

Full Council – 5 July 2022

Agenda item 6 b

Public questions



Procedural note:

Questions submitted by members of the public:

- Questions can be about any matter the Council is responsible for or which directly affect the city.
- Members of the public who live and/or have a business in Bristol are entitled to submit up to 2 written questions, and to ask up to 2 supplementary questions. A supplementary question must arise directly out of the original question or the reply.
- Replies to questions will be given verbally by the Mayor (or a Cabinet member where relevant). Written replies will be published within 10 working days following the meeting.



*point of explanation - where a person has asked two questions on the same topic they are on the same line. Where topics are different they have different lines.

Ref No	Name	Title
PQ01	Stephanie French	Bristol Tree Replacement Standard
PQ02 & 03	Jessica Stewart	Clean Air Zone
PQ04	Kaz Self	SEV Nil Cap
PQ05 & 06	Tom Bosanquet	St Luke's Road Crossing
PQ07	Mark Ashdown	Marksbury Road
PQ08 & 09	Anthony Negus	Mayoral Ways of Working
PQ10 & 11	Railfuture Severnside	Accessible Railways
PQ12	Helen Faye	Marksbury Road
PQ13 &14	Suzanne Audrey	Committee Committee



QUESTION PQ 01

Subject: Bristol Tree Replacement Standard

Question submitted by: Stephanie French

Dear Mr Mayor,

Question: I should like to know if there has been a change in Policy with regard to the Bristol Tree Replacement Standard (BTRS) which is being implemented by the Planning Department but which has not been published.

Background: Since 1st January 2013 a Policy to mitigate for the loss of trees felled to facilitate development has been in place. The number of trees required to be planted as replacement trees for those felled to facilitate development depends upon the trunk diameter of the “lost” trees.

The replacement trees should be planted either on the piece of land being developed, if there is space, or within a mile of the development on public land. In this latter case they will be planted and maintained by the Council, and a financial contribution will be made by the developer to pay for that planting. The Policy is set out in BCS 9 and DM17 of the Core Strategy, and the table of the number of trees required and the size of the financial contribution can be found in the Planning Obligations document as well as in DM17.

On 14th May 2021 I commented upon a Planning Application (21/02301/H) because, if permitted, there would be the loss of a Walnut Tree on the land, and under the terms of the BTRS, there should be replacement tree planting in mitigation, either on the remaining land or nearby.

On 17th February 2022 I was sent notification of the Decision for this Application, which permitted the building development, but to my surprise went on to say “The proposed development would require the removal of an existing 6m T1 Walnut Tree. The stem diameter of this tree was measured at 36cm.” and “The tree officer recommended that due to the small size of the garden and available planting space it is suitable to reduce the Bristol Tree Replacement Standard mitigation from 3 trees to 2 trees in order to offset the loss of the existing T1 Walnut Tree”.

This is a new interpretation of the BTRS. According to the BTRS a third tree in mitigation was required, which, if there was no land at the development site to accommodate it, should have been planted on public land, albeit at a charge to the householder of £765.21 or £3,318.88 depending upon whether or not the tree would be planted in grass or in hard standing. With the loss of a tree at 36 cm diameter the requirement for three trees and not two was not “at the margin”.

I have been trying without success to discover from Planning Officers why this decision was made and to ascertain if the Policy has changed.

Reply:

No, there is no change, and the Bristol Tree Replacement Standard has been successfully applied in the case of many planning applications and planning officers find it a useful tool in providing appropriate mitigation for the loss of trees.



However, it is worth noting that national permitted development rights allow a lot of development on private land without the need for planning permission. In these cases we would not receive any replacement planting. Therefore, in a very small number of exceptions, officers take a pragmatic approach to some cases.



QUESTION PQ 02 & PQ 03

Subject: Clean Air Zone

Question submitted by: Jessica Stewart

Dear Mr Rees,

Although it is good that you have pledged to improve air quality in Bristol, the Clean Air Zone is likely to make matters worse for people living on the edge of it, such as the pupils at Victoria Park Primary School, where the road outside is predicted to have hundreds more vehicles per day, likely to be dirty vehicles seeking to avoid paying the charge. At the school we need a budget of £5000-£6000 to install air purifiers to protect children's lungs and indeed their ability to learn, which is also affected by poor air.

