

Report to Bristol City Council

Review of Bristol 2015

European Green Capital Year

Issued by

Steve Bundred

21 December 2016



Contents [\(click on headings\)](#)

	Paragraph Numbers
Summary	i – vi
Introduction	1 – 3
The Original Objectives	4 – 15
The Chosen Delivery Vehicle	16 – 28
The Accountability of the Programme	29 – 34
The Transparency of the Programme	35 – 39
The Inclusivity of the Original Objectives	40 – 56
The Performance of the Company and the Legacy of the 2015 Green Capital Year	57 – 66
Conclusion	67 – 70
Appendix A: Evidence Base	Pages 33–36
Appendix B: Terms of Reference	Page 37

Report to Bristol City Council

Review of Bristol 2015 European Green Capital Year



Summary

- i. On 14 June 2013 the European Commission (EC) awarded Bristol the status of European Green Capital 2015. This status did not come with a grant from the Commission but there was an undertaking by the City Council to contribute £1m towards the cost of developing a programme of specific projects to mark the award and to assist in raising funds from other sources, including the private sector. In the event, a cash total of £10.3m was raised, including the council contribution, albeit £8.5m of this total came from publicly funded bodies. A number of private sector partners also entered into contractual commitments to deliver £2.3m of contributions in kind, bringing the total to £12.6m. There was in addition considerable voluntary effort in support of the core programme.
- ii. I was appointed in October 2016 by Bristol City Council (BCC) to undertake a review of aspects of the delivery of Bristol's European Green Capital 2015 programme. I have been assisted throughout by officers of the Local Government Association and have received full co-operation from past and present officers and members of Bristol City Council, the Board of Bristol 2015 Ltd and its private and voluntary sector partners engaged in the delivery of the programme. I am grateful to all concerned for their support. The evidence base on which I have reached my conclusions, including the names of those I have interviewed, is set out in Appendix A. However, this is my report and others bear no responsibility for its conclusions.
- iii. The terms of reference for my review are set out in Appendix B. They did not require me to examine any financial transactions of Bristol 2015 Ltd (the Company) which was chosen as the delivery vehicle for the programme, or of the City Council. It is important to emphasise that my review was not prompted by any concern about such transactions. All relevant questions in this regard were resolved by the Council prior to my appointment. Instead the focus of my review has been on learning from successes.
- iv. I have nevertheless felt it necessary to comment on a few aspects of the year which did not go as well as they might have done. Some elements of both the governance and specifics of the programme gave rise to adverse public comment and political controversy both during the year and afterwards, provoking hurt and disappointment among those feeling unjustly criticised and leaving others to feel their legitimate concerns were not properly dealt with. I believe that the best interests of the city now require a clear line to be drawn under these issues.

- v. In summary, I have concluded as follows:
- a. Against any measures, and especially by reference to its original objectives, the programme was an undoubted success. Complex and often creative events were delivered as planned. Many people participated. The management of individual projects and of the programme as a whole was well organised. Funders were satisfied. The European Commission was pleased with the outcome. And the profile and reputation of the city were greatly enhanced.
 - b. The original objectives of the Green Capital programme, as evidenced in the bid approved by the European Commission, were not specific. The Commission's emphasis was on knowledge transfer across the European Union (EU), while the Council's focus was on promoting inward investment in the City for economic development purposes. I acknowledge the obvious suitability of the bid for European Green Capital status, as evidenced by its success, but consider that it would have been preferable for the City Council, in whose name the bid was submitted, to be clearer about its objectives at the outset and to have thought about these in broader terms.
 - c. Reflecting the experience of previous winners of the award, the programme was originally conceived as being modest. But, for very laudable reasons, it became more ambitious at a late stage. This had significant consequences. Most notably it meant that the contents of the programme were mainly driven by the willingness of others to fund specific projects rather than an objective assessment of the needs of the city.
 - d. It also meant that insufficient thought had been given to the resources and skill mix that would be needed within BCC to support the programme. For future initiatives of this kind there should be early consideration of the pressures they will impose on Council staff and the additional support that will be required.
 - e. Partnership working with the private sector is not straightforward. Before embarking on other projects of this kind, BCC needs to develop a more sophisticated understanding of the benefits its partners expect to gain from their involvement and the requirements or conflicts this may create.
 - f. In future, there also needs to be more thought given to the engagement of partners on an on-going basis and the wider implications of diverting existing resources to provide support for major new projects.
 - g. Although there were existing partnerships in place at the time Bristol was awarded the title of European Green Capital 2015, once the planned programme had become more ambitious the decision to create Bristol 2015 Ltd as an arms-length company tasked with delivering it was right. It reflected good practice and experience drawn from elsewhere. It also had a Board that was representative of key public, private and voluntary sector partners.
 - h. The Company did an excellent job in plugging gaps created by the initial lack of specific objectives and insufficient consideration by the Council of planned legacy deliverables or the way in which they would be assessed. However, in future the Council should take greater responsibility for these matters so that the brief to the delivery vehicle is less open to interpretation.

