

Summons to attend meeting of Full Council



Date: Tuesday, 14 January 2020

Time: 2.00 pm

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

To: All Members of Council

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City Hall has a water fountain by the Council Chamber, you are invited to bring your reusable bottles. Please note there are no plastic cups

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Date: Friday, 3 January 2020



www.bristol.gov.uk

Agenda

1. Welcome, Introductions and Safety Information

(Pages 14 - 15)

2. Apologies for Absence

3. 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.

4. Minutes of the Previous Meeting

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

(Pages 16 - 30)

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 13 January 2020** 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 8 January 2019** at latest. A maximum of 2 questions per



member of the public is permitted.

7. Petitions Notified by Councillors

Please note: Up to 10 minutes is allowed for this item.

Petitions notified by Councillors can be about any matter the Council is responsible for or which directly affects the city. The deadline for the notification of petitions to this meeting is **12 noon on Monday 13 January 2020**.

8. Council Tax Base 2020/21

(Pages 31 - 42)

9. Collection Fund Surplus/ Deficit 2019/20

(Pages 43 - 54)

10. Audit Committee Half Year Report

(Pages 55 - 60)

11. Motions

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 – 14th January 2020

1. Reboot Democracy - improve decision-making and increase public engagement by developing forms of Deliberative Democracy

This Council notes:

- That the Administration has a genuine desire to engage with citizens, as demonstrated by continued support of the Citizens' Panel and efforts made to promote engagement in consultations on important decisions for the City;
- That present actions do not go far enough to truly engage all Bristolians. We are not reaching, or actively engaging, the majority of citizens in deprived parts of the City and we respond to the loud voices of the few who fill in consultations or who use Full Council to express their views.
- That barriers to participation are complex and potential participants may need training, incentives and different kinds of support to participate;
- That processes for setting the agenda and designing the mechanisms



for participation should also be participatory;

- That the forms of engagement used presently take citizens' views but do not allow for input into decision-making, which does not encourage engagement. Often, people are not given enough information to be fully informed, which undermines the consultation process;
- That the value of consultations has been undermined by past failures like the Library Consultation in 2017, where citizens were presented with three very limited options and they could not support any one of them, or by the Western Harbour engagement when lack of information increased community fears and made constructive discussion very difficult;
- That the majority of the citizenry are not engaged in decision making and feel disenfranchised;
- That Bristol has a vibrant culture of community organisations with local knowledge, existing community networks and experience of using participatory approaches. These organisations have the potential to contribute to processes of engagement and participation for under-represented groups;
- That **Deliberative Democracy** is an umbrella term, of which **Citizens' Assembly** is the best known. Citizens' Assemblies have been used effectively in many countries to solve complex political or social issues and are truly representative, as selection is stratified (like jury service) and people who attend are paid a stipend which validates the action. **Citizens' Jury** is a scaled down version of an assembly. Another form of deliberative democracy, used quite extensively in the UK between 2002-2010, is **Participatory Budgeting** which was shown to improve accountability and allow for the redistribution of funds. **Deliberative Polling** is an effective way to develop an informed citizenry, as this process takes a stratified group, captures their understanding of a topic, then fully informs them of the issues and once again surveys their opinions. The benefit is that the administration gets the views of citizens who have an holistic understanding of complex problems;
- That although there is a cost in running deliberative actions, the value of high-quality decisions, based on informed, reasoned debate makes it good value for money and delivers a stronger mandate to the Administration.

This Council believes:

- We trust our citizens to make decisions;
- Deliberative democracy complements consultation and makes it more meaningful. The difference is that a stratified selection is made and this is truly representative of the people;
- Deliberative processes are not intended for everyday politics and are best used for complex issues which are divisive or where there might be political gridlock;
- That types of deliberative democracy should be piloted in Bristol, with at least two projects within the next year. Examples could be: devolving some funds to the Area Committees through a Participatory Budget or a Citizens' Assembly on how to on get to carbon neutrality by 2030.

