

Summons to attend meeting of Full Council



Date: Tuesday, 19 March 2019
Time: 6.00 pm
Venue: Council Chamber, City Hall

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: Sam Wilcock, Democratic Services
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Date: Friday, 8 March 2019



Agenda

1. Welcome, Introductions and Safety Information

(Pages 11 - 12)

2. Apologies for Absence

3. Minutes of the Previous Meeting

To agree the minutes of the previous meeting as a correct record.

(Pages 13 - 19)

4. Declarations of Interest

To note any declarations of interest from the 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 declarations 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 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 directly 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 18th March 2019** at latest. One written statement per member of the public is permitted.

b. Public questions: Written public questions must be received by **5pm on Wednesday 13 March 2019** at latest.



A maximum of 2 questions per member of the public is permitted. Questions should be addressed to the Mayor or relevant Cabinet Member.

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 18 March 2019**.

8. Pay Policy Statement 2019-20

(Pages 20 - 27)

9. Making of Hengrove and Whitchurch Park Neighbourhood Development Plan

(Pages 28 - 35)

10. Report of change to Licensing Committee membership/chair

(Pages 36 - 37)

11. Motions

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 below will be considered at this meeting, and motion 2 is likely to 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 also set out for information.

MOTIONS RECEIVED FOR FULL COUNCIL – 19 March 2019

1. BUS FRANCHISING FOR BRISTOL

LIBERAL DEMOCRAT GOLDEN MOTION

Motion to be moved by: Cllr Hopkins, Knowle Ward, Liberal Democrats

Date of submission: 7th March 2019



Council notes:

1. The distrust and disappointment among residents of Bristol with their bus services.
2. That large numbers of Bristol residents find themselves unable to access work opportunities due to the lacklustre service or find fares taking up a disproportionate amount of their income.
3. That Bristol City Council has no direct control over the routes, timetables or vehicles that bus operators use in the city, but must use its influence to help address these problems.
4. That in recent years congestion has worsened, increasing air pollution within the city leading to estimates of hundreds of deaths every year.
5. That First Bus currently operates an effective monopoly in Bristol which has led to disdain for the people who pay their fares.
6. That due to ill-advised past slashing of the railway network we are overwhelmingly reliant on our bus services as the main means of public transport.
7. That London currently operates a successful bus franchising scheme, with Cambridge and Greater Manchester and others currently developing schemes for the future.
8. That in the Bus Services Act 2017, bus franchising powers were devolved to the mayors of combined authorities.

Council believes:

1. That to address all of the above problems there needs to be a fundamental change with buses in Bristol to a system that recognises public transport as a vital service.
2. That a franchising model would allow greater competition within our public transport, making new operators available for local services.

Council resolves:

1. To request the Mayor to use his position on the West of England Combined Authority Committee to push for the establishment of a bus franchising system in Bristol, to gain control on behalf of the citizens of Bristol of routes, timetables, fares and emissions.
2. That under a franchising system, all buses operating within the city should run on ultra-low-emission or zero-emission fuels within five years.
2. **AVON PENSION FUND – DIVESTMENT AND DIVERSIFICATION**

GREEN SILVER MOTION

Motion to be moved by: Cllr Martin Fodor, Redland Ward, Green Group

Date of Submission: 7th March 2019

This council notes:

1. In 2015 the Full Council resolved that the Avon Pension Fund (APF) should consider divestment from fossil fuels and diversification into clean technologies like renewable energy, energy efficiency and energy storage;
2. Council agreed that the Mayor should contact Avon Pension Fund and ask for a report on the issue;
3. There is widespread concern from scientists that declared worldwide fossil fuel reserves, if exploited, constitute a threat to the stability of the



- global climate;
4. There is growing recognition that fossil fuel reserves are therefore a class of asset held by investors which have growing risks of being ‘stranded’ ie left with reducing value due to the fact not all claimed reserves now have the value being imputed to them, due to the need for them to remain in the ground;
 5. An ever growing number of public and private sector funds, endowments and investment portfolios are choosing to divest from fossil fuels worldwide, including several local government pension funds. MPs have now called for their own funds to be divested.
 6. The recent clarifications of the fiduciary duty of fund managers confirms that they should take into account a range of environmental, social and governance (ESG) issues and have a clear statement of investment policies;
 7. The Avon Pension Fund now uses investment provided by the Brunel Pensions Partnership, which is a leading local government pension partnership offering low carbon investment opportunities.
 8. Staff union Bristol Unison recently reaffirmed their clear support for divestment of the funds from fossil fuels, in a motion seconded by the Branch Secretary.

This council believes

9. The long term future of the APF is as a fund that is divested from fossil fuels and one that ensures a wide range of investments in renewable energy, energy efficiency technologies, energy storage and smart energy technologies, and other types of investments that will benefit the city and its future residents;
10. Council recognises that a carbon neutral city will create substantial, valuable new jobs in the future sustainable economy.
11. That the investment strategy and policies of the APF should be brought into line with this vision of the future inclusive prosperity and sustainability of the city;
12. The APF should be leading this process of divestment and diversification, not waiting until the likelihood of stranded assets become more of a risk to the wealth of the fund;
13. The process of divestment and diversification is also important and should be managed in a way that ensures just transition to new employment, supporting skills development for new sectors and a range of opportunities - with backing from WECA.

This council therefore resolves to call on the Mayor

14. To meet with the head of the Avon Pension Fund to discuss the divestment of funds over the next 5 years and the review of the fund’s ESG policies
15. To promote the diversification of the fund into clean technologies that support renewable energy, energy efficiency and energy storage among other investments that are in line with such policies and the city’s goals for 2030;
16. To liaise with fund members in the city and council unions to explain how this secures future prosperity and pensions income while ensuring a just transition for workers in sectors that will change, and helps achieve a carbon neutral city by 2030.



3. PROPOSED A4018 IMPROVEMENTS

Motion to be moved by: Cllr Mark Weston, Henbury & Brentry, Conservative Group

Date of submission: 6th March 2019

“Council is concerned over the woefully inadequate plans drawn up to tackle congestion on the A4018, one of the most important routes into central Bristol.

“The remodelled scheme aims to promote the greater use of public transport, and is a particular response to the anticipated increase in traffic volumes in this already heavily congested part of the city. This is a problem which is set only to grow worse once the former Filton airfield site has been redeveloped.

“However, some of the proposed mitigation measures outlined in the recent consultation, especially the idea of banning numerous turn-offs from the main road would, if implemented, leave large parts of north Bristol effectively cut-off and isolated.

“Council notes that many people have expressed real anger over this redesign which will make driving around the rest of the road network a confusing, overly complicated, and miserable experience.

“As matters stand, there needs to be a serious rethink and revision of these proposals which do not offer practical solutions to the challenges of congestion, maximising road space or indeed tackling environmental pollution.

“Accordingly, Council calls on the Mayor and the Cabinet Member with responsibility for Transport to require traffic planners to go back to the drawing board and come up with something which is both fairer and more palatable to all road users and local residents.”

