

Bristol City Council
Minutes of the Neighbourhoods Scrutiny
Commission



31 March 2017 at 10.00 am

Members Present:-

Councillors: Margaret Hickman, Carole Johnson (Vice-Chair), Steve Jones, Matt Melias, Anthony Negus (Chair), Jo Sergeant, Clive Stevens (substitute for Martin Fodor), Mhairi Threlfall and Jon Wellington

Also In Attendance: Councillor Asher Craig (Cabinet Member – Communities) and Councillor Geoff Gollop (Chair – OSM Board)

Officers in Attendance:-

Alison Comley (Strategic Director - Neighbourhoods), Kate Murray, Mark Wakefield (Service Manager - Performance & Infrastructure), Ian McIntyre, Matthew Kendall, Claire Lowman, Sally Hogg, Robin Poole, Romaine de Fonseca (Policy Advisor) and Jeremy Livitt

1. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting.

2. Apologies for Absence

Apologies were received from Councillor Martin Fodor (Clive Stevens substituting) and Councillor Graham Morris (Resources Scrutiny Commission concerning Agenda Item 7 Council Tax Reduction Scheme).

3. Declarations of Interest

There were no declarations of interest.

4. Minutes of the Previous Meeting

The Minutes be approved as a correct record and signed by the Chair subject to the following changes:

Agenda Item 6 – Chair’s Business – Multi-Agency Games Area At Horfield – The first sentence is altered to read “This facility provides a fundamental role in the city, in particular in terms of tackling Anti-Social Behaviour”.



Agenda Item 11 – Impact of Budget Decisions on Neighbourhoods – The comment in paragraph (3) should be listed as an Action in the Rolling Action Sheet

Agenda Item 12 – Work Programme and the Rolling Action Sheet - It was noted that the reference to “Waste and Resources Action Group” was accurate at the time of the meeting but had now been replaced.

Action: Jeremy Livitt

5. Public Forum

Members noted the following questions (together with answers) and statements which had been received for this meeting, details of which are available in the Minute Book:

Questions 1 and 2 – Vassili Papastravou – Vice-Chair, Bristol Tree Forum (Agenda Item 13 – Directorate Risk Register)

Questions 3 and 4 – Councillor Clive Stevens (Agenda Item 7 – Council Tax Reduction). Members agreed to take discussion of these questions during discussion of this Agenda Item.

Statement 1 – Vassili Papastravou – Vice-Chair, Bristol Tree Forum – Proposals for Changes To Section Tree Management (Agenda Item 13 – Directorate Risk Register)

Statement 2 – Hilary Long – Chairman (Westbury-on-Trym Society) – Future of Bristol Libraries (Agenda Item 8, Update on Libraries)

6. Chair's Business

The Chair mentioned the following items of business:

- (1) A document was circulated to Members at the request of the Chair (Guide to Voluntary and Community Legal Structures). He indicated that he believed this document did not go far enough in the information it provided.
- (2) Item for Cabinet on 4th April 2017 – Approval for the St James Barton Underpasses (The Bear Pit) to be made subject to a Public Space Protection Order (PSPO)

This was proposed to tackle the increased problem of Anti-Social Behaviour arising from people being under the influence of alcohol and other substances. Members noted that, whilst it had been originally anticipated that the changes that had been made several years ago to this area would lead to a long-term improvement, they had not succeeded in doing this.



It was noted that the decision by the Ashley Easton Lawrence Hill Neighbourhood Partnership to fund the original scheme had been made on the basis of assurances that there would be long –term improvement that would transform the area. It was disappointing that this had not happened.

The Chair requested that, if the PSPO was approved at Cabinet, an update should be provided to Scrutiny on its impact at a future date.

Action: Alison Comley/Gemma Dando

7. Council Tax Reduction Scheme

Councillor Clive Stevens thanked the officers for their response. He noted that someone previously earning £12,500 which increased to £13,000 would keep £100. It was important to ensure arrangements were put in place so that individual claimants did not fall into a benefits trap.