This Council proposes:



- That a group is set up to establish the terms of reference for Bristol’s adoption of Deliberative Democracy, which would come back to this Council for ratification within three months. This process should itself be participatory, be cross-party and include people from Bristol’s different communities, localities and socio-economic backgrounds with a role for Bristol’s existing community organisations;
- That once the terms of reference are agreed, a sum of money (to be decided) will be set aside to fund the actions;
- That, once the terms are ratified, there will be a trial of at least two projects within the financial year 2020-2021 and I suggest the following:
 - A participatory budget, using the Area Committees as a delivery method
 - Citizens’ Assembly with a theme chosen via a participatory process
 - Citizens’ Assembly on how Bristol should respond to the Climate Emergency

Some interesting reading:

Some examples both within the UK and internationally -

<https://sharedfuturecic.org.uk/beyond-the-ballot-how-citizens-can-lead-the-climate-change-conversation/>

Video on how participatory budgeting can involve the whole community

<https://pbscotland.scot/film>

Deliberative polling and how it solved sectarian problems in Northern Ireland -

https://s3.amazonaws.com/academia.edu.documents/5900776/omagh-report.pdf?response-content-disposition=inline%3B%20filename%3DA_Deliberative_Poll_on_Education_What_pr.pdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIWOWYYGZ2Y53UL3A%2F20191128%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Date=20191128T114631Z&X-Amz-Expires=3600&X-Amz-SignedHeaders=host&X-Amz-Signature=8ea70cb3d53690e96800327c595a3949fb8dbd5c90a905ecf2f7a41346b6290d

Motion to be moved by: Cllr Paula O’Rourke, Green Group

Date of Submission: 2nd January 2020

2. Wood burners

Full Council shares the view of Marvin Rees, the elected Labour Mayor of Bristol, that wood burners produce dangerous levels of particulate pollution.

Full Council further endorses the administration signing up to the world’s most ambitious clean air plan with UK100, which calls on the Government to adopt World Health Organisation recommended air pollution targets as legally binding.

Full Council believes that the Mayor is right to raise awareness of and enforce



the existing Smoke Control Legislation in licensed premises to reduce the illegal burning of wood and solid fuels, including domestic wood burners and bonfire nuisance.

Full Council resolves to ask Party Group Leaders to back Marvin's calls for improved powers, resources, and legislation from national Government to ban particulates in industrial and domestic use, including and private wood burners.

Motion to be moved by: Cllr Don Alexander, Labour Group

Date of submission: 6th December 2019

3. Support For Freeports

Following the General Election, which resulted in a Conservative majority, it is clear that the new Government is in a strong position to carry out its ambitious £100bn infrastructure programme to benefit the whole of the UK.

Part of this capital investment will be directed towards creating ten freeports around the country. These, it is intended, will play a significant role in raising prosperity for some of our most deprived communities whilst helping to re-establish our nation as a champion of free trade – in our own right - at the World Trade Organisation.

Globally, there are around 3000 of these free trade zones. These can be established at both sea and air points of entry. Such sites are areas within a geographic boundary of a country but, legally, are treated as external to that state for the purposes of applying different (lower) customs duties and business rates. Historically, these ports have proved to be catalysts for economic redevelopment and regeneration.

Council notes that some concerns have been raised over potential risks associated with the operation of these facilities, namely as a vehicle for money laundering, counterfeiting and/or tax evasion. However, it should equally be recognised that these threats or dangers can be prevented, mitigated and minimised through the operation of greater transparency, regulation and oversight.

The Bristol Port Company has previously expressed interest in exploring a bid to be included in the first ten tranche chosen by a specialist panel. In commerce, to stand still is to be left behind. It is this Council's view that the future prosperity of our City Region could be greatly enhanced by this change of status.

Accordingly, Council calls on the Mayor to lend his support to this possibility and work with the West of England Combined Authority to ensure we are best placed to take advantage of or benefit from this prestigious, national scheme. It is this Council's contention that such a partnership will greatly help to unleash Bristol's huge economic potential.