4. MOTION SUPPORTING LOCAL SHOPS

Motion to be moved by: Cllr Graham Morris, Stockwood Ward, Conservative Group

Date of Submission: 6th March 2019

“Council has growing concern over the future vibrancy of many of Bristol’s high streets.

Nationally, one study found that we are losing 16 shops per day through closure with an estimated 50,000 jobs lost between January and June in this year alone. Some of the latest casualties include such well-known retail chains as Toys-R-Us, Maplin and most recently Debenhams.

This is due to a ‘perfect storm’ of many interlaced factors including (i) spiralling rents; (ii) rising business rates; (iii) increased labour costs; (iv) declining foot-fall; and (v) the choice, convenience and competition provided by the internet.



With local authorities more dependent than ever before on retention of business rates to balance their budgets, Council believes it is essential that more is done to support struggling small businesses in secondary or satellite retail areas around the city.

The Chancellor’s cut in business rates by one third for two years for small businesses and the creation of a Future High Streets Fund and new High Streets Taskforce is a welcome step in the right direction.

A planned 2% tech-tax targeted at online retail giants should also help to level the playing field between digital shopping outlets and traditional bricks & mortar stores. The £10m ‘Love our High Streets’ pilot projects by the West of England Combined Authority (WECA) are also welcome.

However, even more needs to be done locally. To this end, Council calls on the Mayor to allocate resources from his capital budget to actually invest in these precincts to make them attractive places to visit. As one designer has put it, these destinations need to become ‘galleries of experience’ to draw people to them.

Consequently, consideration needs to be given to changing the city’s parking strategy/priorities, more free short-term parking provided at these locations, and improved CCTV coverage to increase public safety.

Council requests that a report be prepared for Scrutiny which outlines the existing options available for providing temporary business rate relief on particularly hard-pressed retailers. In addition, that this report forms the basis of a submission to the ‘High Streets Fund’ once the full details of the new scheme become available.

Finally, following the outcome of such a review, the Mayor is asked to lobby Ministers to consider a root-and-branch reform of the Business Rates system (which is based on rateable values and ignores important factors such as profit and turnover), to bring it up to date with current economic conditions and in order to save UK retailing.”

5. MOTION TO REOPEN LOCAL LAVATORIES

Motion to be moved by: Cllr Steve Smith, WOT and Henleaze, Conservative Group

Date of Submission: 6th March 2019

“This Council is concerned over the significant shortcomings and economic impact on tourism, and local high streets, arising from the Mayor’s decision to close nearly half of the city’s on-street public toilets.

“Whilst appreciating the rationale behind this move, it was justified as an important money-saving measure, it is clear that the planned replacement of a network of conveniences provided by businesses and organisations signing up to a ‘Community Toilet Scheme’ has been, at best, a mixed success.



“Members of the public and the Council’s own Communities Scrutiny Commission have identified continuing problems with this inadequate provision and many remain unconvinced over this policy.

“As a result of the Chancellor of the Exchequer’s Autumn Budget, which exempts public toilets from business rates, these are now much cheaper to maintain. To reflect this change in circumstances, Council believes it should now be possible to reopen some of the public amenities – particularly those next or near to parks and formerly serving important local high streets – which have been boarded up.

“Accordingly, Council calls upon the Mayor to recognise the very real and practical need for accessible public toilets at locations where families congregate and urgently reverse some of these closures.

“Until this is done, it is inevitable that Councillors of all Parties and campaigners for those groups especially hard-hit by this short-sighted strategy will continue to press for changes to be made on this basic and most fundamental issue.”

6. LIB DEM GROUP SECOND MOTION

Motion to be moved by: Cllr Kent

Date of Submission: 7th March 2019

1. Council notes with approval the opportunity afforded to voters in Peterborough to recall their renegade MP and elect somebody to represent their interests and that this opportunity is available only because of Lib Dems in the coalition government.
2. Council also notes that similarly Bristol residents, thanks to Liberal democrat legislation pushed through parliament, will have the opportunity to dump the position of executive mayor that has proved so unpopular with Bristol residents.
3. Bristol residents will have the opportunity to express their views on this through the ballot box as early as next year and council welcomes this opportunity.

7. CLEAN AIR FOR BRISTOL

Motion to be moved by: Councillor Afzal Shah, Easton Ward, Labour Group

Full Council notes:

1. The first ever meeting of the core cities and metro mayors, pulled together by Mayor Marvin Rees during the Global Parliament of Mayors’ summit in Bristol, which co-ordinated calls for a £2 billion Clean Air Fund and greater resources and powers for cities and regions.
2. Deputy Mayor Councillor Craig Cheney and UK100’s support for a radical reshaping of the Environment Bill and a national Clean Air Fund, backed by the British Lung Foundation, at the #LoveCleanAir summit in London, hosted by London’s Mayor Sadiq Khan.



3. The Labour administration has placed the UK's largest bio-gas bus order, coming on stream this year, and is negotiating for a 100% bio-fuel bus fleet through the Bus Deal – per the Mayor's State of the City – to double the proportion of journeys by bus, alongside reopening local train stations and pushing towards a much-needed mass transit system.
4. The Labour Budget – opposed by all other parties – invests £7 million in Low Emission Vehicles for the council fleet, provides a £14 million commercial loan to the Bristol Waste Company to upgrade their fleet, and paid for the lease on the Lord Mayor's new hybrid car.
5. The Mayor's letter to Thérèse Coffey MP (the Minister) which states that slight delays so far 'will have no impact on the time we meet compliance', but will enable modelling to ensure that Bristol's air is clean without further impoverishing the poorest Bristolians or damaging Bristol's economic resilience amidst significant uncertainty due to the Government's mishandling of Brexit.
6. The agreement between the Mayor and Minister for Bristol City Council to submit an initial clean air plan by the end of this month, as welcomed by the Minister during Delegated Legislated Committee (DLC) on 26 February.
7. Bristol-bashing by *the Mail on Sunday* and others, despite the Minister's confirmation during DLC that only Stoke-on-Trent is on track with the Government's initial planning timeline.
8. Other cities, including Bath and Manchester, have – like the Mayor – been right to recognise that issues of social and environmental justice must go hand-in-hand, and opted for category A, B, or C zones to avoid worsening poverty.

Full Council resolves:

1. To endorse the Oxford Cleaner Air Charter (OCAC), endorsed by Greenpeace and Friends of the Earth, which calls on the UK Government to 'provide greater investment in public transport, walking, and cycling infrastructure to give people real alternatives', 'end the sale of all new petrol and diesel cars and vans earlier than 2040', 'accelerate the zero emission revolution by investing in charging infrastructure', 'tighten legal limits of air pollution to match safer WHO guideline levels', and 'adopt a new Clean Air Act or equivalent fit for the 21st century backed by an independent watchdog with teeth'.
2. To back calls by the Labour administration and Bristol Labour MPs including Thangam Debbonaire for a national scrappage scheme, supported by UK100, and the OCAC for tax changes and 'fiscal incentives to help people and businesses adopt cleaner vehicles'.
3. To endorse the goals set out in the first iteration of the One City Plan, including to 'eliminate fossil fuels from public sector fleet vehicles and public transport', and encourage city institutions and partners to also transition to LEV/electric vehicles as soon as possible.



