



**Area Committee 2 Meeting  
Date 19th July 2022**

**Report of:** Keith Houghton

**Title:** Community Resources Manager, Neighbourhoods & Communities **Telephone Number:** 0117 922 2135/  
07585 909029

**RECOMMENDATIONS. The Committee is asked:**

1. Note the updating of progress on previously-approved projects. (Item 3)
2. Note the progress of 2022/23 Area Committee process and the decision-making for S106 monies specified for tree planting at this meeting. Also, note the intention to publish a public record of the considerations of Area Committees in deciding which proposals to bring forward to their autumn decision-making, following a finding of the Local Government and Social Care Ombudsman (Item 4)
3. Note the increased unit cost of tree replacement from £765.21 per tree to £1,041.66 (Item 4)
4. Note the CIL and S106 monies available at 30th June 2022 (Item 5)
5. To consider the funding for the S106 Tree Proposal submitted, including any conditions which they may wish to attach and if you want to apply the small residue funds remaining to additional ongoing maintenance (Item 6)
6. To note the legal information concerning the Public Sector Equality duty in reaching all its decisions (Item 7)

**1. Background:**

- a. 6 Area Committees were approved at the Full Council meeting on 20<sup>th</sup> March 2018 to hold delegated decision-making

powers over non-earmarked Section 106 and local Community Infrastructure Levy (CIL) funds.

b. Area Committee 2 consists of the councillors representing the wards of Henbury & Brentry; Southmead; Horfield; Bishopston & Ashley Down; Redland; Cotham.

c. Each Area Committee will meet formally once a year (with the option of a second, additional meeting if required) to make decisions on the awarding of local CIL and S106. 15% of CIL generated within each Area Committee area is available for spend. Those parts of an Area Committee which have a formally adopted Neighbourhood Development Plan receive 25% of the CIL generated within the defined border of their Plan to support their identified infrastructure priorities.

d. Information about Area Committees, CIL and S106 processes can be found on the BCC website at:

<https://www.bristol.gov.uk/people-communities/local-decision-making>

## **2. Terms of Reference**

a. The Area Committee Terms of Reference were approved at Full Council on 20<sup>th</sup> March 2018 and adopted at the 2018 Area Committee on 3rd October 2018. They can be found at the above website: <https://www.bristol.gov.uk/people-communities/local-decision-making>

## **3. Progress update on CIL & S106-funded projects approved at 2018, 2019, 2020 & 2021 Area Committee Meetings**

Six-monthly progress updates on delivery of previously-approved AC schemes and outstanding legacy Neighbourhood Partnership schemes from both BCC and Voluntary/Community Sector organisations are published at:

<https://www.bristol.gov.uk/people-communities/area-committee-progress-updates>. The next one will be published in August 2022.

#### 4. Allocation of CIL and Section 106 Funds

- a. A timetable and process for developing Outline and Full Proposals for funding from CIL and S106 resources for 2022 was agreed and started in January 2022. Councillors have worked with their communities to identify and prioritise potential projects. These will be considered at the Informal meeting following this formal Area Committee meeting.
- b. The exception is decision-making on tree replacement using earmarked Section 106 funds, which can be planted in good time when the winter planting season begins and which would be unacceptable delayed if decisions were put back to the November Area Committee meeting.

These S106 Tree proposals are presented for decision by the Area Committee in this paper

- c. The Committee is asked to note that Tree Bristol has held the unit cost of a replacement tree planting at the 2013 rate of £765.21 for the last nine years. Unfortunately this costing cannot be maintained any longer, due to rising costs, and they now have to apply the relevant Retail Price Index increase to tree replacement as follows:

**£1,041.66 per tree replacement**

- d. In April 2022 the Local Government and Social Care Ombudsman responded to a complaint raised by a Bristol resident that ‘the Council rejected her proposal for funding without making public its reasons or criteria. This made it difficult to understand why the Council rejected the proposal and to make necessary changes.’ The Ombudsman found fault with the Council’s actions and the Council has apologised to the resident and agreed to make the following changes to our procedures to remedy the injustice caused:
  - Change the procedure followed by the Area Committees, to ensure the reasons for rejecting outline proposals at stage one meetings are clearly recorded in a format available to the public, consistent with the principles of the Guide and the Practice.
  - We will therefore publish a record of the considerations of Area Committees in deciding which proposals to bring forward to their autumn decision-making meeting and which not to bring forward. This record will be posted on the Council’s website at: [Funding for local projects - bristol.gov.uk](https://www.bristol.gov.uk/funding-for-local-projects)

## 5. CIL and Section 106 Monies available to Area Committee 2 at 30th June 2022

a. CIL available:

At the end of June 2022 there was an overall sum of **£35,991.42** available to Area Committee 2 to allocate, which breaks down for general AC2 expenditure:

- For General AC2 expenditure: **£35,991.42**

**See Appendix 1**

b. Section 106 available:

- At the end of June 2022 there was a total of **£23,599.19** uncommitted Section 106 agreement monies available for AC2, of which **£2,930.67** is designated specifically for tree planting and tree replacement
- All S106 agreements are legally bound to be spent according to the Purpose of the Contribution so can only be approved for projects which met these conditions.
- The Committee is asked to note that there are no time-limited S106 at risk if not allocated.