- i. Bristol 2015 Ltd fully accepted and complied with its responsibility to account for the use of public funds, but considered it unnecessary to go beyond this when faced with requests for additional information to be made public.
- j. The nature of the additional accountability demands that Bristol 2015 Ltd would be subject to, despite its arms-length status, was foreseeable and should have been made clearer to all concerned at an earlier stage. For future arrangements of this kind the letter of appointment of company directors should specify their responsibilities in this respect.
- k. The mechanisms put in place by BCC to ensure proper oversight and accountability of Bristol 2015 Ltd were proportionate and robust. They were in line with what I would have expected to see and have been endorsed by the Comptroller and Auditor General (C&AG).
- l. The elected Mayor was a director of the Company, but not a Council appointee. In my view, few people would be able to distinguish between the Mayor's public and private roles in serving on the Board of a company created by the Council, to which he had originally been appointed by the Council as Chair, receiving most of its income from the Council and contracting with it to fulfill a public purpose. In future, if the Mayor is to serve on the Board of a similar body there must be greater clarity about his role.
- m. The Mayor's membership of the Board had both advantages and disadvantages. In my view, the former outweigh the latter but this is a finely balanced judgement. For the future more careful consideration should be given to these issues.
- n. The same careful consideration should be given to the role of the Council's chief executive to avoid any perceived or actual conflict of interest, although in agreeing to the appointment of the then City Director as chief executive of the Company, the Council did take legal advice and acted upon it.
- o. There was, and often still is, some confusion about the extent to which private companies in receipt of public funds may be subject to the provisions of the Freedom of Information Act 2000 (FOI). In future, arms-length company directors should be made aware of guidance from the Office of the Information Commissioner (OIC) on this matter, issued in July 2015, and should be encouraged to draw it to the attention of partners and suppliers. Where there is legitimate room for doubt about the applicability of FOI, the Council and its arms-length bodies should adopt a presumption in favour of transparency. I believe the avoidance of FOI responsibilities can never be a legitimate objective of a public body.
- p. The stance taken by both the Council and the Company in responding to FOI and similar requests for greater transparency unwittingly created suspicions that there was something to hide. In truth, these suspicions were wholly unfounded, as the Council has subsequently established.