Signed

A handwritten signature in black ink, appearing to read 'T. Oliver'.

Proper Officer
Monday, 11 March 2019



Public Information Sheet - Full Council

Public Forum – Full Council

You can find papers for all our meetings on our website at www.bristol.gov.uk.

Members of the public may present a petition, make a written statement or ask a question at Full Council meetings. Please submit it to democratic.services@bristol.gov.uk.

Petitions, Statements and Questions must be about a matter the Council has responsibility for or which directly affects the city.

For further information about procedure rules please refer to our Constitution <https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

Petitions from members of the public

- Petitions will be presented to the Council first.
- Petitions must include name, address and details for the wording of the petition.
- The person presenting a petition will be asked to read out the objectives of the petition with one minute allowed.
- A written reply will be provided to the lead petitioner within 10 working days of the Full Council meeting.

Statements

- Statements should be received no later than **12.00 noon on the working day before the meeting**.
- There can be one statement per person and subject to overall time constraints, a maximum of one minute is allocated for presentation.
- Any statement submitted should be no longer than one side of A4 paper.
- For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

Questions

- Questions should be received no later than **three clear working days before the meeting**.
- A maximum of two written questions per person can be submitted.
- At the meeting, a maximum of one supplementary question may be asked, arising directly out of the original question or reply.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record.

We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website.



Process during the meeting:

- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- There will be no debate on statements or petitions.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

Security Arrangements for Full Council

The public gallery in the Council Chamber is available for members of the public to observe the Full Council meeting.

The Lord Mayor has determined:

- Attendees should please be quiet and not interrupt proceedings.
- Large bags will be left at reception.
- All loud hailers, banners, and placards must be left at the main entrance and will not be permitted to be brought into the building.
- The Council reserves the right to remove any person who disrupts the proceedings. In appropriate circumstances, the police may be called.

Under our security arrangements, all members of the public (and bags) will be searched. This applies to all members of the public attending the meeting in the interests of helping to ensure a safe meeting environment for all attending. Visitors' bags are liable to be searched prior to entry, and entry is conditional upon visitors consenting to be searched. Searches are carried out to ensure that no items which may interrupt proceedings are brought into the building. This includes weapons, loud hailers, banners, and placards. Small notices may be acceptable if they are not obstructive or offensive (no more than A4 size).



Bristol City Council Minutes of the Full Council

26 February 2019 at 2.00 pm



Present: Mayor Marvin Rees, Lord Mayor Cleo Lake

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

Aldermen in Attendance:-

J McLaren, C Williams, S Williams, A Massey

1. Welcome, Introductions 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 Councillor Holland.

3. Minutes of the Previous Meeting

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

RESOLVED:



That the minutes of the meeting of the Full Council held on the 15 January 2019 be confirmed as correct record and signed by the Lord Mayor.

4. Declarations of Interest

The Lord Mayor reminded members that at its meeting held on 21 January 2019, the Values and Ethics Sub Committee to the Audit Committee had overseen and granted a range of dispensations to the Mayor and councillors, to enable them to participate and vote on matters relating to the civic budget 2019-20 and the setting of the Council Tax at this meeting.

5. Lord Mayor's Business

- I. Next Great Generation was a group of young people going out to feed the homeless and visiting Elders in the community. Please contact them for further information.
- II. The Lord Mayor is taking part in a charity event on 23rd March called 'Bristol Come Dancing' please do support if you can.

6. Public Petitions and Statements

Public petitions:

There were no public petitions received.

Public statements:

The Full Council received and noted the following statements:

	Name
PS01	Sandy Hore-Ruthven
PS02	Caroline New
PS03	Janet Grimes and Tony Jones
PS04	Felicity Radford
PS05	David Redgewell
PS06	Rory Peliza
PS07	Mary Page

7. Budget Report 2019-20

The Full Council considered a report setting out the Mayor's 2019-20 budget recommendations.

The Lord Mayor drew members' attention to the budget procedure to be followed.



At this point, on the motion of the Lord Mayor, it was

RESOLVED:

That the relevant standing orders (policy and budget framework procedure rules) be suspended, noting that the procedure to be followed at this meeting is at variance with the Council's standing orders.

The Mayor then moved the budget report.

Councillor Cheney, Deputy Mayor for Finance, Governance and Performance then seconded the report.

The leaders of each party group, Cllrs Hickman, Councillor Weston, Councillor Combley and Councillor Negus each responded to the budget proposals.

Councillor Gollop then presented comments on behalf of the Overview and Scrutiny Management Board and Councillor Clarke on behalf of the Resources Scrutiny Commission.

The Mayor then responded to the points raised.

ADJOURNMENT: The meeting was adjourned at 3.25pm and reconvened at 3.45pm

On the meeting being reconvened, the Full Council then (under section 5 of the procedure) considered and debated each of the proposed budget amendments, as follows:

Liberal Democrat Budget Amendment

Amendment Summary: Youth travel card for Bristol buses, Bus Franchising, Clear and safe streets, Bus and Sustainable Transport Fund.

Funding Source: Reduced Corporate Capital Contingency

Councillor Kent moved the amendment 1a (Revenue) and 1b (Capital).

Councillor Hopkins seconded the amendment.

Following debate, upon being put to the vote, the amendment was **LOST**.

(vote 1a – 31 members voting for the amendment, 35 against, with 1 abstention

Vote 1b – 22 members voting for the amendment, 36 against, with 10 abstentions)

Councillor Gollop raised a point of order of the appropriateness of two votes in that situation.

Green Budget Amendment 1

Amendment Summary: Remuneration for in-house foster carers.

Funding Source: Mayor's Office, Reduction in free parking for Councillors and senior officers.



Councillor Combley moved the amendment.

Councillor Denyer seconded the amendment.

Following debate, upon being put to the vote, the amendment was **LOST**
(10 members voting for the amendment, 51 against with 7 absentions)

Conservative Budget Amendment

Amendment Summary: Partially restore Council owned toilet blocks, extra mitigation for Cribbs Patchway New Neighbourhood.

Funding Source: Mayor's Office, Brussels Office, PR & Consultation, strategic CIL funding.

Councillor Goulandris moved the amendment.

Councillor Steve Smith seconded the amendment.

Following debate, upon being put to the vote, the amendment was **LOST**.
(16 members voting for the amendment, 43 against with 8 abstentions.)

Green Budget Amendment 2 (MEES)

Amendment Summary: 12 year city strategy for Carbon Neutral 2030, Neighbourhood Enforcement flytipping, Corporate Parenting, Climate Change Scope 3 emissions, local flooding prevention, public engagement campaign, small community energy generation and efficiency schemes

Funding Source: Commercialisation budget, Enforcement of Minimum Energy Efficiency Standards

Councillor Combley moved the amendment.