**See Appendix 2**

## 6. 2020 Stage 2 Full Project Proposals: for decision

Proposal 1: Tree Bristol Tree Planting Proposal

Section 2a. Name of your group or organisation: Tree Bristol - Bristol City Council
Section 2b. Your Organisation: Briefly describe your organisation's core purpose and activities (less than 100 words)

Bristol City Council and their partners aim to plant as many trees as possible in the Local Authority Area. Bristol's One City Action Plan has the Environmental Objective of doubling the tree canopy in the city by 2046 and becoming carbon neutral by 2030.

Section 2c. Your Project:

**i. Please describe the project you want to deliver (200 words maximum) (attach any plans, drawings etc as an appendix):**

Tree Bristol utilises private sponsorship, Corporate sponsorship and development funding (s106 and CIL), to fund tree planting. Tree planting contributes to both of the One City targets as well as many other attendant benefits such as habitat creation for wildlife, pollution absorption and reducing the urban heat island effect.

Tree planting across the AC Area using section 106 contributions that are ring fenced for tree planting:

2 Tree Planting Locations:

**ii. where will it be delivered?**

2 in Bishopston & Ashley Down

**2d(ii): S106-funded projects**

Insert the S106 reference code(s); amount; purpose and expiry date: (this will be used to check that your project meets the terms of the S106 Legal Agreement)

Permission / Site / S106 Code	Current Contribution Value	Date to be Spent / Committed by	Purpose of Contribution
19/04618 Gloucester Road Medical Centre, Church Road, Horfield	£909.99	No limit	The provision and maintenance of tree planting either on-street or in public open space within a one mile radius of Church Road
18/06511 55 Springfield Road, Cotham	£1,518.89 (remaining from £4,579.71 total 2021 contribution)	No limit	The provision and maintenance of tree planting either on-street or in public open space within a one mile radius of 55 Springfield Road

How does your project meet the purpose of the S106 fund(s) and how does it address local needs and priorities?:

All of these contributions are for tree planting specifically. All of the sites identified are within the ambits of the individual contributions. Codes, Sites, Tree Planting locations and Tree Species are set out below:

106 code:	No.	Location:	Ward	Plot no:	Species:	Cost:
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19/04618 (£909.99) & 18/06511 (£131.67)	1	Sefton Park Road	Bishopston & Ashley Down	200017.5	Sorbus aucuparia Joseph Rock (rowan)	£1,041.66
18/06511	2	Muller Avenue	Bishopston & Ashley Down	200004.5	Sorbus aucuparia Streetwise (rowan)	£1,041.66

MAP:



### Section 2e. Describing Success:

How can you demonstrate that your proposed project will address the demands and needs you've identified? How will you measure and demonstrate positive changes to the Area Committee and to local communities?

Propose **at least one** and **up to three** outcomes and associated measurable indicators (up to 3 per Outcome) to describe the improvements your project will make

Write no more than 25 words for each Outcome.  
 Please use SMART Indicators and concrete proposals to evidence achievement.  
 This will be followed up in Project Monitoring

Outcome	Description	Indicator or Measure	Proposed evidence
<b>Outcome 1</b>	Increase canopy cover in AC area	Percentage of canopy cover	Tree audits using i-Tree methodology & satellite imagery
<b>Outcome 2</b>	Contribute to cleaner air	NO2 and SO2 measurements	Annual measurements by Environment Agency
<b>Outcome 3</b>	Improved satisfaction in local environment	QoL indicators	Improved Environment QoL survey scores

**Section 3. Equalities, Inclusion and Public Sector Equality Duty**

Both devolved Section 106 and CIL monies are the responsibility of Bristol City Council. Their use is covered by Bristol City Council's **Equality and Inclusion Policy and Strategy 2018–2023** and the **2010 Equality Act Public Sector Equality Duty** (see <https://www.bristol.gov.uk/people-communities/equalities-policy>).

All project proposals completing this proposal **MUST** attach a completed **Public Sector Equality Duty and Equalities Impact Assessment** to demonstrate how your project supports relevant elements of these policies. Please tell us how your project has been designed to deliver positive impacts and mitigate any negative impacts on people with protected characteristics as set out in the 2010 Public Sector Equality Duty and identified Equalities communities within those protected characteristic categories.