Q1: How much of the £42million budget for supporting people with the effects of the CAZ has been invested, and is there a predicted underspend?

Q2: Is there any provision for air purifiers in schools on roads likely to be affected, and if not can any underspends be used?

Reply:

Question 1

The purpose of the Clean Air Zone is to reduce nitrogen dioxide pollution to legal levels in the shortest time possible by charging older and more polluting vehicles to drive in the zone. This in turn will encourage behaviour change through greater use of active travel and public transport, and through drivers upgrading vehicles to compliant models.

The Clear Air Zone will improve air quality across the city, and our modelling indicated that no areas will have air pollution that is above compliant levels.

The budget and spend for the Clean Air Zone were agreed and signed off with government through the Full Business Case process in February 2022. We are not expecting any underspend of the funding provided by government to implement the zone.

Question 2

There is no provision for air purifiers for schools. This is because the purpose of the zone is to directly address and bring down pollution levels across the city rather than introducing measures to mitigate them.



QUESTION PQ 04

Subject: SEV Nil Cap

Question submitted by: Kaz Self

With reports that a decision will soon be made with regards the proposed nil-cap on SEV's, will the consultation results be made available beforehand for the decision makers and the citizens of Bristol to see?

And a follow up if answer is no:-

What was the point of the consultation if those in charge at Bristol City Council are just going to sweep the results under the table? The people of Bristol were asked for an opinion, their voices should be the ones listened to when the decision is made.

Reply:

A verbal response to this question was given [at the meeting](#).



QUESTION PQ 05 & PQ 06

Subject: St Luke's Crossing

Question submitted by: Tom Bosanquet

Mr.Mayor.

We're a year further on down the line & still without any progress on getting the funded and much needed crossing on St.Luke's Rd, a route that many children & families use daily to get to school & Victoria Park and which continues to be either clogged with motor vehicles or plagued by speeding motorists.

You've wrung your hands & promised progress/updates many times, including back in November last year when a large number of local children challenged you to provide updates. I'll also note that you've also not replied to my latest email for updates sent in the middle of May. It continues to be very tiring & depressing - local residents feel daily the lack of attention to giving proper priority & safety to people walking & cycling. When local issues are brought to you they are so often met with an air of disdain, as though the important details are below your lofty position. There is, of course, some truth in your proclamations about the role of city leaders globally, but the lack of attention local details here in Bristol certainly feels like a major part in the general dissatisfaction voters have with you and the role of Mayor in general.

I would ask for updates, but I have a distinct fear that we'd simply be kicked down the road yet again. I would ask whether the sense of dissatisfaction resonates in any way with you, but feel that this would only be stirring an already depressing pot.

I would ask who I should pressure for movement on this issue, but know that my excellent councillors are already finding that clear answers are elusive.

I would ask how it is acceptable that pedestrians & cyclists still get so little attention compared with the users of private motor vehicles, but imagine that you'd highlight the minor priority & infrastructure gains typically focused on Bristol City Centre that have appeared in the last few years, while also bemoaning a lack of central funding (something I certainly agree is a major issue).

So it feels that there aren't many helpful questions possible! What a state of affairs..
I'm still going to try though:

Question 1) Can you give us a clear update on progress for the St.Luke's Rd crossing and a date for when we will get our crossing?

Question 2) How many other CIL funded projects remain outstanding around Bristol?

Reply:

Question 1

Officers have been in regular contact with the Local Ward Cllrs regarding progress on this scheme during June to discuss how and when the local community will be asked for their views of the design that has been prepared.



Informal consultation is planned for a period of 4 weeks and I am pleased that this consultation is due to start this week. Correspondence will be sent to local residents so please do feed in your views about the proposals.

Delivery of a crossing is then subject to the outcome of this exercise, once we have received and considered the feedback from the community.

Question 2

The Neighbourhoods and Communities team published an update in February which is available on the Council's [website](#).