Officers introduced the report and made the following comments:

- (1) Bristol City Council had funded the Council Tax Reduction (CTR) working age scheme in full since its introduction in 2013;
- (2) It was anticipated that the cost of the scheme would increase to £6c Million in 2018/19. It was noted that few Councils continued this funding and that Bristol was the only core city to maintain this level of support. Pensioners were protected under nationally prescribed guidelines;
- (3) There were three potential options for future arrangements – (a) continuing under existing arrangements for all working age households (b) maintain a payment of 25% net Council Tax liability for those of working age at an estimated cost of £4.7 Million;
- (4) Introduce an income balance scheme at an estimated cost of £34.8 Million with a gross saving of £6.8 Million against the forecast expenditure in 2018/19;
- (5) It was estimated that recovery costs were between 65% and 75% where these changes had been made with an estimated saving of £5 Million and £4.8 Million for Options 2 and 3 respectively;
- (6) Options would be put forward to Cabinet for the end of June 2017, followed by a consultation period of July to October 2017;
- (7) The national deadline for the scheme was 31st January 2018;
- (8) The level of administration remains in place. A banded scheme would enable administration to be reduced;
- (9) There were no proposed savings in the budget at this time. However, this should not prevent examination of options for the Medium Term Financial Plan. There were clear political decisions to be made in future.

Officers noted that the reference in Paragraph 5 to the Cabinet Decision on 4th July 2017 should read 4th July 2016.



Councillors made the following comments:

- (1) Bristol City Council offered something unique of which the Local Authority should be proud and which should be protected. This scheme should not be reviewed;
- (2) Banding should not be supported as some individuals could end up with a negative income. Since under the current arrangements there was only a 70% collection rate with a current level of summons of 21,000, action needed to be taken to address the problem of 30% of individuals not paying. Officers needed to investigate this before carrying out consultation;

Action: Officers to investigate – Ian McIntyre/Matthew Kendall

- (3) One Councillor pointed out that some people of working age held equity in their homes. Officers needed to look at this situation. However, a number of Councillors expressed the view that the number of working age people who were unemployed in this situation was likely to be very small and, therefore, the return would be insufficient for the amount of effort involved, In response, officers pointed out that, in addition to legal constraints with which they were faced, there would be very few people in this situation who were of working age;
- (4) The types of people who received this benefit were surprisingly small. The proposed saving was less than a third. In addition, further options were required to be considered in addition to 25 and 50% savings. Furthermore, recovery costs were not very good – South Gloucestershire and North Somerset had better recovery rates than Bristol. In response, officers stated that 1% would be the maximum impact of changing the scheme on overall Council Tax recovery rates. However the difference was likely to be because there were areas of greater deprivation in Bristol;
- (5) In response to a suggestion that the Discretionary Fund (DF) could be increased, officers pointed out that the purpose of DF was to compensate in certain situations where someone was on a minimum payment;
- (6) In response to a Councillor’s question concerning why national schemes operated in Wales and Scotland but not in England, officers explained that the Wales and Scotland schemes were both funded by the devolved administrations. They confirmed that it was not yet clear how the arrangements would operate after 2020;
- (7) The Council should be proud that it is the only core city that continues to operate this scheme in the way that it does. However, this should not prevent attempts to seek improvements where possible; (8) It seemed unrealistic to expect savings of £671 per household in some of the indicated areas ie Hartcliffe and Withywood. Officers confirmed that any proposed changes would disproportionately affect poorer households as there were more of them in these areas N.B Officers confirmed that this figure was incorrect. There needs to be a total saving of £7.3 Million divided by total working age CTR households of £25,000 which is almost £300 per annum;
- (9) It was important to make clear that people struggling with their Council Tax payments should be protected. However, other ways of delivering on the Council’s objectives had not been considered for a long time and should be reviewed;
- (10) There were a variety of views expressed on any future decision in this area – some Councillors argued for no change, others for none of the 3 options but smaller improvements where possible or for Option 2.



8. Update on Libraries Consultation

Officers introduced this report. Councillors were advised that, following the recent Council decision to reduce the budget envelope for this service to £3 Million, the Council needed to decide how the service can be delivered within a smaller envelope. Councillors' views were sought on how to continue to deliver a Council run library service.

