

# Decision Pathway – Report



**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 06 December 2022

<b>TITLE</b>	Economy of Place - Implementation of Corporate Strategy		
<b>Ward(s)</b>	City Wide		
<b>Author:</b> John Smith	<b>Job title:</b> Director: Economy of Place		
<b>Cabinet lead:</b> Mayor	<b>Executive Director lead:</b> Stephen Peacock, Executive Director Growth and Regeneration		
<b>Proposal origin:</b> Mayor			
<b>Decision maker:</b> Cabinet Member <b>Decision forum:</b> Cabinet			
<b>Purpose of Report:</b> To note the intention, subject to consultation, to implement the Corporate Strategy within the Economy of Place Division by: simplifying and reducing scope of work and focusing on core statutory functions, exploring the scope for the transfer of functions, activities and associated resources to the West of England Combined Authority (the Combined Authority) disbanding the separate City/Strategic Transport and City Design service areas, bringing together all city planning related functions in a single City Planning Service under a new Chief Planner post, creating a single Transport and Highways team and agreeing to start formal staff and union consultation on these changes.			
<b>Evidence Base:</b> <ol style="list-style-type: none"><li>1. On 11 November 2022, the Council launched its budget consultation for 2023/24 which aims to address a revenue budget gap of up to £87.6m.</li><li>2. In parallel, the Council is seeking to simplify and reduce its scope of work and focus on delivery of its statutory functions and those functions not currently capable of being delivered by others.</li><li>3. The Economy of Place Division aims to accelerate the strategy included in Theme 7 of the current Corporate Strategy 2022 – 2027 entitled Effective Development Organisation in relation to its service areas. This Theme calls for the creation of “a focused council that empowers individuals, communities, and partners to flourish and lead” and for us to “consider what the right size, shape and scale is for the city’s future needs, streamline processes and target our limited resources to those most in need given the financial pressure we face.”</li><li>4. This will involve focusing on the key areas of the Corporate Strategy that the Division is responsible for including:<ul style="list-style-type: none"><li>• Delivering Economic Growth</li><li>• Regeneration</li><li>• Environment and Sustainability</li><li>• Transport and Connectivity whilst targeting the Council’s limited resources on those most in need and those areas which are not capable of delivery by other parties and removing duplication and inefficiency.</li></ul></li><li>5. The West of England Combined Authority (Combined Authority) Order 2017 established the Combined Authority as the local transport authority for the area transferring responsibility for various local and</li></ol>			

strategic transport matters from the Constituent Councils (i.e. BCC, SGC and B&NES) and also establishing the Combined Authority as capable of acting on behalf of the constituent local authorities on certain other strategic transport matters. The Combined Authority receives funding for major sustainable strategic transport matters on behalf of the city region - such as the £540m City Region Sustainable Transport Settlement - and also retains ultimate accountability for such spending and delivery of outcomes across the region.

6. It is proposed to explore the opportunities for Council activities and functions (relating to its general highways and transport responsibilities and activities) to be transferred to the Combined Authority, or for other joint working arrangements to be put in place around sharing functions, activities and resources. This could mean that activities, currently carried out by the Council could in future be performed by the Combined Authority. If approved, this approach may result in the potential for some staff to be transferred to the Combined Authority. The Council's Managing Change policy will apply to any remaining staff.
7. Implementation of the proposed changes will include a full assessment of all grant funded projects currently being delivered by these teams, to mitigate the risk of financial liabilities for the Council associated with pausing or stopping projects.
8. By delivering its statutory functions as a Highway Authority within a single combined Transport and Highways service area, the Council can potentially better focus its activities and resources. Targeted service redesign will also include consideration of whether some relevant functions should continue to be delivered in-house or via alternative arrangements, including work with specialist contractors. This approach, which is already widely used, enables the council to access specialist technical resource which it is not feasible to have in-house as well as delivering flexibility to scale up and down according to fluctuations in the volume of work.
9. City Design facilitates, delivers and oversees design and construction work in relation to development in the City. This includes various statutory and non-statutory functions related to Tree Preservation Orders, planning and engineering design. The Council is proposing to disband the City Design service to ensure that in an environment of severely constrained resources only those functions which meet the administration's core priorities or relate to the discharge of statutory functions are retained. Where appropriate, and subject to consultation with affected staff and unions, it is envisaged that some existing functions will move into other council teams including Development Management and Highways.
10. The Development Management function including planning enforcement is a key function of the Council. It is vital to support development within the city and delivering on core objectives within the Corporate Strategy including providing housing (including affordable housing), economic growth and regeneration. As currently resourced and configured, the various planning teams within the council are struggling to support the timely administration of planning applications and effective and proactive enforcement of planning obligations and law as well as carrying out other important planning functions such as the development of the city's revised local plan.
11. The Council is proposing to create a single City Planning service with all the relevant planning resources within that team under the leadership of a Chief Planner focused on delivering the corporate strategy including timely administration of planning applications, proactive enforcement of planning obligations and development of a revised local plan.

**Cabinet Member / Officer Recommendations:**

That Cabinet:

1. Agrees to explore the scope for transferring activities and functions (and associated resources) to the Combined Authority, (or developing other joint working arrangements with the Combined Authority) and agree to explore ceasing functions which are not statutory requirements of a Highway Authority and authorises the Executive Director Growth and Regeneration to take all steps required to give effect to this approach.
2. Notes the proposal for the City Design service to be disbanded subject to consultation with staff and trade

unions.

- Notes the intention to create a single City Planning service as outlined in this report including the appointment of a City Chief Planner.
- Notes that the proposals in this paper which relate to staff are expressly subject to the outcomes of staff and trade union consultation.