Motion to be moved by : Councillor Mark Weston, Conservative Group

Date of Submission: 2nd January 2020



4. Supporting Local Shops

Council continues to be concerned over the future sustainability of many of Bristol's high streets.

Nationally, last year proved to be especially challenging for so-called bricks and mortar retailers. A recent review by the British Retail Consortium found that we lost 16 shops per day through closure in the first six months of 2019. This equates to around 2,868 businesses, with an estimated 85,000 jobs lost by year-end. Some of the latest casualties include such well-known brands as HMV, Thomas Cook and even Debenhams.

The causes are well known and multifaceted (i) spiralling rents; (ii) rising business rates; (iii) increased labour costs; (iv) declining foot-fall; and (v) the choice, convenience and competition provided by e-commerce. With local authorities ever more dependent on retention of business rates to balance their budgets, Council maintains that it is essential that more is done to support struggling small businesses in secondary retail areas around the city.

Some measures taken during the last Parliament such as cuts to business rates for small businesses and the creation of special funding streams were a step in the right direction. The 'Love our High Streets' project promoted by the West of England Combined Authority (WECA) is also encouraging.

Now, the new Conservative Government has promised a 'new deal for towns' (and regions) which aims to deliver thriving high streets as well as making these places much safer to visit by investing in more CCTV and community wardens. Council believes it will be essential to do more locally to coordinate with all of these national and regional initiatives.

To this end, Council calls on the Mayor to allocate resources from his capital budget to actually invest in so-called satellite precincts to make them attractive destinations. Consideration also needs to be given to changing the city's parking strategy/priorities with 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.

Finally, the Mayor is asked to lobby Ministers as part of another promised 'fundamental review of the business rates system' to consider major reform (not based on notional rateable values but founded upon important factors such as profit and turnover), to bring it up to date with current economic conditions and in order to save UK retailing.

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



Ward

Date of Submission: 2nd January 2020

5. Future Special Educational Needs And Disability (Send) Provision

This Council notes with extreme concern the findings of the recently published joint OFSTED and Care Quality Commission (CQC) report into the state of SEND provision in Bristol. To have such findings of failure spelt out in glaring terms underlines long term and systemic problems in our ability to meet the reasonable aspirations and expectations of children and young people who need specialist support services.

The inspection visit comes on the back of a number of very public and embarrassing controversies to blight the local Authority's reputational standing including:-

- Budget cuts made to SEND funding that were later ruled illegal
- news that not one Education & Health Care Plan was completed within the allotted 20 weeks' timeframe last year
- That new applications for EHC support were being turned away last autumn in direct contravention to national best practice standards

Council believes that parents and families have been badly served and that there must be a much more unified political response to these challenges. This new approach is necessary not only to improve this dire situation but also to guarantee greater transparency in decision making and accountability at all leadership levels (a weakness identified by inspectors).

Council therefore calls on the Mayor to:

- Publish an improvement plan responding directly to the OFSTED report's findings for the March Full Council
- Provide a quarterly written report to every People Scrutiny Commission for the next twelve months.
- Take note of the recommendations to emerge from the People Scrutiny Commission SEND 'Evidence Gathering Day' scheduled for 3rd February 2020
- Ensure that the Cabinet Member for Education & Skills attends every People Scrutiny meeting, alongside the Executive Director for Adults, Children & Education (or any other required senior officer) to answer questions from Scrutiny Members on content or progress being made to address this issue
- Commit to investing in schemes like 'Project Rainbow' which assists post-18 year-olds into independent living
- Provide sufficient funding to ensure Bristol's SEND services achieve above national average targets.