Councillors made the following comments:

- (1) Whilst officers indicated that views on usage were being sought, usage had been considered extensively in the past. In addition, it was not appropriate to refine the delivery of the service to 4 points as a greater scope than this was required;
- (2) The proposed change to service points was of concern. It was important that local access should continue so that local areas (for example Fishponds) should be seen as a community hub. There was not appropriate parking in central locations for people to use ie at Temple Street. Officers noted this comment in relation to Community Hubs and confirmed that maps were already being produced which indicated the key buildings available in a particular area. It was noted that expressions of interest were being sought from 28 libraries who were requesting to operate as a Community Hub;
- (3) Whilst libraries did not need to be a physical space, a holistic approach was required in which the community's views were sought on future arrangements. The local community consistently requested local access to service points;
- (4) Community needs should not simply be based on a multi-deprivation score. For example, a large group of students from a nearby school could be using a library as a facility. It was too narrow to limit the service delivery to 4 points;
- (5) There continued to be a silo approach to the service. Points 1 and 2 of the proposed new approach assumed that there would be fewer libraries. However, alternative approaches such as CAT (Community Asset Transfer) were not being suggested. There were also similar assumptions being made in respect of Neighbourhood Partnerships;
- (6) There was no mention of the Swipe Card Access Pilot scheme in the report which was a key element of any future arrangements.

Action: Officers to provide an update report on the Swipe Card Access Pilot Scheme to Councillors – Kate Murray/Alison Comley;

- (7) There seemed to be very little information in the report about innovative approaches for the future;
- (8) The weighting did not seem very helpful. It did not take account of the implications of a 30% reduction in service. There needed to be evidence of an ethos in any new approach about how to provide a library service which added community value and was not just seen as an asset.



The Chair of OSM made the following points:

- (1) The success of the service should not simply be judged on the first 2 months since the introduction of the Swipe Access Card had taken place in conjunction with a change towards unmanned libraries. However, where it had been introduced, it had generally been very positive;
- (2) Libraries played a crucial part in enriching the lives of older people;
- (3) Community Hubs played a crucial role in all parts of the city;
- (4) In areas of the city with lower library usage, work with various groups such as volunteers was important to make the new arrangements work.

In response to the comments made, officers made the following comments:

- (1) It was heartening to hear the support for libraries;
- (2) The details of the criteria to use would be brought to Councillors as soon as possible. The update report only set out a small part of the consultation process;
- (3) Officers were continuing to look at what arrangements other cities had put in place. The process would be kept simple and clear to all.

9. Neighbourhood Partnerships - Progress Update

Officers introduced the report and made the following comments:

- (1) Further discussion would take place at an event on Wednesday 5th April 2017;
- (2) Following the publication of the papers in the Agenda, all the remaining responses from the consultation had been received;
- (3) The following comments had been made during the consultation:
 - (a) Across all NPs, there was widespread support for a replacement body for Neighbourhood Forums;
 - (b) There was broad support for the proposed budget arrangements which would result in the 10 most deprived areas receiving more funding;
 - (c) Most NPs did not support linking CIL to funding;
 - (d) The 3 area model for CIL and Section 106 was not supported. As a result of this, officers were working on an alternative arrangement which would divide the city into smaller areas;
 - (e) By May 2017, there would be a further understanding of options for future arrangements;
- (4) In response to a Councillor's concerns that officers were not seeking views from a wide enough group of people, it was confirmed that different approaches would be used as part of the consultation to ensure as wide a group as possible were involved.

Councillors made the following comments:

- (1) Officers needed to consider what the best approach is to taking decisions locally – they should be looking wider than just NPs;
- (2) Councillors on the Neighbourhoods Scrutiny Commission had commented in the past on how well NPs worked. If these are scrapped and CIL is distributed centrally, this will wreck the local model;



- (3) The members of the Bishopston Cotham Redland NP wanted to retain this NP as a formally constituted body with some CIL funding;
- (4) The proposed once a year event for agreeing on funding would be very difficult to work properly. Officers pointed out that there was only £30,000 funding available and that any arrangements for NP's operating as at present was very difficult to do in these circumstances;
- (5) In the Ashley Easton Lawrence Hill NP, there had originally been no BME members in attendance. Following door to door discussions with local people, the number of attendees had significantly increased. However, people were now very unsure how the future arrangements would operate and were unprepared for the existing structure being immediately removed. NP members needed to be involved in arrangements for what would replace them;
- (6) It was a cause for concern that there was such a heavy emphasis on money. There were very small amounts of money involved. It would be more helpful if greater emphasis was placed on obtaining access to non-Council funding such as sponsorship and community engagement. However, this was not mentioned in the report;
- (7) A central resource was still required, whether from VOSCUR or elsewhere. A more imaginative approach was required to ensure the communities that Councillors represented were involved in the process;
- (8) When NPs were set up, it proved possible to finally get some action. It was only when funding became available that officers became involved;
- (9) It was not currently clear how the CIL currently available to the Central Clifton and Harbourside Ward could be made available to other communities in the city. This process needed to be explained in greater detail. Action: Gemma Dando

The Executive Member for Communities stated that there had been discussions with local communities (for example, the St George Community Network). Local groups would be used wherever possible to avoid further organisations needing to be created.

