabinet authorised the drawn down of expenditure of up to £2m to fund the procurement activity which will include the project team and professional advisors. This sum will to be funded from the earmarked allocation within the 19/20 budget.
- 3. Cabinet delegated authority to Executive Director of Growth and Regeneration in consultation with Director of Legal and Democratic Services, Director of Finance (s151 Officer), Cabinet Member for Energy and Deputy Mayor for Finance, Governance and Performance for all matters relating to procurement of the strategic partner via a competitive process.
- 4. Cabinet authorised the Executive Director of Growth and Regeneration (in consultation with Director of Finance) to procure appropriate professional advisors to be funded from the City Leap procurement budget.
- 5. Cabinet approved the innovation funds of up to £2m to be utilised as City Leap enabling funds to prepare and demonstrate the opportunities which will arise from City Leap, and delegate the authority to Director of Finance (s151 Officer) in consultation with the Deputy Mayor for Finance for the phasing and draw-down these funds.
- 6. Cabinet approved in principle the approach of using the Council's assets and resources outlined in Appendix G (exempt), Appendix H (exempt) and Appendix I (exempt) to drive



	optimum value during the JV procurement process.		
7. Cabinet approved proposals for the creation of such entities (the legal structure determined) and the establishment of such governance arrangements as may be required for the City Leap Energy Partnership Structure, further details of which out in Appendix G (exempt), Appendix H (exempt), and Appendix I (exempt), and delegate authority to Director of Legal and Democratic Services in consultation of Deputy Mayor for Finance, Governance and Performance to determine the process and to implement the above.			
	8. Cabinet noted that further report will be brought back to the Cabinet prior to the final appointment of prospective Strategic Partner(s). This report will include consideration and approval for any investments in, or transfer of assets into, the City Leap Partnership Structure, along with the financial and legal terms therein.		
(e)	Exempt Information?		
	Part		
(f)	Decision made in exempt session?		
	No		
(g)	Additional information at the meeting/documents taken into account:		
	One Councillor Statement received		
	Equalities Impact Assessment		
(h)	Reason for decision:		
	As set out in the report.		

Cllr Kye Dudd, Cabinet Member for Transport and Energy



(a)	Subject:	Bristol Credit Union Investment (agenda item 17)	
(b)	Ward:	All Wards	
(c)	Declarations of interest:		
	The following cabinet members declared an interest as members of Bristol Credit Union: Smith, Holland, Keen, Godwin		
(d)	Decision taken		
	<ol> <li>Cabinet approved the investment of £500,000 into Bristol Credit Union for a term of ten years at an initial coupon rate of 6% - with gateway reviews at years 2(3) and 5.</li> <li>Cabinet delegated authority to the Director of Finance and the Director – Legal &amp; Democratic Services to finalise the terms of the agreement for the investment in BCU</li> <li>Cabinet delegated authority to the Director of Finance to agree a performance monitoring framework with BCU to identify early and mitigate any risk associated with the investment</li> </ol>		
(e)	Exempt Information?		
	Part		
(f)	Decision made in exempt session?		
	No		
(g)	Additional information at the meeting/documents taken into account:		
	One councillor qu	estion received – verbal reply given	
(h)	Reason for decision	on:	
	As set out in the re	eport.	

Signed :	Date :
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(a)	Subject:	Bristol Holding Company Limited Business Plan 2019/20 (agenda item 18)	
(b)	Ward:	All Wards	
(c)	Declarations of interest:		
	Cllr Pearce declared an interest as a board member of the Bristol Energy Company and took no part in this item		
(d)	Decision taken		
	1. Cabinet agreed that the 2019/2020 business plan of Bristol Holding Limited (company number 09485669), attached as Appendix A1 - be considered and approved.		
(e)	Exempt Information?		
	Open		
(f)	Decision made in exempt session?		
	No		
(g)	Additional inform	ation at the meeting/documents taken into account:	
	One Councillor Sta	atement received	
	Equalities Relevan	ce Check	
(h)	Reason for decision	on:	
	As set out in the re	eport.	

Signed :	Date :



Part

(a)	Subject:	Bristol is Open (agenda item 19)	
(b)	Ward:	All Wards	
(c)	Declarations of interest:		
	Cllr Pearce declared an interest as a board member of the Bristol Energy Company and took no part in this item		
(d)	Decision taken		
	1. Cabinet approved the Council's acquisition of the University of Bristol's shares in Bristol Is Open Limited (BIO), so that the Council becomes the sole shareholder of BIO, owning 2 ordinary shares and 700,000 redeemable preferences shares of BIO.		
	2. Cabinet delegated authority to the Service Director – Finance, in consultation with the Deputy Mayor for Finance, Governance and Performance, to approve the terms of such acquisition (taking into account the outputs of the further legal and financial review of BIO) and to enter into all such documents as are necessary to give effect to this decision.		
	3. Cabinet approved the high-level business plan 2019/2020 in Appendix A2 and Exempt Appendix J2, subject to approval being given to Recommendation 2.		
	4. Cabinet approved an allocation from the Council's risk reserve of up to £500k in respect of future business in/with BIO (following the share purchase), as set out in this report, and to delegate authority to the Service Director – Finance in consultation with Deputy Mayor for Finance, Governance and Performance to agree the details of how this funding should be used, and to conclude the necessary contracts and/or appropriate legal arrangements.		
	5. Cabinet noted Programmable Ci	that BCC has awarded BIO a contract for the delivery of the 'Open ty Region'.	
(e)	Exempt Informat	ion?	