Councillor Thomas seconded the amendment.

Following debate, upon being put to the vote, the amendment was **CARRIED**.
(53 members voting for the amendment, 15 against, with no abstentions)

Green Budget Amendment 3 (ASC)

Amendment Summary: Additional funding for adapted accommodation for adults with disabilities.

Funding Source: Reduced Corporate Capital Contingency.

Councillor Stevens moved the amendment.

Councillor Hance seconded the amendment.

Following debate, upon being put to the vote, the amendment was **CARRIED** (unanimously with 66 members voting for the amendment).



Green Budget Amendment 4 (HRA)

Amendment Summary: Adapting and enlarging existing council housing.

Funding Source: HRA 2018/19 underspend carried forward.

Councillor Fodor moved the amendment.

Councillor O'Rourke seconded the amendment.

Following debate, upon being put to the vote, the amendment was **CARRIED**.
(unanimously with 68 members voting for the amendment).

Green Budget Amendment 5 (Congestion)

Amendment Summary: Congestion Charge Scheme

Funding Source: Reduced Corporate Capital Contingency.

Councillor Thomas moved the amendment.

Councillor O'Rourke seconded the amendment.

Following debate, upon being put to the vote, the amendment was **LOST**.
(11 members voting for the amendment, 49 against with 7 abstentions)

At the conclusion of the Full Council's consideration of, and voting on the individual budget amendments, the Lord Mayor clarified (under section 7 of the procedure) that the following amendments had been CARRIED:

Green budget amendment 2

Green budget amendment 3

Green budget amendment 4

Also under section 7 of the procedure, on the motion of the Lord Mayor, the Full Council noted the Section 151 Officer's statement regarding the robustness of the budget estimates.

ADJOURNMENT: The meeting was adjourned at 18.30 and reconvened at 18.40

On the meeting being reconvened, there was then (under section 8 of the procedure) a general debate on the budget proposals.

At the conclusion of the debate, the Mayor responded to the debate and to Full Council's earlier consideration of the budget amendments. The Mayor indicated at this point that he was minded to accept an amended budget, i.e. incorporating Green budget amendments 2, 3 and 4.

On the motion of the Lord Mayor, seconded by the Deputy Lord Mayor, the Full Council then



RESOLVED that Full Council NOTED:

- a) **The report from the Overview and Scrutiny Management Board.**
- b) **The budget consultation process that was followed and feedback as outlined in Section 18 and Appendix 6.**
- c) **That the consultation feedback and equality impact assessments have been taken into consideration and has informed the final budget proposals.**
- d) **The comments of the Chief Finance Officer (s151 Officer) on the robustness of the Budget and adequacy of reserves as set out at paragraph 16.**
- e) **The HRA budget for 2019/20 as approved by Cabinet on 22 January 2019.**

RESOLVED that Full Council AGREED: (52 members voting in favour, 15 against with no abstentions)

- f) **The Bristol City Council levels of council tax increase of 3.99%; which includes 1% to support Adult Social Care and noting the precepts of the Police and Crime Commissioner for Avon and Somerset and the Avon Fire Authority.**
- g) **The calculations for determining the council tax requirement for the year 2019/20 in accordance with the Local Government Finance Act 1992.**
- h) **An increase in the existing premium from 50% to the relevant maximum permitted by legislation on 1 April 2019 (100%) and to the introduction of premiums, at the relevant maximum percentage permitted by legislation, on 1 April 2020 (200%) for dwelling empty for less than 10 years, but at least 5 years and 1 April 2021 (300%) for dwelling empty for 10 years or more.**

RESOLVED that Full Council AGREED: (with 36 members voting in favour, 21 against with 10 abstentions)

- i) **The Council's General Fund net revenue budget for the year 2019/20 as £376.3 million and expenditure allocations as set out in Appendix 1; subject to any budget amendments properly notified to and approved by the Council in line with the Constitution.**
- j) **Agree the Council's capital budget (including the HRA) for the years 2019/20 - 2023/24, totalling £856.8 million as set out in paragraph 14 and detailed in Appendix 2.**
- k) **The proposed total Schools budget of £356.9 million for 2019/20 as set out in paragraph 10, which will be funded by the Dedicated Schools Grant.**
- l) **The proposed Treasury Management Strategy for 2019/20 in Appendix 4, incorporating the Minimum Revenue Provision policy and the prudential indicators and limits.**



m) To approve the Strategy for the Flexible use of Capital Receipts as set out in Appendix 5.

RESOLVED that Full Council AGREED: (with 52 members voting in favour, 7 against with 8 abstentions)

n) For the West of England Combined Authority Mayor to submit an application to the Housing Infrastructure Fund to facilitate housing growth as set out in paragraph 13 following consultation with the following: Mayor, Deputy Mayor and Cabinet Member for Finance, Governance & Performance, Executive Director, Growth & Regeneration and Chief Finance Officer.

Meeting ended at 7.20 pm

CHAIR _____





Full Council

19th March 2019

Report of: Human Resources Committee

Title: The Council's Pay Policy Statement for the period 1st April 2019 to 31st March 2020

Ward: N/A

Member Presenting Report: Councillor Jon Wellington (Chair of Human Resources Committee)

Recommendation

That full Council adopts the Pay Policy Statement for 2019/20.

Summary

The Localism Act 2011 requires local authorities to agree and publish a pay policy statement annually before the start of the financial year to which the statement relates.

The significant issues in the report are:

- The pay ranges for Executive Directors and Directors are proposed to remain at the 2018/19 levels. The pay of Executive Directors and Directors will be reviewed each year through this Pay Policy Statement.
- It is not proposed to apply a 2% cost of living pay award to the pay of Directors and Executive Directors for 2019/20.
- The Council has become an accredited Living Wage Employer.
- The Council has worked with the trade unions to reform its pay structure; a new pay spine has been agreed and will be implemented from 1st April 2019.



Policy

1. The Localism Act 2011 requires local authorities (the Full Council) to agree and publish a pay policy statement annually before the start of the financial year to which the statement relates. It is recommended to full Council by the HR Committee.
2. The current policy of the Council in respect of Executive Director and Director pay is set out in the Council's Pay Policy Statement which states:

"The pay of Executive Directors and Directors will be reviewed each year through this Pay Policy Statement. The Council will be mindful of pay awards agreed by the Joint Negotiating Committee for Chief Executives of Local Authorities and the Joint Negotiating Committee for Chief Officers of Local Authorities.

Executive Director and Director terms and conditions are determined by the Human Resources Committee or other Committee as specified in the Council's Constitution and, unless otherwise agreed, will be in accordance with either the JNC for Local Authority Chief Executives or Chief Officers Handbook."

3. Any amendments to the pay policy statement are recommended by the HR Committee for approval by full Council. The HR Committee considered the proposed Pay Policy for 2019/20 at its meeting on 17th January 2019.