10 Hot Food Takeaways

Officers introduced this report and made the following points:

- (1) Following concerns expressed by local residents arising out of a recent Application for a Hot Food Takeaway in Fishponds Road, the profile of the impact of this issue had increased;
- (2) It was noted that the level of obesity was increasing – one third of children were estimated as overweight or obese and 57% of adults;
- (3) The report outlined the results from national studies which showed that there was a high prevalence of takeaways in Bristol and of a link between obesity and deprivation;
- (4) Officers believed that the current DM10 policy on cumulative impact would benefit from carrying out a Health Impact Assessment of Bristol specifically relating to the Stapleton Road area;
- (5) Officers also believed that a Health Impact Assessment (HIA) would be helpful. An HIA would consider whether the current policy on proximity of hot food takeaways (class A5) to schools and youth facilities should be changed to increase the radius under the Development Management Policy 10 (DM10)) for trigger of objections for Planning Applications from 400 metres to 800 metres.



In responding to Councillors' questions concerning the basis for the proposed increase to 800 metres, officers confirmed that this was based on a child taking 5 minutes on average to walk 400 metres (and therefore 10 minutes to walk 800 metres). Research had indicated that for a pupil on a 30/40 Minute lunch break, it would be difficult to walk there and back to a takeaway outlet in time.

However, there remained issues with the after school period (the School's after school policy was important in this area) and at supermarkets.

It was noted that any policy further than 800 metres was unlikely to be necessary. A policy of 800 metres had been adopted in a number of Local Authorities such as Brighton, Newcastle, North East Lincolnshire and Rotherham.

Councillors made the following comments:

- (1) The success of the policy was linked to the way it addressed the issue of where pupils were commuting from in the morning and from this point of view, 800 metres had proved effective;
- (2) These proposed changes should be supported. Reassurances were nevertheless required for businesses in areas such as Stapleton Road which were just about managing to survive to ensure this did not adversely affect them;
- (3) Further issues that needed to be considered were:
 - (a) if a business closed and re-opened, what would the situation be then?
 - (b) is McDonalds identified as a takeaway or restaurant for the purposes of this policy?

Note:

(a) Planning permission is required to change the existing use of a premises to a hot food takeaway or if you intend to build new premises to be used as a hot food takeaway. Where a property currently has permission for use as a hot food takeaway, planning permission will not be required. However, any conditions attached to the original planning permission would remain in force.

(b) Since the meeting, officers have confirmed that Planning Permission is required to change the existing use of a premises to a hot food takeaway or if you intend to build new premises to be used as a hot food takeaway. Where a property currently has permission for use as a hot food takeaway, planning permission will not be required. However, any conditions attached to the original planning permission would remain in force.

(4) The policy should demonstrate a cumulative impact and should be applicable throughout the city. Hopefully, it would not require a large body of proof in a particular location to enable this policy change to take place;

(5) The link to deprivation should not be exclusively used in adopting this policy since it should apply to all children;

(6) This policy should be supported as a means of linking Planning and Licensing issues.



Resolved – that the Scrutiny Commission’s view is that

- (1) the current policy on proximity of hot food takeaways (Class A5) to schools and youth facilities which is currently controlled by the Development Management Policy (DM10) of over 400 metres, would benefit from a health impact assessment on increasing the radius to 800 metres;
- (2) the current DM10 policy on cumulative impact would benefit from a health impact assessment specifically relating to the Stapleton Road area within Lawrence Hill ward;
- (3) that, in view of the Planning issues raised in this report, the matter is referred to the Place Scrutiny Commission for consideration.

Action: (1) and (2) Claire Lowman, (3) Jeremy Livitt – refer to Place Scrutiny Commission

POST MEETING NOTE: It was subsequently determined that the most appropriate forum for this discussion initially would be the cross party Members Advisory Group for the review of the Local Plan. The Action Sheet has been amended to reflect this.

