

Bristol City Council Minutes of the Full Council

14 March 2017 at 6.15 pm



Present:

Jeff Lovell, Lord Mayor; Marvin Rees, Bristol Mayor

Councillors: Peter Abraham, Donald Alexander, Lesley Alexander, Nicola Beech, Nicola Bowden-Jones, Harriet Bradley, Mark Bradshaw, Mark Brain, Charlie Bolton, Fabian Breckels, Tom Brook, Clare Champion-Smith, 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, Martin Fodor, Paul Goggin, Geoff Gollop, John Goulandris, Margaret Hickman, Claire Hiscott, Helen Holland, Gary Hopkins, Chris Jackson, Hibaq Jama, Carole Johnson, Steve Jones, Anna Keen, Tim Kent, Gill Kirk, Cleo Lake, Mike Langley, Brenda Massey, Olly Mead, Matt Melias, Graham Morris, Anthony Negus, Paula O'Rourke, Steve Pearce, Celia Phipps, Ruth Pickersgill, Liz Radford, Jo Sergeant, Afzal Shah, Paul Smith, Clive Stevens, Jerome Thomas, Mhairi Threlfall, Estella Tincknell, Jon Wellington, Mark Weston and Lucy Whittle

Aldermen: R Griffey, A Massey, J McLaren

1. Welcome 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 Councillors English, Godwin, Hance, Quartley, Windows and Wright.

3. Minutes - Full Council - 21 February 2017 - to be confirmed as a correct record

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



RESOLVED:

That the minutes of the meeting of the Full Council held on 21 February 2017 be confirmed as a correct record and signed by the Lord Mayor.

4. Declarations of interest

Councillor Kent advised that, if motion 7 as listed on the agenda (relating to the former ambulance station, Castle Street) was discussed at this meeting, he would declare an interest and leave the meeting for the duration of the Full Council's consideration of this matter.

(Note: motion 7 was not reached / discussed at the meeting).

5. Lord Mayor's business

The Full Council joined the Lord Mayor in offering their congratulations and best wishes to Cllr Wright and his partner on the recent birth of their daughter.

6. Public forum (public petitions, statements and questions)

Public petitions:

The Full Council received and noted the following petitions:

Petition PP 01 – "Villiers Road – get a one way street implemented"

Petition organiser – Catrin Parry

Petition PP 02 – "Make Prince Street bridge a cycling and walking bridge"

Petition organiser – Adam Semenenko

Petition PP 03 – "Canford Lane crossing"

Petition organisers – Graham Donald and Nicola Hawkes

Petition PP 04 – "Petition to object to parking charges at Blaise"

Petition organiser – Gill Wilmott

Public statements:

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

PS 01 - Nigel Donnelly (Unite) – Motion 4 - Britain's last remaining Dam Buster hero



PS 02 - David Redgewell – Temple Quarter

PS 03 - Mark Pepper – Lawrence Weston Neighbourhood Development Plan

PS 04 - Jonathan Ross – Jubilee pool

PS 05 - Nicola Hawkes – Canford Lane crossing

PS 06 - Graham Donald – Canford Lane crossing

PS 07 - Susan Acton-Campbell (Friends of Troopers Hill) – New byelaws for parks and green spaces

PS 08 - Sara Wex (Friends of Jubilee pool) – Jubilee pool

PS 09 - Alderman Royston Griffey – Disposal of the freehold of the docks estate at Avonmouth and Portbury

PS 10 - Christina Biggs (Friends of Suburban Bristol Railways) – MetroWest; devolution; rail electrification

Within the time available, statements were presented by individuals present at the meeting.

Public questions:

The Full Council noted that the following question had been submitted:

PQ 01 – Disposal of the freehold of the docks estate at Avonmouth and Portbury
- submitted by Alderman Royston Griffey

The Mayor responded verbally to this question.

7. Petitions notified by councillors

None.

8. Lawrence Weston neighbourhood development plan

The Full Council considered a report recommending the making (approval) of the Lawrence Weston neighbourhood development plan, following the outcome of the local referendum held on 23 February 2017.

Councillor Holland, Cabinet member for Place moved the report and the recommendations set out therein.