Consultation

4. **Internal**
Deputy Mayor and Head of Paid Service have been consulted on these proposals.
5. **External**
None required.

Context

6. The Pay Policy Statement explains the Council pay policies for its highest and lowest-paid employees. It is written and published in line with the Localism Act 2011 and guidance issued by the Secretary of State.
7. The current the pay ranges for Executive Directors and Directors continue to be competitive and it is proposed that they to remain at the 2018/19 levels. Currently, no Directors pay is below the median market rate. The pay of Executive Directors and Directors will be reviewed each year through this Pay Policy Statement. It is therefore not proposed to apply a 2% cost of living pay award to the pay of Directors and Executive Directors for 2019/20.
8. For the period covered by this statement the Council's top earner will be on a salary of up to £165,000 and the lowest-paid person will be on a salary of at least £17,364. The Council's top to lowest salary ratio will reduce from 9.77:1 as at 31st December 2018 to 9.50:1 by 1st April 2019.
9. The Council became an accredited Living Wage Employer with effect from 5th November 2018. We ensure that all casual workers engaged directly by the Council are paid at least the Living

Wage. We have set up our procurement procedures to ensure that we engage with contractors and potential contractors to encourage them, as far as possible, to also pay the Living Wage to people regularly working on our premises.

10. The Council has worked to reform its pay structure during 2018/19. The new national agreement seeks to address compression within the existing pay structure and alleviate pressures on pay differentials at the bottom of the structure. A new pay spine is being put in place with effect from 1st April 2019 takes account of the UK Living Wage (as set by the Living Wage Foundation) as its starting point and covers Bristol Grades 1 to 15. The new pay spine has been negotiated and agreed with the trade unions.

Proposal

11. That full Council adopts the Pay Policy Statement for 2019/20.

Other Options Considered

12. Applying JNC pay award of 2% for Executive Directors and Directors was considered. This has been rejected on the grounds that the pay ranges and salaries have recently been reviewed and benchmarking against the market rate indicates that the salaries (paragraph 7 above) are competitive. Further, there is no contractual obligation on the Council to implement national pay awards.

Risk Assessment

13. Failure to pay in line with market rates is likely to hamper the Council's ability to recruit and retain effective leaders and managers.

Public Sector Equality Duties

14. a) 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.

14. b) An Equality Impact Assessment has not been completed as no major change to policy is proposed by this report.

Legal and Resource Implications

Legal

The Pay Policy Statement 2019/20 fulfils the legal requirement placed on the Council by s.38(1) of the Localism Act 2011 to produce an annual pay policy statement.

Husinara Jones, Solicitor/Team Leader, 1st March 2019

Financial

(a) Revenue

Full Council is recommended to adopt the Pay Policy Statement as appended to this report. The budget build approved by Full Council included assumptions relating to the cost of becoming a Living wage Employer and the revised pay structure.

Kevin Lock, Finance Manager, 4th March 2019

(b) Capital

Land

Not applicable.

Personnel

The proposed Pay Policy is largely unchanged from 2018/19. Market data indicates that the existing salary ranges for JNC Chief Officers remain competitive. The Council will continue to pay no less than the real Living Wage to all of its staff.

James Brereton, People and Culture Manager, 3rd March 2019

Appendices:

A – Draft Pay Policy Statement

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None.

Bristol City Council

Pay Policy Statement for the period 1st April 2019 to 31st March 2020

1. Introduction

- a. It is essential that the Council attracts and keeps people with the right talents and commitment to lead and deliver great services to Bristol's citizens. At the same time the Council has to get the best value for the taxpayer.
- b. This Statement explains the Council pay policies for its highest and lowest-paid employees. It is written and published in line with the Localism Act 2011 (the Act) and guidance issued by the Secretary of State (the Guidance). It was approved by full Council on 19th March 2019.
- c. The Guidance is clear that decisions on pay policies should be made by councillors. The Council is committed to making sure that all councillors have a say on how pay decisions are made, especially about its highest-paid employees. To achieve this, the Statement is reviewed every year. The Mayor is consulted, and any proposals made are taken into account. The draft statement is considered by the Human Resources Committee and finally by full Council. Both meetings are open to the public.
- d. In line with the law (the Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations 2002), the pay of the Mayor's Assistant is set as the Mayor thinks fit, within the financial resources available to the Council. The Mayor's Assistant is currently paid at Director (Level 1).
- e. As recommended by the Guidance, this Statement sets out clearly and separately its policies on each of the requirements listed in the relevant sections of the Act. The Guidance says that this is to help enable taxpayers to decide whether they are getting value for money in the way that public money is spent on local authority pay and reward.
- f. The Council is committed to equal pay for all its employees and to removing any bias in its pay systems related to age, disability, gender, race, religion or belief or on the grounds of being bisexual, gay, lesbian or transgender. Equal pay applies to all contractual terms and conditions as well as pay.
- g. The Council became an accredited Living Wage Employer with effect from 5th November 2018. The Council has paid its own employees no less than the Foundation Living Wage since 1st October 2014.
- h. The Council has worked to reform its pay structure during 2018/19. The new national agreement seeks to address compression within the existing pay spine and alleviate pressures on pay differentials at the bottom of structure. The new pay spine with effect from 1st April 2019 will take the UK Living Wage (as set by the Living Wage Foundation) as its starting point and will cover Bristol Grades 1 to 15.

2. Development priority for 2019/20

- a. The Council will consider options to further develop its pay structure to deal with future compression at the bottom and top of the pay spine for Bristol Grades 1 to 15. The options will take the Foundation Living Wage as its base and will have commonly distributed pay values and job evaluations points. This will include reviewing the pay arrangements for apprentices. All proposals will be subject to equality impact assessment and will be negotiated with the trade unions.

3. Pay of the Council's highest-paid employees

- a. The Council's highest-paid employees are Executive Directors and Directors. These roles are graded using the Hay methodology and the salaries are informed by market data. For the period covered by this Statement the salary for Executive Director roles will range from £135,000 to £165,000 with a mid-point of £150,000. The salary for Director (Level 2) roles will range from £94,000 to £120,000 with a mid-point of £107,000. The salary for Director (Level 1) roles will range from £85,000 to £105,000 with a mid-point of £95,000.

4. Pay of the Council's lowest-paid employees

- a. The Council's lowest-paid employees are those who are paid the Foundation Living Wage. The Council has adopted this definition because it has decided that none of its employees should be paid less than the Foundation Living Wage. The Foundation Living Wage is £9.00 per hour with effect from 1st April 2019, which equates to a minimum salary of £17,364 (based on a full-time week of 37 hours). The rate of the Foundation Living Wage is refreshed each November, and the Council applies the new rate from the following 1st April.
- b. Apprentices in their first year are paid £5 per hour. Apprentices in their second year are paid £5 per hour until they are 18 years old and then at the National Living Wage for their age. Apprentices in their third year are paid the Foundation Living Wage. An additional allowance of £25 per week is paid to apprentices who have left local authority care, and this is paid throughout their apprenticeship for as long as they live in independent accommodation.
- c. Interns, student placements and trainees are normally paid the Foundation Living Wage.