11 Multi Use Games Area At Manor Farm - Verbal Update Briefing

The Strategic Director gave the following verbal update on this issue:

- (1) The Council had been taken to court in 2016 at this location following a complaint about noise nuisance caused by balls hitting the tarmac and had been unsuccessful in their defence;
- (2) Despite discussions with the community, no solution had been found and the tarmac was now being removed;
- (3) A public meeting would be taking place next week involving the Cabinet Member for Communities, the two local Ward Councillors and Parks officers to consider options for alternative sites;
- (4) Other solutions being examined included ones that enabled the children to use an alternative facility on the way to school;
- (5) It was frustrating that it was a very narrow judgement which did not impose a fine but nevertheless found in favour of the complainant and required noise to be reduced. Legal advice had been obtained that it was not worth pursuing further and therefore there had been no appeal. It was further exacerbated by the fact that there was no consensus within the community as to how to resolve it;
- (6) A further document on this issue would be provided to Councillors in future. However, the current document contained information which was legally sensitive and could not be placed into the public domain;
- (7) In response to a Councillor’s concern, it was confirmed that whilst there had been communication with Councillors, consultation with different community groups had not been carried out as thoroughly as needed.

The Chair expressed regret that this had taken place since the MUGA had been in existence for approximately 10 years.

Action: Officers to report back and release the relevant document to Councillors once legal checks on how much can be released have been carried out – Gemma Dando/Alison Comley



12 Supermarkets and Waste

The Chair advised members that, whilst a response had been received from the Mayor on this issue, it had focused on the issue of waste rather than supermarkets. He indicated that he would be meeting with the Mayor and pressing him to respond to the 3 issues raised as part of the previous evidence session on supermarkets.

The Strategic Director confirmed that the officer named in the report would be taking this matter forward in future.

13 Directorate Risk Register

Councillors made the following comments concerning this item:

- (1) The DRR needed to reflect far greater criteria than simply personal safety – the well-being of the citizen was also important;
- (2) There needed to be far greater emphasis on Public Health in the DRR;
- (3) The decision to devolve DRR's to each Directorate had not been a successful approach;
- (4) Some risks were linked – a greater correlation between associated risks was required (ie a reduction in Housing Benefit and a failure to prevent homelessness);
- (5) The risks needed to have named officers against them.

Councillor Stevens indicated that he had a number of questions which he would e-mail directly to the officer concerned.

Officers made the following points in response:

- (6) There were various Public Health risks which could be reflected in the Corporate Plan;
- (7) In response to a Councillor's concern about a recent number of suicides at Bristol University, officers were working with the Student Health Team on this issue. A recent meeting had taken place and more funding had been provided to pursue this further.

Action: (4) Officers to update the DRR to show the correlation between different risks – Alison Comley

14 Performance Information

In response to a Councillor's question, officers acknowledged that the improvement in formal enforcement needed to be identified appropriately – since this was both good and bad.

Officers indicated that they could provide further information concerning housing delivery to clarify the situation and concerning the direction of travel for the PI relating to HMO's.

Action: Mark Wakefield



15 Finance Monitoring Report

Officers confirmed that there was a continuing under spend on the budget.

In response to a Councillor's question concerning a large under spend on the Waste Company budget, officers confirmed that this was caused by a one-off item (a late invoice payment) and was not part of a long-term trend. They also confirmed that there was less expenditure on books, resulting in a £0.3 Million saving on libraries. It was noted that books were regarded as revenue since they were treated as a service through provision of an ongoing contract.

16 Work Programme and Rolling Action Sheet

The Scrutiny Officer advised that, following a further hothousing meeting next week, Full Council at its Annual meeting on Tuesday 23rd May 2017 would agree the future arrangements for Scrutiny in detail. The Chair of OSM had agreed that these issues would remain in abeyance with no further meetings after April 2017 until they were resolved.

The Chair pointed out that it was crucial that, in view of the ongoing consultations relating to libraries, parks and Neighbourhood Partnerships, these issues were addressed by any successor Scrutiny body to the Neighbourhoods Scrutiny Commission.

17 Date of Next Meeting

It was noted that the next meeting was scheduled for 10am on Monday 24th April 2017 in the Writing Room, City Hall, College Green, Bristol.

Meeting ended at 12.55 pm

CHAIR _____