**Your Full Proposal will not be considered for funding without a completed Public Sector Equality Duty and Equalities Impact Assessment.**

Section 3a. <b>Public Sector Equality Duty and Equalities Impact Assessment</b>	<b>Tick to confirm</b>
completed and attached	X

Section 3b. **Equalities-led organisations:**

Tell us if at least half your organisation's board (trustees or directors) are:

	Y/N
BME people	
LGBT people	
Disabled people	

### Section 3c. **Disabled Access to Capital Projects:**

Please explain below how you will ensure that high quality access for Disabled people will be delivered by your project? Please note: your project will not be funded unless you can demonstrate how it will be fully accessible.

200 words maximum

All planted locations are assessed and those impacting on accessibility guidelines as laid out in the Equalities Act 2010. Those that don't meet the criteria, (eg. Street tree locations that are in adopted highways of less than 1.8m thus impeding access to wheelchairs, mobility scooters and pushchairs), are rejected and alternatives sought.

### Section 3d. **Involving the community**

How have you already, and how will you, involve the wider community with your project, including Equalities communities and groups with Protected Characteristics under the 2010 Equality Act?

100 words maximum

All groups, residents and businesses in the immediate area of new planting sites are consulted with site maps and rationale for planting. Tree Bristol will encourage local people along to plant where safe to do so ie. In parks and green spaces. (planting in the highway is suitable for volunteer planting due to risk assessment highlighting health & safety risk.



## Section 4. Project Delivery Details

**Section 4a. Land/Resource ownership.** Please demonstrate your Project has permission to be delivered from any third party owner of the land or resources it will impact on:

Land/Resource ownership			
Who owns the land or resources your project will impact on?	Bristol City Council		
Have you got their permission to deliver this project?	Yes	X	No
If "yes" please provide contact details	Name: Shaun Taylor (Highways) / Richard Fletcher (Parks) Tel: 0117 9222404 / 0117 9223896 Email: <a href="mailto:shaun.taylor@bristol.gov.uk">shaun.taylor@bristol.gov.uk</a> / <a href="mailto:Richard.fletcher@bristol.gov.uk">Richard.fletcher@bristol.gov.uk</a>		
If "no" please state when you will know .			
	<b>Written confirmation of permission – please attach</b>		

**Section 4b. Delivery Track record:** what resources, skills, experience, knowledge, quality assurance processes and networks will your organisation use to successfully deliver the project? How will you deliver this project?

200 words maximum

Tree Bristol is responsible for planting all new and replacement trees through the city and has been for the last ten years. The project follows the Bristol Tree Planting Standard which is recognised nationally as being of best practice. All sites and species are thoroughly considered and consulted and all prospective locations are service checked and scanned for underground hazards. All trees are planted within the winter season November – March and guarded and caged with a two year follow-on maintenance programme to ensure establishment. Trees are guaranteed for two years and will be replaced free of charge in case of failure

**Section 4c. Delivery timetable and key events/activities:**

Please complete the table below to set out the key actions and events which you will deliver to complete your project and the anticipated time scales.



<b>combined Capital &amp; Revenue Totals (A + B)</b>	<b>2,083.32</b>	<b>2,083.32</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,083.32</b>
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4d.i. Public Sector Equality Duty

<b>Protected Characteristics/ Equalities groups</b>	<b>1.1 Does the proposal deliver any positive benefits for people with protected characteristics or equalities groups? Tell us how you've designed your project to address any relevant needs for these groups of people.</b>	<b>1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation? Say how (see guidance)</b>	<b>1.3 Does it advance equality of opportunity? Say how (see guidance)</b>	<b>1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city? Say how (see guidance)</b>	<b>2.1 Does the proposal have any potentially adverse impacts?</b>	<b>2.2 How can these impacts be mitigated or justified? If so, how?</b>
<b>Sex</b>  Women & girls	Tree Bristol attempts to promote our Community work amongst all protected groups. We have promoted work on the project to Young mums groups in Hartcliffe and Withywood and Somali Mothers group in Easton for	no	Yes. We promote outdoor career opportunities to girls and women encouraging them to consider traditionally 'male careers' such as horticulture and tree surgery	Yes we have schools working alongside groups breaking down barriers and encouraging further work, eg allotment scheme at City Academy. Planting and maintenance opportunities bring together different sectors of	No	

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	community planting events			the community to work together		
Age  Older and young people	Many of our lead volunteers are older and retired people. We are looking to reduce social isolation by promoting joint planting and maintenance events between younger school children and older people in supported accommodation. We have worked on planting events with North Bristol Dementia Group with older people	no	No		No	