(f)	Decision made in exempt session?	
	No	
(g)	Additional information at the meeting/documents taken into account:	
	One Councillor Statement received Equalities Relevance Check	
(h)	Reason for decision:	
	As set out in the report.	

Signed :...... Date : .....



(a)	Subject:	Bristol Energy Limited Business Plan 2019/20 - 2023/24 (agenda item 20)
(b)	Ward:	All Wards
(c)	Declarations of interest:	
	Cllr Pearce declared an interest as a board member of the Bristol Energy Company and took no part in this item	
(d)	Decision taken	
	1. Cabinet approved the 2019/2020-2023/2024 business plan of Bristol Energy Limited, attached as Appendix A2 and Exempt Appendix J1, including the approval of the following in respect of the business plan period:	
	A. Increasing the total cash funding envelope available for BE from the previously approved £31.3m to £37.7m, to support the core energy supply business (for the avoidance of doubt, this total cash funding includes any funding provided to BE to date).	
	B. In respect of the total cash funding envelope, delegating to Director of Finance (s 151 Officer) in consultation with the Deputy Mayor for Finance and the Director of Legal and Democratic Services, authority to: (a) agree any phasing of the draw-down and other details of individual funding arrangements, and (b) negotiate, sign and enter into the necessary contract and agreements (including appropriate loans and guarantees in respect of such funding envelope).	
		that the limit of the parent guarantees and collateral support will isly approved level of £17.6m.
(e)	Exempt Informati	ion?
	Part	
(f)	Decision made in	exempt session?
	No	



(g)	Additional information at the meeting/documents taken into account:	
	One Councillor Statement received One Councillor Questions received – written reply to be sent Consultation responses Equalities Relevance Check	
(h)	Reason for decision:	
	As set out in the report.	

Signed :...... Date : .....



(a)	Subject:	2019/20 BCC Corporate Business Plan and Performance Framework (agenda item 21)
(b)	Ward:	All Wards
(c)	Declarations of interest:	
	None	
(d)	Decision taken	
		and support the Business Plan 2019/20 including feedback from utiny Management Board (Appendix C).
		and support the Performance Framework 2019/20 including feedback d Scrutiny Management Board (Appendix C).
(e)	Exempt Information?	
	Open	
(f)	Decision made in	exempt session?
	No	
(g)	Additional inform	ation at the meeting/documents taken into account:
	None	
(h)	Reason for decision	on:
	As set out in the r	eport.

Signed :	Date:
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(a)	Subject:	2018/19 Period 10 Forecast Outturn Report (agenda item 22)
(b)	Ward:	All Wards
(c)	Declarations of interest:	
	None	
(d)	Decision taken	
	1. Cabinet approved the allocation of an additional £1.0m budget to provide for Clean Streets action plan as per the supplementary estimate set out in Appendix B.	
	2. Cabinet noted the overall forecast outturn position for general funded services is an underspend of (£0.7m) which is 0.2% of the revised budget (Appendix A -Table 1). This will be managed as part of the final accounts by reviewing the planned movements to and from reserves that have been assumed in the forecast.	
	<ul> <li>3. Cabinet noted the forecast underspend position with regard to the Housing Revenue Account has increased by a further (£3.3m) to a forecast year end position of (£9.7m) (Appendix A4).</li> <li>4. Cabinet noted the movement in the DSG forecast of £0.3m, which reduces the forecast carry forward underspend to (£0.1m) (Appendix A5).</li> <li>5. Cabinet noted the further reduction in required drawdown from Public Health reserve to £1.7m, from an original plan of £1.8m (Appendix A6).</li> </ul>	
		the current forecast capital spend of £145m against the capital get of £161m (Appendix A $-$ Table 3).
	7. Cabinet noted 4).	the forecast net drawdown in reserves of £22.6m (Appendix A - Table
(e)	Exempt Informat	ion?
	Open	



(f)	Decision made in exempt session?	
	No	
(g)	Additional information at the meeting/documents taken into account:	
	One public statement received  Two Councillor Statements received – one verbal reply given, one written reply to be sent	
(h)	Reason for decision:	
	As set out in the report.	

Signed :...... Date : .....

