

Summons to attend meeting of Full Council

Extraordinary



Date: Tuesday, 26 May 2020

Time: 2.00 pm

Venue: Virtual Meeting - Zoom Committee Meeting
with Public Access via YouTube

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 be filmed and it will be assumed you have consented to this.

Issued by: Sam Wilcock, Democratic Services

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Date: Thursday, 14 May 2020



www.bristol.gov.uk

Agenda

1. Welcome, Introductions and Safety Information

(Pages 6 - 7)

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. Public Forum (Public Petitions, Statements and Questions)

Please note: public forum business is permitted for this Extraordinary Full Council provided that it relates to the business for which the meeting has been arranged (i.e. the items on the meeting agenda).

Up to 30 minutes is allowed for this item.

Please note that the Lord Mayor in consultation with the Proper Officer may reject a question, statement or petition if it requires the disclosure of confidential or exempt information. Further information can be found within our [Council Procedure Rules](#) and the Virtual Meetings Procedure Rules set out in these papers (subject to approval by Full Council).

Please note that the following deadlines apply to this meeting:

a. Public questions: Written public questions must be received by **5pm on Tuesday 19th May 2020** 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.

b. Public petitions and statements: Petitions and written statements must be received by **12 noon on Friday 22nd May 2020** at the latest. One written statement per member of the public is permitted.

c. Members of the public who wish to present their public forum in



person during the video conference must register their interest by giving at least two clear working days notice prior to the meeting by **2pm on Wednesday 20th May 2020**.

Public forum correspondence and items must be e-mailed to democratic.services@bristol.gov.uk

Further information can be found within the public information sheet attached to this agenda.

5. Motion: Bristol Energy Company

Bristol Energy Company

“This Council is increasingly concerned that all major decisions relating to Bristol Energy are being taken behind a legal cloak of commercial confidentiality. By so doing, proper scrutiny of (and accountability for) this – at best – speculative venture is being limited and Members unreasonably constrained from expressing concerns about the Municipally-owned company.

The Cabinet decision of 3rd March – which concerned an operational report update - was treated as a wholly exempt item of business ‘by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.’ This grants exempt status to information relating to the financial or business affairs of any particular person (including the authority holding that information). In addition to excluding most Members from accessing this deemed sensitive information, the Mayor even removed the ability to call-in any decision taken, apparently on the grounds of urgency.

However, Council believes these restrictions are meant to be qualified and not absolute in their operation, nature or scope. Information ceases to be exempt when the public interest in disclosure outweighs the supposed public interest in maintaining the exemption.

Now, it has been reported that EY have been engaged in various activities relating to assessing the future viability of this failing business – including disposal of its customer book. In the current circumstances, Council asserts that the public’s right or need to know overrides the judgement to withhold knowledge around an enterprise which has already required considerable public investment to underpin its business plan.

The use of secrecy is also acting as an oppressive gag on Members from airing their views or knowledge in this matter. This is not acceptable or reasonable. Accordingly, Council calls on the Mayor to lift these embargoes around Bristol Energy and:-



- (i) *Offer on-going briefings to all Members on the present position and options available to the Authority;*
- (ii) *Allow an open and honest debate to take place about this company – free from the threat of criminal (or any other) charges, penalties or sanction;*
- (iii) *Prior to this year’s local elections, reaffirm his commitment not to exceed the agreed total cash funding envelope for this energy supply business which has been set at £37.7m;*
- (iv) *Confirm that any payments made to Bristol Energy under delegated powers will be notified to Party Group Leaders and OSM within 24 hours.*
- (v) *To ensure clarity, transparency and demonstrate genuine recognition that lessons have been learned in this matter, an independent inquiry into governance and financial decision-making will be established. Membership of this body to be cross-party and agreed in consultation with the sponsors or supporters of this resolution. A report on its findings to be brought back to Full Council for further consideration.*

Council notes that a further resolution in relation to this serious matter is to follow and be taken in closed session.”

6. Exclusion of Press and Public

Recommended – that under Section 11A(4) of the Local Government Act 1972

the public be excluded from the meeting for the following items of business on

the ground that involve the likely disclosure of exempt information as defined in

Part 1 of Schedule 12A to the Act, as amended.

7. Exempt Motion: Bristol Energy Company

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Signed



Proper Officer
Thursday, 14 May 2020