There are 32 other live transport schemes funded by CIL or S106 through the Area Committee process (there are others in Parks and other departments). Some are with the contractor waiting for installation, with others in design stages.

Those allocated funding at the end of 2021 are at the start of the process in line with the information presented to each Area Committee when the decisions to allocate funding were made.

There are 10 other local traffic schemes allocated S106 or Minor Traffic Schemes funding from the previous Neighbourhood Partnerships – all at different stages of delivery. These are also listed on the Council's website.



QUESTION PQ07

Subject: Marksbury Road

Question submitted by: Mark Ashdown

On 5 October 2017 Bristol City Council transferred land registered under title BL95371 (described as Land on the east side of Brixham Road Bristol) to Alex Fry Properties Ltd for a consideration of £6,009. The transfer was subject to the following covenant:

Restrictive covenants by the Transferee (include words of covenant)

For the benefit of the Retained Land the Transferee (with intent to bind all persons in whom the Property shall for the time being be vested but so as not to be personally liable for the breach of any restrictive covenant after the Transferee shall have parted with the Property) hereby covenants with the Transferor in manner following (that is to say):-

Not at any time to carry on or permit to be carried on upon the Property any trade or business whatsoever nor to use or permit the same to be used for any other purpose than as garden or amenity use ancillary to the use of 149 Marksbury Road Bedminster Bristol BSB SLD as a house for residential use nor to do or suffer to be done in upon or to the Property any act or thing which shall or may be or become a nuisance or annoyance to the Transferor or any person for the time being owning or occupying any adjoining or neighbouring property

A planning application has been made for the demolition of 149A Marksbury Road and the erection of five single storey dwellings on land to the rear - 21/00843/F | 149/149A & Land to rear Of Marksbury Road Bristol BS3 5LD. This is the same site as that described under the title and plan of BL95371. If this planning application is granted any attempt to develop the site in accordance with the consent sought will be in breach of the above covenant.

Question:

If this planning application is granted and the developer proceeds to develop the site, will the Council proceed to enforce the benefit of its covenant to prevent this?"

Reply:

Council officers are writing to the landowner to remind them of the covenant and that any works which are not a feature of garden or amenity use would be a breach and may result in legal action.



QUESTION PQ 08 & 09

Subject: Mayoral Ways of Working

Question submitted by: Anthony Negus

1. Will the mayor explain how he is adapting his method of working to respect the clear result of the people's vote for a more democratic decision-making process in Bristol?
2. Has the mayor learned from a prominent parallel national saga that loss of popular support shared by a substantial proportion of party colleagues is properly addressed here in Bristol by a signposted statesman-like transition to a genuine engagement with citizens and their elected representatives?

Reply:

Responses to these questions were given in person [at the meeting](#).



QUESTION PQ10 & PQ11

Subject: Accessible Railways

Question submitted by: Railfuture Severnside

Question 1

Will the city mayor Marvin Rees agree that whilst we welcome the investment in Bristol Temple Meads and Temple Quay and an upgraded railway station interchange and new housing hotels schools and the upgrading of the London Paddington to Bristol parkway and Cardiff Central and Chippenham. That with modernisation of the signalling central from Bristol to Didcot the use of helicopter and Drones and 4 track on Filton Bank to Bristol Temple meads from Bristol parkway. But with a modern railway work force.

The real issue for the Department for Transport is to work with Bristol City Council, West of England Mayoral Combined Transport Authority and North Somerset Council. Metro Mayor Dan Norris and Western gateway transport Board and Grant Shapps Secretary of State for Transport. To finish off Electrification from Chippenham to Bristol Temple Meads and Bristol Parkway/ Patchway. To reopen the Bristol Temple Meads to Pill and Portishead metro west Bristol Temple meads to Henbury via Ashley Down, Filton Abbey, Filton North and Henbury. Opening Portway parkway. Charfield, Salford, St Anne's Park and Ashton Gate stations. To making all local stations fully accessible in the city region.

Questions 2 .