- q. Earlier and more detailed planning by the Council might have enabled elements of the programme to be more representative of Bristol's diversity and more inclusive of disadvantaged groups, but as the programme was largely driven by funders this is far from certain.
 - r. Moreover, initial planning was driven by the EC's focus on knowledge transfer and the Council's emphasis on economic development. Inclusivity became an objective of the programme but was initially confused with empowerment and was an underlying consideration rather than a principal driver.
 - s. Despite this, both the Council and the Company acknowledged the need to promote inclusivity. This was reflected in the composition of the Board and the approach taken to delivery of the programme, especially in relation to matters such as the education programme and the award of grants to small businesses and community groups.
 - t. The factors that give rise to exclusion are complex and inter-linked. The Council should give thought and devote more resources on an ongoing basis to, for example, addressing the barriers that prevent members of excluded groups from attending meetings or engaging with civic life in other ways. This requires a paradigm shift within BCC.
 - u. Some opportunities were missed to engage minority communities and disadvantaged groups to a greater extent. This has also been accepted by both BCC and the Company Board. But the programme was nevertheless far more inclusive than some of its critics have acknowledged. Many elements of it were uniquely imaginative and long-lasting.
 - v. The task of assessing the legacy of such programmes is inherently difficult, but was made more so by insufficient thought having been given to this at a very early stage within BCC. For similar future initiatives an attempt should be made by the Council to produce a formal assessment of the baseline from which progress might be measured and a plan prepared on how legacy impacts will be captured and reported.
 - w. Nevertheless, there will be a formal assessment of the legacy at a later stage as there is a contractual commitment to produce a five year assessment report.
 - x. This will show that in practice considerable thought was given to ensuring that supported projects would have continuing benefits. There is therefore much evidence of a positive legacy for the Council and the city from what was in general a very successful, popular and rewarding European Green Capital year.
- vi. In conclusion, I would like to thank Mayor Marvin Rees and Bristol City Council for inviting me to undertake this review. I would also like to offer my own congratulations to Bristol City Council, Bristol 2015 Ltd and all those directly concerned in its delivery for the success of Bristol's European Green Capital 2015 programme. Bristol has made a huge contribution over many years to advancing understanding and concern about environmental matters within the UK and beyond. I hope this continues to be the case for many years to come.

Detailed Report to Bristol City Council on my review of the Bristol 2015 European Green Capital Year

Introduction

1. I was appointed in October 2016 by Bristol City Council (BCC) to undertake a review of aspects of the delivery of Bristol's European Green Capital 2015 year. My credentials for this appointment include the facts that I am a former chief executive of the Audit Commission which was responsible for assessing the performance of all local authorities in England, a former chief executive of the Improvement and Development Agency for local government and a former local authority chief executive. I have been assisted throughout my review by officers of the Local Government Association and have received full co-operation from past and present officers and members of Bristol City Council, the Board of Bristol 2015 Ltd and its private and voluntary sector partners engaged in the delivery of the Green Capital programme. I am grateful to all concerned for their support. However, this is my report and others bear no responsibility for its conclusions or any errors of fact or judgement it may contain. The evidence base from which I have reached my conclusions is set out in Appendix A and the terms of reference for the review are set out in Appendix B.
2. It should be noted that the terms of reference did not require me to examine any financial transactions of Bristol 2015 Ltd (the Company), the chosen delivery vehicle for the programme, or of the City Council. My review was not prompted by any concern about such transactions. Nor have I encountered any concerns in the course of my work. All relevant questions in this regard were resolved by the Council prior to my appointment. Instead the focus has been on learning from successes. These were considerable and highlighted inter alia in warm letters of congratulation sent to the Council in the early part of 2016 by the European Commissioner for Environment, Maritime Affairs and Fisheries and both the Commission's Director General for Environment and his predecessor.
3. While attempting to focus on successes, I have nevertheless felt it necessary to comment on a few aspects of the year which did not go as well as they might have done. Some elements of the governance and specifics of the programme gave rise to adverse public comment and political controversy both during the year and afterwards. On the one hand this has left some hard working volunteers feeling hurt and disappointed that their public spirited efforts have been unfairly criticised and their sincere motives misinterpreted. At the same time others believe their legitimate concerns were not properly addressed and some questions may still remain unanswered. As is often the case, there is some justification for both points of view but I believe that the best interests of the city now require a clear line to be drawn under these issues.