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	with dementia and Alzheimers working with us in Penpole Woods planting more trees.					
Disability  Disabled people	All our planting schemes and events are designed with access requirements under the Equalities Act in mind.	no	No		No	We have addressed this by purchasing smaller and lighter equipment where possible.
Race  Black & Minority Ethnic people	We promote volunteering opportunities to BAME groups and target promotion and consultation to BAME	no	No		No	We address this through education – regularly producing maps where we've planted

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	communities when running and consulting on new schemes					throughout the city
<b>Sexual Orientation and Gender Identity</b>  Lesbian, Gay, Bisexual and Transgender + people (LGBT+)		no	No		No	
<b>Pregnancy and</b>		no	No		No	

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maternity						
Religion or belief	We promote our work to a wide range of religious groups and encourage faith groups to get involved with planting trees. These have included Roman Catholic Schools, Coptic Christian Church in St George, Hindu Temple in Chelsea Road, Jamal Mosque in Eastville.	no	No	Our work has introduced faith groups to their local communities where there had been no contact before. This fosters trust and cooperation which continues after we finish a project	No	
marriage and civil	Yes environmental benefits of trees	no	No		No	

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partnership	for all – planting and maintenance opportunities bring together different sectors of the community to work together					
Socio-economic deprivation	Yes environmental benefits of trees for all – planting and maintenance opportunities bring together different sectors of the community to work together	Yes – tree plots are selected with preference in areas of high socio-economic deprivation as a priority where they fit within the geographic conditions of the individual contribution.	No		No	
Carers	Yes environmental benefits of trees for all – planting		No		No	



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	and maintenance opportunities bring together different sectors of the community to work together					
<b>Other relevant communities of interest</b> <b>Eg: people who are looked after by the council; those with responsibilities as a carer; people disadvantaged by economic or social background</b>	We do target special schools such as Woodstock, Kingsweston, Elmfield School for the Deaf and New Fosseway Special School to get children with a range of mental health issues, physical disabilities, emotional and behavioural	no	No		<b>No</b>	

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	problems and learning difficulties. This engagement takes a lot more planning and differentiation but the children, carers, teaching staff and volunteers get a huge amount from this work and our feedback is consistently excellent.					

**Section 4e. How would you manage delivery of your project if the Area Committee offers you less funding than you are requesting?**

% reduction	Management of project
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10%	
30%	
50%	

#### Section 4f. How have you arrived at your project costs?

Have you:

	<b>Describe your approach</b>
<b>Obtained a range of quotes?</b>	Quote includes range of quotes from nursery providers for tree stock. Fixed rate for installation etc from current tree contractor under BCC procurement rules
<b>How did you choose your final quote?</b>	
<b>How have you calculated your revenue/maintenance costings?</b>	Standard tree maintenance calculations including fixed watering costs for first two years
<b>Please provide evidence of the quotes you've obtained</b>	

5.	Summarise below how much you are requesting					
	CIL					
	S106 (complete table below)					<b>£2,083.32</b>
	<b>Permission / Site / S106 Code</b>	<b>Current Contribution Value</b>	<b>£ requested</b>	<b>£ remaining</b>	<b>Date to be Spent / Committed by</b>	<b>Purpose of Contribution</b>
	19/04618 Gloucester Road Medical Centre, Church Road, Horfield	£909.99	£909.99	£0	No limit	The provision and maintenance of tree planting either on-street or in public open space within a one mile radius of Church Road
	18/06511 55 Springfield Road, Cotham	£1,518.89 (remaining from £4,579.71 total 2021 contribution)	£1,173.33	£345.56	No limit	The provision and maintenance of tree planting either on-street or in public open space within a one mile radius of 55 Springfield Road
	<b>Total:</b>	<b>£2,428.88</b>	<b>£2,083.22</b>	<b>£345.56</b>		

## **Recommendation:**

**a. That the Area Committee considers the project proposal submitted and whether to approve full or partial funding to deliver this project or not.**

### **7. Equalities/Public Sector Equality Duty: Legal Information**

When councillors decide how CIL and Section 106 is spent they should have due regard to the Public Sector Equality Duty that applies to all public bodies. This duty is contained in the Equality Act 2010 and came in to force on 6 April 2011. It replaces previous equality duties under the Sex Discrimination, Race Relations and Disability Discrimination Acts.

The duty means that councillors are required to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act
- Promote equality of opportunity between different groups
- Foster good relations between people from different groups

The duty covers the following protected characteristics:

- Disability
- Sexual orientation
- Age
- Gender reassignment
- Religion and belief
- Sex
- Race
- Pregnancy and maternity

It also applies to marriage and civil partnership, but only in respect of the requirement to eliminate discrimination and harassment.