With the equalities plan. Does the city mayor Marvin Rees agree that we still need to make progress on access to stations at Lawrence Hill, Stapleton Road, Parson Street, Bedminster, Nalisea and Backwell, Weston super mare, Oldfield Park. And need to progress a fully accessible public system in the city region in partnership with the west of England mayoral combined transport Authority, Dan Norris metro mayor and North Somerset council. Including buses, coaches, interchanges and Harbour ferry services and ferry stops and interchanges like Bristol Temple meads.

Suggested reply

Question 1

I have made it clear to the Department for Transport that the electrification of the Great Western Main Line needs to be completed by extending the wires into Bristol Temple Meads. Completing this section of electrification will enable the long distance bi-mode train fleet to run on electric into Bristol which will reduce emissions from trains.

The Combined Authority, North Somerset Council and the Department for Transport are currently working together to identify additional funding for the Bristol to Portishead line following an increase in project costs.

Work on the Henbury line, with stations at Ashley Down, North Filton and Henbury is progressing, with work expected to start on site in 2023. Portway Park & Ride rail station is currently under construction and will open later this year.



Options to take forward longer term rail aspirations will be considered in partnership with WECA later this year following completion of Network Rail’s current strategic rail study.

Question 2

Accessibility considerations are a key component of any transport scheme that the City Council develops. I continue to push for improvements to the accessibility of existing rail stations such as Parson Street, Lawrence Hill and Stapleton Road.

The City Council is working with WECA on developing options to address accessibility at our rail stations and some of our City Region Sustainable Transport Settlement funding has been allocated to this.

Cllr Alexander, Cabinet Member for Transport, recently sent a letter of support for Great Western Railway’s bid for accessibility improvements at Bristol stations without step-free access, via the Department for Transport’s Access for All programme.

Bristol City Council, in partnership with WECA, has been successful in securing funding for smaller scale accessibility enhancements including new shelters, benches and wayfinding via the Department for Transport’s ‘Access for All Mid Tier’ programme. These enhancements are due to be delivered in late 2022 / early 2023.



QUESTION PQ12

Subject: Marksbury Road

Question submitted by: Helen Faye

In 2017 the land to the rear of Marksbury Road/Lydford walk/Dawlish Road was sold by the council with the assurance that that was being done with a covenant, that protected it from any use apart from agricultural purposes and definitely prohibited from being built on. As residents we didn't object to this. Unfortunately we find ourselves in a position of trying to prevent planning permission being agreed - which by its very nature suggests a possibility that if granted would give credence to the covenant being challenged by the developer. It was also clear at the time that the land would be maintained and my question is what has the council done/or plan to do to ensure this is complied with?

By maintaining I don't mean just bulldozed indiscriminately with wildlife not considered and with piles of vegetation just left until it eventually rot back down and the vegetation grown back (as has happened on a couple of occasions, leaving an eye sore for many months until it renews. As owners of the land the council had a duty of care to us to ensure this land was dealt with appropriately.

So will you ensure the covenant remains in place, protecting the land and its inhabitants and advise the owner of the duty to maintain the land appropriately?

Reply:

Officers are writing to the landowner to remind them of the covenant, and that any works which are not a feature of garden or amenity use would be a breach and may result in legal action.



QUESTION PQ13 & PQ14

Subject: committee constitution

Question submitted by: Suzanne Audrey

1. Following the referendum at which the city voted to abolish the role of elected mayor, Cllr Steve Pearce, leader of the Labour group, is reported to have said: "We're setting up a cross-party working group to draft a new, committee-based constitution, where we hope to have constructive conversations with other parties." **As the Labour Mayor of Bristol and current leader of Bristol City Council, please can you provide details of who is sitting on the working group?**
2. The responses you gave to public questions at the Extraordinary Council Meeting on 24th May suggest that you do not see it as part of your remit to answer questions about the new committee system. However, I do hope you can see the importance of keeping the public informed. **As the current leader of the council, please can you tell me what measures have been (or will be) put in place by Bristol City Council to keep the public informed about this important change to the city's system of governance?**

Reply:

These questions received a verbal reply [at the meeting](#).