Councillor Melias seconded the report

Following debate, it was:

RESOLVED:

That Full Council:

- 1. Notes the outcome of the referendum on the Lawrence Weston Neighbourhood Development Plan held on 23 February 2017.**
- 2. Makes (approves) the Lawrence Weston Neighbourhood Development Plan.**
- 3. Makes the Lawrence Weston Neighbourhood Development Plan part of the Development Plan for Bristol.**
- 4. Congratulates the members of the Lawrence Weston Neighbourhood Planning Forum on their contribution to place making in Lawrence Weston and on producing the second Neighbourhood Development Plan in Bristol.**

9. New byelaws for parks and green spaces

The Full Council considered a report seeking approval of new byelaws for parks and green spaces in Bristol.

Councillor Craig, Cabinet member for Neighbourhoods moved the report and the recommendations set out therein.

Councillor Negus seconded the report.

Following debate, upon being put to the vote, it was

RESOLVED:

That Full Council resolves to:

- 1. Adopt a new set of byelaws for parks and green spaces as set out at Appendix 1 and in doing so agrees to revoke existing Victorian parks byelaws.**
- 2. Authorise the affixing of the common seal to the byelaws and that they be made to come into force on 28 April 2017.**
- 3. Approve the recommendations given in paragraph 18 following the regulatory notice period.**



4. Delegate to the Strategic Director - Neighbourhoods authority to manage the byelaws, including (i) designating routes for the purpose of byelaws 12 and 13; (ii) designating areas for the purpose of byelaws 9, 22 and 25; (iii) issuing consents in respect of byelaws 5, 6, 8, 9, 16, 18, 19, 26, 27, 28 and 29.

10. West of England Combined Authority - overview and scrutiny arrangements

The Full Council considered a report seeking approval of the overview and scrutiny arrangements for the West of England Combined Authority (WECA).

The Lord Mayor advised Full Council of a change to the report recommendations. It was noted that at the WECA meeting held on 1 March 2017, recommendations were made to constituent councils to make nominations to the statutory scrutiny committee and also to give effect to additional voluntary arrangements to include North Somerset. Following representations made to the Mayor, and the need for clarification in relation to North Somerset nominations, the Mayor had agreed that it would be appropriate to defer recommendation 2 of today's report pending resolution of this matter between North Somerset and WECA. Party group leaders had been consulted and were agreeable to this. Therefore, Full Council was at this meeting being asked to approve recommendation 1 as set out in the report; recommendation 2 was deferred.

The Lord Mayor moved the report, as amended above.

Councillor Davies, Deputy Lord Mayor seconded the report, as amended above.

Following debate, upon being put to the vote, it was

RESOLVED:

1. That Full Council agrees to give effect to the Overview and Scrutiny and Audit Order 2017 and provide nominations to the West of England Combined Authority Overview and Scrutiny Committee and Audit Committee (nominations to be confirmed by the party group whips).

2. That it be noted that recommendation 2 as set out in the report has been deferred.

ADJOURNMENT – At this point the Lord Mayor advised that the Full Council meeting would adjourn for a 20 minute refreshment break.

11. The Council's Pay Policy Statement for the period 1 March 2017 - 31 March 2108

The Full Council considered a report seeking approval of the Council's Pay Policy Statement for the period 1 March 2017 – 31 March 2018.



The Lord Mayor moved the report and the recommendation set out therein, for the purposes of enabling a debate to take place.

Cllr Davies, Deputy Lord Mayor seconded the report for the purposes of enabling a debate to take place.

Following debate, upon being put to the vote, it was

RESOLVED (47 members voting in favour, 16 against, and with no abstentions):

That Full Council approves the Pay Policy Statement for the period 1 March 2017 – 31 March 2018.

12. Performance management panel

The Full Council considered a report seeking approval for the Council's constitution to be amended to provide for a Performance Management Panel.

The Lord Mayor moved the report and the recommendation set out therein, for the purposes of enabling a debate to take place.

Cllr Davies, Deputy Lord Mayor seconded the report for the purposes of enabling a debate to take place.

Following debate, upon being put to the vote, it was

RESOLVED:

That Full Council agrees that the Council's constitution be amended to provide for a Performance Management Panel, as set out in the report.

13. Disciplinary procedures for Chief Executive and Chief Officers

The Full Council considered a report seeking approval of disciplinary procedures for the Chief Executive and Chief Officers.

The Lord Mayor moved the report and the recommendations set out therein.

Cllr Davies, Deputy Lord Mayor seconded the report.

Upon being put to the vote, it was

RESOLVED:



That Full Council agrees:

1. That the Council's Constitution (Part 3, Section 1, Paragraph (j)) be amended to read: *"Confirming the appointment of the Head of Paid Service, the Monitoring Officer and the Chief Financial (Section 151) Officer, and confirming the dismissal of the Head of Paid Service, the Monitoring Officer and the Chief Financial (Section 151) Officer"*.