5. Relationship between the pay of the Council's highest and lowest-paid employees

- a. Will Hutton's 2011 Review of Fair Pay in the Public Sector recommended that all public service organisations publish their top to median pay ratio to allow the public to hold them to account. The Government's terms of reference for the Hutton review suggested that no public sector manager should earn more than 20 times the lowest paid person in the organisation.

- b. The change in these ratios at the Council over recent years is shown in the following table:

Year	Top to median pay ratio	Top to lowest salary ratio
2015	6.75:1	11.33:1
2016	6.23:1	10.05:1
2017	5.24:1	8.34:1
2018	6.03:1	9.77:1
2019	-	9.50:1

- c. For the period covered by this Statement the Council's top earner will be on a salary of up to £165,000 and the lowest-paid person will be on a salary of at least £17,364. This means that the Council's top to lowest salary ratio is 9.50:1.

6. Pay of Executive Directors and Directors when they start

- a. Pay will be within 10% of the minimum of the range unless otherwise agreed by the Human Resources Committee. Payment above the mid-point is reserved for roles where there is clear evidence that the market rate is significantly higher than the mid-point.
- b. The Guidance says that full Council should have the opportunity to vote before salary packages totalling £100,000 or more are offered for new appointments. Through its Constitution full Council delegates this to the Human Resources Committee.

7. Increases and additions to pay for Executive Directors and Directors

- a. The pay of Executive Directors and Directors will be reviewed each year through this Pay Policy Statement. The Council will be mindful of pay awards agreed by the Joint Negotiating Committee for Chief Executives of Local Authorities and the Joint Negotiating Committee for Chief Officers of Local Authorities. There will be no change to the ranges quoted in paragraph 3b above before 1st April 2020.

8. Performance-related pay for Executive Directors and Directors

- a. There is no performance-related pay for Executive Directors and Directors.

9. Bonuses for Executive Directors and Directors

- a. There are no bonuses for Executive Directors and Directors.

10. Pay of Executive Directors and Directors when they leave

- a. When an Executive Director or Director leaves they will be paid in line with what they are entitled to under their contract of employment (their notice period is three months) and the Council's policies.
- b. The Guidance says that full Council should have the opportunity to vote before severance packages costing £100,000 or more are paid to employees leaving the Council. The Government intends to go further than this and cap the cost of an employee leaving a job in the public sector at £95,000, an implementation date of these regulations is to be confirmed. Councils may be given the authority to approve severance packages that cost more than

£95,000 by a vote of full Council, but guidance on this has not yet been published. Until this change happens, the Council's current policy will continue, which is that the dismissal of Executive Directors and Directors is determined by the Human Resources Committee (except for the Head of Paid Service, Chief Finance Officer and Monitoring Officer, where this is a matter for full Council). Approving compensation for loss of office (ie, any payments not required by the contract of employment) in respect of chief officers and deputy chief officers including the Head of Paid Service is delegated to HR Committee by Full Council.

- c. The Government also intends to change the law so that someone who takes a severance package in the public sector can only work in the public sector again in the following 12 months if they pay back part of their severance payment, an implementation date of these regulations is to be confirmed. Until this change happens the Council's current policy will continue, which is that employees who leave due to voluntary severance will not be re-employed by the Council in a paid job or engaged directly or through a company on an "off-payroll" basis for 12 months after they leave. (Off-payroll means a person who is paid via a company rather than through the payroll as an employee). Employees who leave due to compulsory redundancy are free to apply for re-employment with the Council at any point after they've left.

11. Paying Executive Directors and Directors "off-payroll"

- a. In line with IR35 the Council deducts and pays income tax and National Insurance contributions to HMRC in respect of payments made on or after 6th April 2017 to people engaged through personal service companies.

12. Returning Officer fees

- a. The Council's Returning Officer for elections and referenda is appointed by full Council. Fees are paid for these duties. They vary depending on the type of poll and are published prior to each election. Fees for most polls (including national elections and referenda) are set and paid by the Government (rather than the Council).

13. More information about the pay of Executive Director and Directors

- a. The Council is committed to being open about its policies on pay. Approved pay policy statements are published on the Council's website at www.bristol.gov.uk/council-spending-performance/senior-officers-pay. Other information that the Council has to publish under the Local Government Transparency Code 2015 is available via that webpage.

14. More information about Pay Gap Reporting

- a. We publish our gender pay gap every 12 months on the Council's website at <https://www.bristol.gov.uk/documents/20182/32815/Bristol+City+Council+gender+pay+gap+data+2018> The gender pay gap report shows the pay gap between female and male Bristol City Council employees for the year ending 31 March 2018.



Full Council

19th March 2019

Report of: Colin Molton, Executive Director: Growth and Regeneration

Title: Hengrove and Whitchurch Park Neighbourhood Development Plan

Ward: Hengrove and Whitchurch Park

Member Presenting Report: Mayor Marvin Rees
Mayor for Bristol

Recommendation

1. That Council notes the outcome of the referendum on the Hengrove and Whitchurch Park Neighbourhood Development Plan held on 14th February 2019.
2. That Council notes that the Hengrove and Whitchurch Park Neighbourhood Development Plan now forms part of the statutory development plan for Bristol.
2. That the Council makes (approves) the Hengrove and Whitchurch Park Neighbourhood Development Plan.

Summary

To make the Hengrove and Whitchurch Park Neighbourhood Development Plan and thereby confirm its status as part of the statutory development plan for Bristol and its use to help decide planning applications in the Neighbourhood Planning Area.



The significant issues in the report are:

The referendum on the Hengrove and Whitchurch Park Neighbourhood Development Plan held on 14th February 2019 found in favour of using the Neighbourhood Development Plan for Hengrove and Whitchurch Park to help decide planning applications in the neighbourhood area. The Council is now recommended to make the Hengrove and Whitchurch Park Neighbourhood Development Plan thereby confirming its status as part of the statutory development plan for Bristol.

Policy

1. The Hengrove and Whitchurch Park Neighbourhood Development Plan has been considered by an independent examiner and found to be consistent with the National Planning Policy Framework and the Council's strategic planning policies as set out in the adopted Bristol Local Plan - Core Strategy (2011), and Site Allocations and Development Management Policies Local Plan (2014) (together the "**Bristol Local Plan**").

Consultation

2. **Internal**
Cabinet Members for Strategic Planning and City Design, and Housing
Executive Director for Growth and Regeneration
3. **External**
Statutory stakeholders and community stakeholders and organisations.