Motion to be moved by: Councillor Claire Hiscott, Conservative Group

Date of Submission: 2nd January 2020



6. Bristol Airport Expansion

This Council notes that:

1. Bristol Airport has applied for planning permission for an extra two million passengers a year (from 10-12 million) and has a published strategy to more than double in size to 20 million passengers a year. A decision is due in the near future.
2. There have been over 3,500 objections on the North Somerset Council Planning website including objections by the vast majority of the local Town and Parish Councils and by Bath and North East Somerset Council.
3. The papers submitted with the planning application by Bristol Airport Ltd (1) show that the expansion would mean:
 - a. up to 10,000 extra cars entering the already congested area every day and a new multi-storey car park on the Green Belt;
 - b. extra toxic pollution in the already polluted air over South Bristol (over which many of the aircraft will approach the airport);
 - c. an enormous increase in night flights during the summer bringing noise and distress to residents;
 - d. more than 623,000 tonnes (2) of carbon entering the atmosphere at high levels where its potential to warm our atmosphere is at least doubled compared with ground level emissions. (3)
4. The New Economics Foundation (a think-tank previously used at governmental level) have produced a report analysing the economic benefits claimed by the airport and concludes that the report submitted on behalf of the airport ‘grossly overstates the economic benefits’ and ‘the extended capacity of Bristol Airport would be redundant...’ (4)
5. There would be only 97 extra jobs in South Bristol if the expansion happens (5) many of which are likely to be zero-hours short term contracts in catering.
6. Frequent flyers, rather than families taking an annual holiday, are the problem. 15% of the population take 70% of the flights. (6)
7. The airport is large enough, and already has headroom under existing permissions to expand by another million passengers a year.

This Council believes that:

1. Bristol City Council, although not the decision-taker in this application, is an important stakeholder and has great influence with its views.
2. Bristol City Council, having declared a Climate Emergency (7) cannot maintain its current support of these destructive expansion plans.

This Council resolves:

1. To withdraw its support for this application and to submit a letter of objection to North Somerset Council immediately.

Footnotes:

1. Who are largely owned by Ontario Teachers Pension Plan
2. For comparison purposes, the expanded airport would have almost exactly the same carbon footprint as the whole of the internal emissions of Bristol at 1.568m tonnes



3. Source for carbon emissions: Bristol Airport Planning Application Environment Statement; Source for doubling effect of carbon emitted at high level: Committee on Climate Change letter to Sec of State 24/9/19
4. www.nefconsulting.com/our-work/clients/cpre-expansion-of-bristol-airport/
5. Bristol Airport’s planning documents; Economic Impact Appraisal
6. Committee on Climate Change letter to Sec of State 24/9/19
7. As have North Somerset and WECA

Motion moved by: Councillor Stephen Clarke, Green Party Councillor for Southville

Date of Submission: 2nd January 2020

7. Standing up for Responsible Tax Conduct

Full Council notes that:

1. There is a strong desire from people in the UK to see businesses pay the right amount of tax in the right place at the right time.^[1]
2. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.^[2]
3. 6 in 10 of the public agree that the Government and local councils should consider a company’s ethics and how they pay their tax as well as value for money and quality of service provided, when undertaking procurement.^[1]
4. 15% of public contracts in the UK have been won by companies with links to tax havens.^[3]
5. A conservative estimate of losses to the UK from multinational profit-shifting is £7bn per annum in lost corporation tax revenues.^[4]
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by organisations with a combined annual income of £50bn and more than 6,500 outlets and premises, including many social enterprises and co-operatives.^[5]

Full Council believes that:

1. Paying tax should not be presented as a burden, but as the way we provide for a society we would want to live in.
2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
3. As the budget of the council relies largely on public finance which is gained through taxation, we should take the lead in the promotion of exemplary tax conduct; for example by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying, selling or leasing land and property.
4. Where substantive stakes are held in private enterprises, then influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned - e.g., no use of marketed schemes requiring disclosure under DOTAS regulations (Disclosure Of Tax Avoidance Schemes) or arrangements that might fall foul of the General Anti-Abuse Rule.
5. More action is needed, however, current law significantly restricts councils’



ability to either penalise poor tax conduct or reward good tax conduct, when buying goods or services.

6. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

Full Council resolves to:

1. Approve the Councils for Fair Tax Declaration.
2. Lead by example and demonstrate good practice in our tax conduct, right across our activities. This applies to what we buy, what we sell, our own businesses, our choice of partners and our investments.
3. Ensure contractors implement IR35 robustly and pay a fair share of employment taxes.
4. Not use offshore vehicles for the purchase of land and property, or allow their use when selling or leasing, especially where this leads to reduced payments of stamp duty.
5. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.
6. Demand clarity on the ultimate beneficial ownership of suppliers, including care homes, schools, developers of council land and organisations and people we sell to, and their consolidated profit & loss position.
7. Promote Fair Tax Mark certification for any business in which we have a significant stake and where corporation tax is due.
8. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses who say what they pay with pride.
9. Support calls for urgent reform of EU and UK law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.
10. Ask the Mayor to instruct officers to bring back a report to Full Council within one year about the current situation, the practical problems and barriers and potential solutions, such as publishing a register or other mechanisms. And then to report back annually on progress towards the long term goal that all monetary transactions of the Council are with people and organisations who pay fair tax.

References:

[1] <https://fairtaxmark.net/trust-in-hmrc-on-the-increase-but-record-levels-of-concern-on-businesses-tax-behaviour/>

[2]

https://www.ibe.org.uk/userassets/briefings/ibe_survey_attitudes_of_the_british_public_to_business_ethics_2016.pdf

[3] <https://fairtaxmark.net/wp-content/uploads/2019/07/Intro-to-CFFTD.pdf>

[4] <https://www.taxresearch.org.uk/Blog/2017/11/08/the-uk-loses-20-of-total-corporate-profits-to-tax-havens-but-hmrc-are-in-denial-about-the-missing-7-billion/>

[5] <https://fairtaxmark.net/>

Motion to be moved by: Cllr Eleanor Combley, Green Group

Date of Submission: 2nd January 2020



8. Mitigating the effects of the Clean Air Plan on the most affected and most deprived residents.

Council notes that there is now only one Bristol plan that will reportedly deliver the governments clean air criteria in the period required and so despite many reservations from scrutiny, cabinet has given its approval.

Council regrets that no public consultation was carried out on the specific plan adopted by the Cabinet which was different to the two options put forward to the public.

Council has concerns about how this will impact on the way that goods and people move within and around the clean air zones, and anticipating and mitigating potential poor outcomes.

Council is concerned that the capability of the present system of 'public' transport to sustainably accommodate is inadequate, certainly in the short and medium-term.

Council is concerned about the effects of greater vehicle movements outside the zones to avoid charges on small roads not designed for this and the impact on safety, congestion, necessary infrastructure work and migrated poorer quality air.

Council is concerned that deprivation being given the highest rating alongside public health in the approach to the clean air problem – rather than confronting the central issue and mitigating any poor outcomes- there are no meaningful exemptions or concessions for people in the central zone except a possible £2000 grant to enable replacement for a diesel car.

This council resolves to ask the Mayor to examine meaningful ways to ease the transition into this new plan for those people most affected and least capable of coping with the outcomes including, but not exclusively, the following:

- A longer transition period for phasing out ownership by residents in the inner zone of all private diesel cars, focusing on pre-Euro6 models.
- Preparation and consultation on an impact analysis, and resulting mitigation, for the closure of the eastbound Cumberland Basin to all vehicles except buses.
- Alternative provisions for access to the many hospitals (including sufficient information and warnings) within the zone including the extension of the present hospital bus network to collect from car parks outside the zone.
- Examining how to provide additional funds where needed to top up the likely £2000 so-called scrappage scheme in order that this may deliver more sustainable and cleaner private cars held in the zone.
- Developing transitional arrangements for alternative travel by bus
- Exempting disabled people from zone restrictions
- Exempting Diesel vehicles that meet Euro6 standards from the diesel ban, to allay risk that these may be replaced by poorer quality older



petrol vehicles, delivering worse outcomes.

Council instructs the Head of Paid service to write a letter to Government with the resolution of Council.

Motion to be moved by: Cllr Anthony Negus, Cotham Ward (Lib Dem)

Date of submission: 2nd January 2020

Signed



Proper Officer

Friday, 3 January 2020

