

Bristol City Council

Minutes of the Full Council

26 May 2020 at 2.00 pm



Members Present:-

Councillors: Mayor Marvin Rees, Peter Abraham, Donald Alexander, Lesley Alexander, Nicola Beech, Nicola Bowden-Jones, Harriet Bradley, Mark Bradshaw, Mark Brain, 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, Helen Holland, Gary Hopkins, Chris Jackson, Hibaq Jama, Carole Johnson, Steve Jones, Tim Kent, Sultan Khan, Gill Kirk, Cleo Lake, 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, Tim Rippington, Jo Sergeant, Afzal Shah, Steve Smith, Paul Smith, Clive Stevens, Jerome Thomas, Estella Tincknell, Jon Wellington, Mark Weston, Lucy Whittle, Chris Windows and Mark Wright

1. Welcome, Introductions and Safety Information

The Lord Mayor welcomed all attendees to the meeting.

2. Apologies for Absence

Apologies for absence were received from Councillors Bolton, Keen and Threlfall.

3. Declarations of Interest

The Lord Mayor confirmed that customers of Bristol Energy need not declare an interest.

The following interests were declared:

- Councillor Bradshaw was the Council appointed non-executive director of Bristol Holdings Limited. The role was not remunerated.



- Councillor Gollop recorded a non-pecuniary interest that as Chair of Overview and Scrutiny Management Board (OSMB) was an observer at the Shareholders Group.
- Councillors Gollop and Hiscott, as Members of OSMB, had sight of reports and advice that had not been made available to other Councillors and they had received instruction not to refer to them at the meeting.
- Councillor Pearce had a non-pecuniary interest as he was a Council appointed non-executive director to Bristol Energy.

4. Public Forum (Public Petitions, Statements and Questions)

Public statements:

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

PS01	David Saunders
CS01	Cllr Mark Weston
CS02	Cllr Clive Stevens
CS03	Cllr Geoff Gollop

Public Questions:

The Full Council noted that the following questions had been submitted by members of the public and members of Council.

PQ01&02	Michael Owen
PQ03&04	Suzanne Audrey
PQ05&06	Andrew Brown
PQ07&08	Barry Cash
PQ09&10	Merche Clark
PQ11&12	Mary Page
CQ01	Cllr Marg Hickman
CQ02	Cllr Don Alexander
CQ03&04	Cllr Tim Kent
CQ05	Cllr Martin Fodor
CQ06	Cllr Jerome Thomas
CQ07	Cllr Mark Weston

Within the time available, the Mayor responded verbally to questions PQ03 & PQ04, PQ11 & PQ12, CQ01, CQ02, CQ03 & CQ04, CQ05, CQ06 and CQ07 also responding to supplementary questions.

5. Motion: Bristol Energy Company

Councillor Hopkins moved the following motion:



“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.”

The motion was seconded by Councillor Steve Smith

Following debate, upon being put to the vote, the motion was LOST (32 For, 34 Against)



6. Exclusion of Press and Public

Resolved - That under s.100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) 3 (respectively) of Part 1 of schedule 12A of the Act.

Meeting ended at 4.20 pm

CHAIR _____



Motion: Bristol Energy Company (Motion)

Marvin Rees	Against
Councillor Peter Abraham	For
Councillor Donald Alexander	Against
Councillor Lesley Alexander	For
Councillor Nicola Beech	Against
Councillor Nicola Bowden-Jones	Against
Councillor Harriet Bradley	Against
Councillor Mark Bradshaw	Against
Councillor Mark Brain	Against
Councillor Tom Brook	Against
Councillor Fabian Breckels	No vote recorded
Councillor Tony Carey	For
Councillor Craig Cheney	Against
Councillor Barry Clark	Against
Councillor Jos Clark	No vote recorded
Councillor Stephen Clarke	For
Councillor Harriet Clough	For
Councillor Eleanor Combley	For
Councillor Asher Craig	Against
Councillor Christopher Davies	For
Councillor Mike Davies	Against
Councillor Carla Denyer	For
Councillor Kye Dudd	Against
Councillor Richard Eddy	For
Councillor Jude English	For
Councillor Martin Fodor	For
Councillor Helen Godwin	Against
Councillor Paul Goggin	Against
Councillor Geoff Gollop	For
Councillor John Goulandris	For
Councillor Fi Hance	For
Councillor Margaret Hickman	Against
Councillor Claire Hiscott	For
Councillor Helen Holland	Against
Councillor Gary Hopkins	For
Councillor Christopher Jackson	Against
Councillor Hibaq Jama	Against
Councillor Carole Johnson	Against
Councillor Steve Jones	For
Councillor Tim Kent	For



Councillor Sultan Khan	For
Councillor Gill Kirk	Against
Councillor Cleo Lake	For
Councillor Jeff Lovell	Against
Councillor Brenda Massey	Against
Councillor Olly Mead	Against
Councillor Matthew Melias	For
Councillor Graham Morris	For
Councillor Anthony Negus	For
Councillor Paula O'Rourke	For
Councillor Steve Pearce	Against
Councillor Celia Phipps	Against
Councillor Ruth Pickersgill	Against
Councillor Kevin Quartley	For
Councillor Liz Radford	For
Councillor Tim Rippington	Against
Councillor Jo Sergeant	Against
Councillor Afzal Shah	Against
Councillor Steve Smith	For
Councillor Paul Smith	Against
Councillor Clive Stevens	For
Councillor Jerome Thomas	For
Councillor Estella Tincknell	Against
Councillor Jon Wellington	Against
Councillor Mark Weston	For
Councillor Lucy Whittle	Against
Councillor Chris Windows	For
Councillor Mark Wright	For
Rejected	