Context

4. The Hengrove and Whitchurch Park Neighbourhood Development Plan has been prepared by the Hengrove and Whitchurch Park Neighbourhood Planning Forum. The Hengrove and Whitchurch Park Neighbourhood Planning Area and Neighbourhood Planning Forum were designated in accordance with the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012. The Hengrove and Whitchurch Park Neighbourhood Planning Area and Forum were both designated on 7th November 2016. The boundary of the Hengrove and Whitchurch Park Neighbourhood Development Plan is set out in Appendix 1.
5. The Neighbourhood Development Plan, prepared by the Neighbourhood Planning Forum in consultation with the local community, was submitted to the Council and subject to independent examination from July to September 2018. The plan has been modified in accordance with the recommendations of the independent examiner. It was determined on 25th October 2018 to comply with the legal requirements and basic conditions set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) and the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (together the "**Planning Acts**"). The Neighbourhood Development Plan therefore proceeded to referendum on Thursday 14th February 2019.

6. The referendum was held of those on the electoral roll within the designated Hengrove and Whitchurch Park Neighbourhood Development Plan Area. The question asked in the referendum was:

“Do you want Bristol City Council to use the neighbourhood plan for Hengrove and Whitchurch Park to help it decide planning applications in the neighbourhood area?”

The [outcome of the referendum](#) was 85.5% in favour of the proposal.

Turnout: 3,223 (23.3%)

Voting yes: 85.5%

Voting no: 14.3%

Spoilt ballots: 5

7. In accordance with the Planning and Compulsory Purchase Act 2004 s38 (3A) as more than half of those voting in the referendum have voted in favour of the Hengrove and Whitchurch Park Neighbourhood Development Plan the plan now forms part of the statutory development plan for Bristol. This has brought the Neighbourhood Development Plan into legal force with the same legal status as the Bristol Local Plan.
8. In accordance with the Planning and Compulsory Purchase Act 2004 s38A (4) the council is also required to ‘make’ the Neighbourhood Development Plan as soon as reasonably practical unless it considers under s38A(6) of the same Act that this would breach, or, be incompatible with any EU obligation or any of the Convention Rights. In such a case the Neighbourhood Development Plan will cease to form part of the statutory development plan.
9. It is considered that the Hengrove and Whitchurch Park Neighbourhood Development Plan as modified will not breach or be incompatible with any European Union obligation or any of the Convention Rights, within the meaning of the Human Rights Act 1998. Officers have considered these issues throughout the preparation process for the Neighbourhood Development Plan and no conflict with EU obligation or Convention Rights is apparent.

Proposal

10. As the decision in favour of the Neighbourhood Development Plan was taken at referendum by the community and this provides that the plan is now part of the statutory development plan for Bristol, there is no recommendation from Cabinet to the Mayor. The recommendation is from the Mayor to Council that the Hengrove and Whitchurch Park Neighbourhood Development Plan be ‘made’. This decision confirms that the Neighbourhood Development Plan is part of the statutory development plan for Bristol, and the policies of the plan be used to help make decisions on planning applications within the boundary of the Hengrove and Whitchurch Park Neighbourhood Planning Area.

Other Options Considered

11. No other options are considered as the Hengrove and Whitchurch Park Neighbourhood Development Plan, as agreed at referendum meets the requirements of the Planning and Compulsory Purchase Act 2004.

Risk Assessment

12. The ‘making’ of the Hengrove and Whitchurch Park Neighbourhood Development Plan is a legal requirement under S.38A(4) of the Planning and Compulsory Purchase Act 2004 as set out in paragraph 8 above. Failure to make the plan would be in breach of the legal requirement as set out in the 2004 Act.

FIGURE 1						
The risks associated with the implementation of the (subject) decision :						
RISK	INHERENT RISK (Before controls)		RISK CONTROL MEASURES	CURRENT RISK (After controls)		RISK OWNER
	Impact	Probability		Impact	Probability	
Threat to achievement of the key objectives of the report			Mitigation (i.e. controls) and Evaluation (i.e. effectiveness of mitigation).			
Risk of ‘making’ the Hengrove and Whitchurch Park Neighbourhood Development Plan	Low	Low	Before proceeding to referendum the Neighbourhood Development Plan was considered through an independent examination process. The Council decided to make modifications in accordance with the examiner’s recommendations to ensure compliance with the Basic Conditions as set out in the Planning Acts. There is a legal requirement to ‘make’ the Neighbourhood Development Plan following a positive referendum result.	Low	Low	Sarah O’Driscoll

FIGURE 2						
The risks associated with <u>not</u> implementing the (subject) decision:						
RISK	INHERENT RISK (Before controls)		RISK CONTROL MEASURES	CURRENT RISK (After controls)		RISK OWNER
	Impact	Probability		Impact	Probability	
Risk of not ‘making’ the Hengrove and Whitchurch Park Neighbourhood Development Plan where this is clearly required and without exception in accordance with the Planning Acts - could result in a judicial review on process as there are no defined grounds for such a decision	High	High	Before proceeding to referendum the Neighbourhood Development Plan was considered through an independent examination process. The Council decided to make modifications in accordance with the examiner’s recommendations to ensure compliance with the Basic Conditions as set out in the Planning Acts. There is a legal requirement to ‘make’ the Neighbourhood Development Plan following a positive referendum result.	High	Medium	Sarah O’Driscoll

Public Sector Equality Duties

- 8a) Before making a decision, section 149 of the 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.

8b) An Equalities Impact Assessment (EqIA) of Neighbourhood Plan policies has been undertaken as part of the preparation of the Hengrove and Whitchurch Park Neighbourhood Development Plan. The Plan has also been assessed in terms of its general conformity with Strategic Policies in the Bristol Local Plan, which have been subject to an EqIA, as part of its compliance with the Basic Conditions. The examination found that the Neighbourhood Development Plan as modified meets with the basic conditions which includes a requirement that the making of the plan does not breach, and is otherwise compatible with EU obligations or any of the Convention Rights, within the meaning of the Human Rights Act 1998.

Legal and Resource Implications

Legal

The preparation of the Hengrove and Whitchurch Park Neighbourhood Development Plan, its progression to referendum and the decision to make the neighbourhood development plan are in accordance with the relevant provisions of the Town and Country Planning Act 1990, Planning and Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning Act 2017 and associated regulations.

The making of the Hengrove and Whitchurch Park Neighbourhood Development Plan means that it now forms part of the statutory development plan for Bristol, and the policies of the Plan shall be used by the Council as the local planning authority to help make decisions on planning applications within the boundary of the Hengrove and Whitchurch Park Neighbourhood Planning Area.

Equality Duty

The Public Sector Equality duty requires the decision maker to consider the need to promote equality for persons with “protected characteristics” and to have due regard to the need to i) eliminate discrimination, harassment, and victimisation; ii) advance equality of opportunity; and iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it.

The Equalities Impact Check (as set out at Appendix E to this Report) is designed to assess whether there are any barriers in place that may prevent people with a protected characteristic using a service or benefiting from a policy. The decision maker must take into consideration the information in the assessment before taking the decision.

A decision can be made where there is a negative impact if it is clear that it is necessary, it is not possible to reduce or remove the negative impact by looking at alternatives and the means by which the aim of the decision is being implemented is both necessary and appropriate.