2. That the Terms of Reference of the Human Resources Committee be amended to replace the final two sentences of "Overview" with *"In accordance with the Officer Employment Procedure Rules to act as the Investigating and Disciplinary Committee in relation to the Chief Executive and Chief Officers"*, and the following to be added to "Functions": *"To hear and determine matters of discipline in relation to the Chief Executive and Chief Officers, including taking action up to and including dismissal. Where dismissal is the outcome in relation to the Head of Paid Service, the Monitoring Officer or the Chief Financial (Section 151) Officer the Committee will recommend this to the Full Council for a final decision"*.

3. That the membership of the Human Resources Committee be amended to include at least one member of the executive, which is required when it is acting as the Investigating and Disciplinary Committee in relation to the Head of Paid Service, the Monitoring Officer or the Chief Financial (Section 151) Officer.

4. That an Independent Panel be established as a committee of the Council appointed under section 102(4) of the Local Government Act 1972 comprising only independent persons (at least two) appointed under Section 28(7) of the Localism Act 2011 for the following purpose: *"To review the decision of the Investigating and Disciplinary Committee to dismiss the Head of Paid Service, the Monitoring Officer or the Chief Financial (Section 151) Officer, and to provide comments on this recommendation to the Full Council for a final decision"*.

14. Appointment of Local Returning Officer for the West of England Combined Authority mayoral election

The Full Council considered a report seeking approval of the appointment of the Local Returning Officer for the West of England Combined Authority mayoral election.

The Lord Mayor moved the report and the recommendations set out therein.

Councillor Davies, Deputy Lord Mayor seconded the report.

Following debate, upon being put to the vote, it was

RESOLVED:

That Full Council agrees:



- 1. That Stephen Hughes remain the interim Returning Officer and Electoral Registration Officer for Bristol City Council until the election for the Combined Authority has been delivered.**
- 2. That Stephen Hughes be appointed as Local Returning Officer for the Combined Authority mayoral election on 4 May 2017.**
- 3. That Deputy Returning Officer appointments be made by the Returning Officer once confirmed in post.**

15. Information report - exceptions to call-in procedure

The Full Council received a report of the Service Director – Legal and Democratic Services advising Council (as required under the Council’s constitution) that exceptions to the call-in procedure had been made in respect of the following decisions taken at Cabinet:

- Decision taken at Cabinet on 10 January 2017:
Subject: Temple Quarter Enterprise Zone / Bristol Arena – agreement to terminate the Preconstruction Services Agreement with Bouygues (UK) Limited
- Decision taken at Cabinet on 13 January 2017:
Subject: Business planning update on companies which the Council wholly own (2017)

RESOLVED:

That the report be noted.

16. Motions

Motion 1 – Neighbourhood funding

Councillor Weston moved the following motion:

“This Council is extremely concerned over the recently proposed changes to how neighbourhood funding is to be allocated.

At present, local community small grants (formerly known as wellbeing grants) are apportioned on the strict and fairly straightforward basis of each ward councillor receiving an equal share of available money.

Our concerns are:



- The linking of community small grants to CIL levels. They are very different sources of funding that can be used in very different ways.
- The proposed distribution will benefit a few communities at the expense of others. This is a divisive departure from previous practice.
- The proposed method of spending CIL grants seems top down and dictatorial rather than allowing local methods of developing where councillors make the final decision in a public meeting with the input of local residents.

Council does not agree with these supposed attempts at achieving a more equitable distribution of scarce resources. All communities have local initiatives and projects which are deserving of support and that this spending is meant to assist. These needs are not adequately reflected or protected in the suggested funding mechanisms.

Council opposes the plan to connect CIL to this discretionary spend and rejects the idea of widening the geographical area where this planning gain can be legitimately spent. Such a move undermines the whole rationale behind entirely separate community budgets and damages the entire concept of localism.

Accordingly, Council calls on the Mayor to:-

- Rethink this inequitable model and bring forward proposals to allow greater parity in community small grant levels.
- Remove any linkage between these grants and CIL levels.
- Ensure that the spending of the local portion of CIL monies can only be determined by the communities in which the development has taken place.
- Allow the creation of bespoke local decision making processes that reflect the differences within our communities but still ensure that the voices of local residents are heard."

Councillor Carey seconded the motion.

Following debate, upon being put to the vote, the motion was LOST (17 members voting in favour, 32 against, and with 16 abstentions).

Meeting ended at 8.37 pm

CHAIR _____