**Corporate Strategy alignment:** This paper relates to the implementation of Theme 7: Effective Development Organisation of the Corporate Strategy in the Economy of Place directorate by enabling a key partner to lead and adjusting our services to the right size, shape and scales for our future needs. This will include a focus on delivering statutory functions, avoiding duplication and supporting focused and streamlined delivery of relevant objectives in the Corporate Strategy including delivering Economic Growth; Regeneration; Environment and Sustainability; and Transport and Connectivity.

**City Benefits:**

This proposal will focus resources on delivery of outcomes in the Corporate Strategy and reduce duplication of responsibilities. In particular, the proposal will enable resources to be focused on effective and timely administration of planning applications and planning enforcement activity to support lawful development, provision of housing and economic growth.

**Consultation Details:** The various service areas have been informed of these proposed changes. The paper seeks approval to commence formal consultation with staff and trade unions on the proposed changes.

**Background Documents:** [13 - THE COMBINED AUTHORITY ITA Functions paper 30 Nov final 19 Nov.pdf \(modern.gov.co.uk\)](#)

[Decision Pathway Report Transport Authority Integration Project - Draft 09012020 - OH.pdf \(bristol.gov.uk\)](#)

<b>Revenue Cost</b>	£	<b>Source of Revenue Funding</b>	
<b>Capital Cost</b>	£	<b>Source of Capital Funding</b>	
<b>One off cost</b> <input type="checkbox"/>	<b>Ongoing cost</b> <input type="checkbox"/>	<b>Saving Proposal</b> <input checked="" type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

- Finance Advice:** This report is seeking approval to explore the options of what Transport Authority functions may be candidates to transfer to the Combined Authority, noting that the Combined Authority has not agreed to any such transfer, and to discontinue the City Design services, transferring responsibility for some to other areas of the Council while leaving others to be procured externally where needed.
- In taking this decision, a full assessment of all Grant funded projects currently being delivered by these teams is required. A discontinuation of Grant funded work may lead to significant financial liability for the Council if such projects are abandoned, leaving the Council with the liability for abortive costs.
- The net costs of the services in question are outlined in Table 1 below:

**Table 1**

<b>Service</b>	<b>Revised Budget</b>
	<b>£000s</b>
Strategic City Planning	632
City Design	(367)
Development Management	(525)
Strategic City Transport	2,527
Local & Sustainable Transport	(900)
<b>Total</b>	<b>1,367</b>

- There is a risk that the externally sourced services will cost the Council more as private providers will add a profit margin to their costs, however, this arrangement may deliver efficiencies, if the volume of work reduces, or down time is reduced through better ways of working and limited procurement of external services.
- The proposals in this report will require detailed costing following the outcome of consultation, and only then will the full implications be known. It is my understanding that this report seeks “in principle” agreement to explore the proposals outlined, as they are still subject to consultation and the Combined Authority will need to agree to

take on these responsibilities.

6. The Council currently pays a levy of c£10.3m for services already transferred to the Combined Authority, so it should expect to be levied for any new services that transfer, including annual inflationary increases.

**Finance Business Partner:** Kayode Olagundoye, Interim Finance Business Partner for Growth and Regeneration, 24 November 2022.

**2. Legal Advice:** The potential transfer of functions (and associated activities and resources) from the Council to the Combined Authority (or putting in place other arrangements for the sharing of roles and resources) will require close examination of the statutory basis for such arrangements, and the powers of both the Council and the Combined Authority to agree these changes. Consideration will need to be given to the impact on statutory duties, as well as the mechanics for achieving this.

**Legal Team Leader:** Husinara Jones, Team Manager/Solicitor 15 November 2022.

**3. Implications on IT:** Consideration will need to be given as to what IT systems and processes the division needs to change as a result of this change in services; and care should be taken to align to the Digital Strategy 2022-2027 in aiming to simplify the IT estate and exit unnecessary contracts. The division and decision makers must also be assured that appropriate staff resource is available to manage any remaining core systems compliantly. Advice about this is available from the division's IT Business Partner.

In any transfer or redundancy of staff, care must be taken to request appropriate IT account deletions and to arrange prompt return IT and mobile equipment. This is vital to avoid unnecessary license costs being paid for staff no longer using council systems, and to ensure robust, correct records of user accounts with access to the council's IT estate.

**IT Team Leader:** Tim Borrett, Director: Policy, Strategy and Digital; 24 November 2022

**4. HR Advice:**

Where functions transfer from one employer to another (including from one part of the public sector to another), consultation and protection requirements ("TUPE") apply. Ceasing non-statutory work could lead to a redundancy situation if the reduction in work means there are more employees than there are funded positions available. This would require consultation and will require the Council to take steps to reduce the incidence and impact of redundancy, including offering Suitable Alternative Employment to those who would otherwise be dismissed on grounds of redundancy. Realignments of staff from one part of the Council to another where no changes to terms and conditions of service are proposed do not require consultation, but a reasonable opportunity to give feedback and receive responses should be afforded.

**HR Partner:** Celia Williams, HR Business Partner 23 November 2022

<b>EDM Sign-off</b>	Stephen Peacock, Executive Director Growth and Regeneration	28 <sup>th</sup> November 2022
<b>Cabinet Member sign-off</b>	Mayor	28 <sup>th</sup> November 2022
<b>For Key Decisions - Mayor's Office sign-off</b>	Mayor's Office	7 <sup>th</sup> November 2022

<b>Appendix A – Further essential background / detail on the proposal</b>	<b>NO</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>YES</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>YES</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>

<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Exempt Information</b>	<b>No</b>
<b>Appendix J – HR advice</b>	<b>NO</b>
<b>Appendix K – ICT</b>	<b>NO</b>
<b>Appendix L – Procurement</b>	<b>NO</b>