It is noted that an Equalities Impact Assessment (EqIA) of the Neighbourhood Plan policies has been undertaken as part of the preparation of the Hengrove and Whitchurch Park Neighbourhood Development Plan, and that the Plan has also been assessed in terms of its general conformity with Strategic Policies in the Bristol Local Plan. Further it is noted that the Neighbourhood Development Plan satisfies statutory requirements includes compatibility with the relevant EU obligations and the Human Rights Act 1998.

(Legal advice provided by Gillian Dawson, 28th February 2019)

Financial

(a) Revenue

There are no on-going revenue financial implications for the Hengrove and Whitchurch Park Neighbourhood Development Plan. The policies are incorporated within the development plan for Bristol and are applied through the Development Management process. Preparation of the neighbourhood development plan was supported by the community with funds from central government (MHCLG) as allocated by ‘Locality’ on the Minister’s behalf. Cost of the examination and the referendum is covered by the Neighbourhood Planning Grant to the council from MHCLG. The cost of this work has been estimated to cost within £20k of the value of the grant received.

(b) Capital

There are no capital financial implications.

(Financial advice provided by Kayode Olagundoye, Interim Finance Business Partner, Growth and Regeneration, 15th February 2019)

Land

The Hengrove and Whitchurch Park Neighbourhood Development Plan promotes housing development on sites owned by the City Council and accords with the councils wish to ensure sustainable housing development with appropriate tenures is delivered. The plan proposes that current council policy on the provision of affordable homes should be maintained. The development of Hengrove Park is supported within the neighbourhood plan.

(Land advice provided: Joe Jeffrey – Service Manager Property Development 20th February 2019)

Personnel

There are no direct Human Resources implications for the Council arising from these recommendations.

(Mark Williams, Head of Human Resources - 24 January 2019)

Appendices:

Appendix 1 - The boundary of the Hengrove and Whitchurch Park Neighbourhood Development Plan

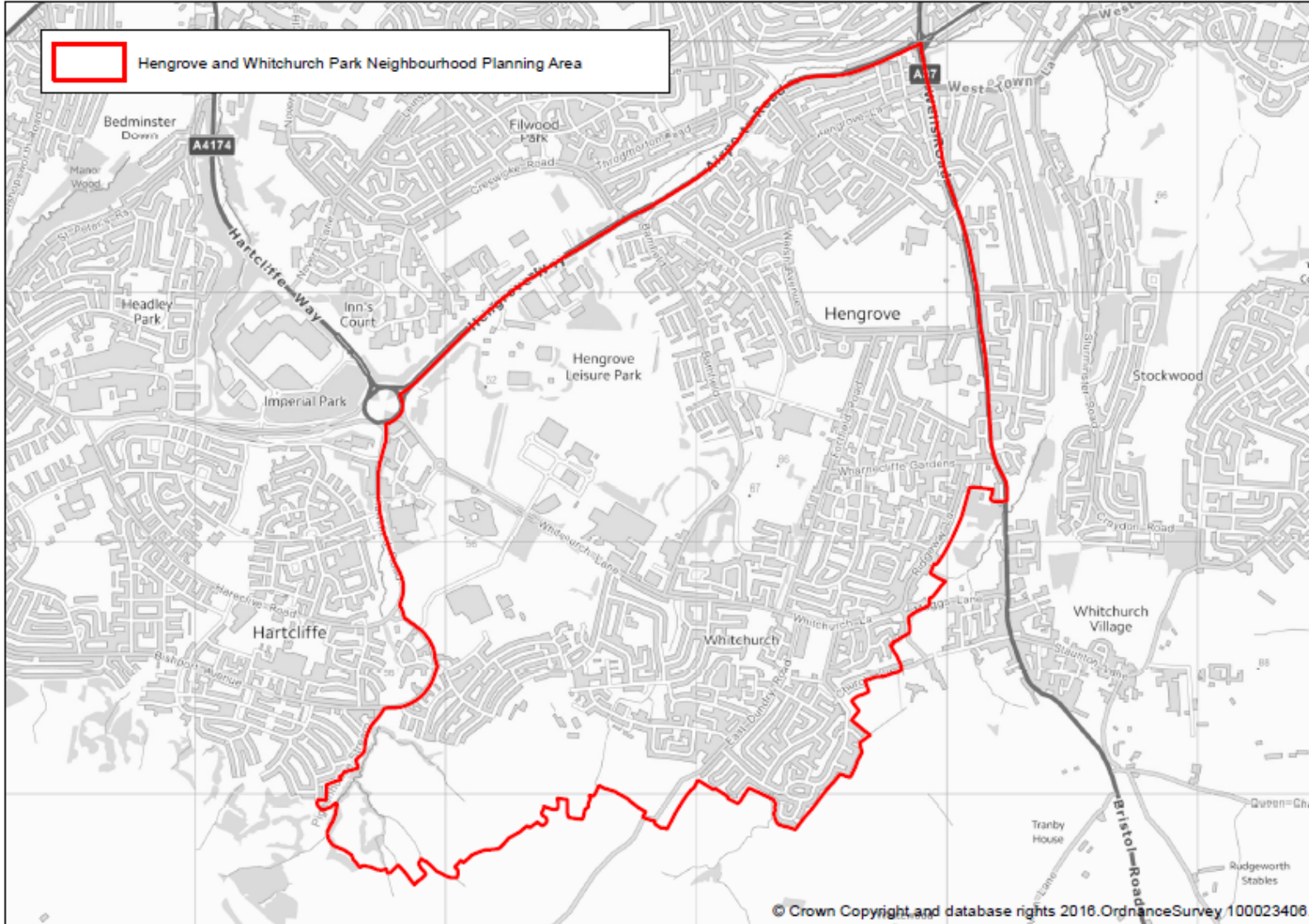
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

Hengrove and Whitchurch Park Neighbourhood Development Plan as approved at referendum available [here](#)

<https://www.bristol.gov.uk/documents/20182/1114476/HWPNDP+Referendum+Version.pdf/d4bc750f-c85e-e4b1-b68e-799f486f53f3>

Appendix 1: The boundary of the Hengrove and Whitchurch Park Neighbourhood Development Plan



Full Council 19 March 2019



Report of: Tim O’Gara, Director – Legal & Democratic Services

Title: **Licensing Committee – membership change**

Ward: Citywide

Recommendation

That Full Council approves the appointment of Councillors Goggin and Hickman to the committee.

Summary

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



Background and proposal

1. The Council must have a licensing committee of between 10-15 members. As one of the largest licensing authorities in the country, Bristol has established a 15 member committee. Members serve on the committee until they either resign or are removed by the Full Council.
2. Councillors Steve Pearce and Lucy Whittle have indicated that they wish to resign from the Committee.
3. Councillors Paul Goggin and Margaret Hickman have indicated that they are willing to be appointed to the committee.
4. The Full Council is accordingly asked **to approve the appointments of Councillors Goggin and Hickman to the committee.**