The Original Objectives

4. The decision of the European Commission (EC) to award the title of European Green Capital 2015 to the City of Bristol was a recognition of the long-standing commitment of many individuals and organisations within the city, not least Bristol City Council, to reducing its carbon footprint and tackling climate change. It was an honour. There had been only 5 previous winners (Stockholm, Hamburg, Vitoria-Gasteiz, Nantes and Copenhagen) and one subsequently (Ljubljana) and Bristol remains the only UK city to have gained this status. But it but did not involve the award of any grant from the Commission. Instead it was an opportunity to publicise and celebrate the city's achievements and support knowledge transfer across the European Union (EU) about how best to promote sustainability. This is the prime purpose of European Green Capital status from the Commission's perspective and imposes an obligation on successful applicant cities to host overseas delegations and participate in Europe-wide events.
5. The Commission's favourable decision was made public on 14 June 2013 and was the fulfilment of an ambition first articulated in the Community Strategy adopted by Bristol's Local Strategic Partnership in 2003 and commanding all-party support across the Council and the city. Agreement to the Community Strategy was followed by a series of actions including the establishment of the Bristol Green Capital Partnership (BGCP) and the approval of a Green Capital Action Plan by the City Council in 2007, and subsequent unsuccessful bids for European Green Capital status in 2008 and 2011.
6. Bidding for the award was a two-stage process. The first stage involved the submission of a bid document which, following detailed technical evaluation by the EC, resulted in a shortlist of cities being invited to make a presentation. In Bristol's case the bid document, prepared by the City Council in consultation and collaboration with other bodies, was a 32,000-word submission which set out Bristol's performance to date against thematic areas, rather than saying in detail what would happen if the bid were to be successful. The emphasis was on building on strong foundations and existing projects. The implied objective of the bid was therefore to do no more than showcase what Bristol had already achieved as a stimulus to further progress in the same vein. It was hoped that international recognition would act as a catalyst for accelerating change that was already happening. To the extent that specific projects had already been the subject of public consultation this was true only to varying degrees and in different ways. There was no predetermined set of objectives or unifying theme and it was eventually left to Bristol 2015 Ltd, the chosen delivery vehicle for the Green Capital year to bring coherence to the programme. It did this very effectively and in a very short period of time.
7. However, while acknowledging that the success of the bid demonstrates that it was obviously more than fit for purpose, with hindsight there is general agreement that it would have been preferable for the City Council, in whose name the bid was submitted, to be clearer about its objectives from the outset. In the BCC paper to

Cabinet on 27 June 2013 in which the Council was invited to accept the award the objectives were described simply as:

“a huge opportunity to

- engage a wide range of Bristol citizens, businesses and organisations to further improve the environment of Bristol
- promote Bristol as an inward investment location and to promote Bristol businesses on a European and Global stage.”

8. There was some consultation with key stakeholders subsequent to this as a result of which the objectives agreed between the then Mayor and the then City Director were articulated as being:

- “Local Empowerment: Empower existing initiatives, networks and communities to help change attitudes and behaviours.
- Sustainability Leadership: Exchange sustainability expertise between cities and contribute to the 2015 UN Climate Change Conference.
- International Profile: Build a global profile to support appropriate exports, inward investment, tourism and economic growth”

It was also agreed that to support these there should be a fourth objective to:

- “Secure significant additional resources for the programme from UK Government, businesses and national and local organisations”

This was the brief that was then given to the Company, which was initially chaired by the Mayor but only on an interim basis, to interpret.

9. There were adverse consequences arising from the fact that specific objectives were left to be determined after the award had been accepted. These included the limitations on wide public consultation and engagement with Bristol’s diverse communities rendered necessary by the tight timescales involved, although I accept that a wide-ranging consultation in advance of the bid being submitted would have raised false expectations if it had ultimately proved unsuccessful. The tight timescale also meant that insufficient thought was given to planned legacy deliverables and the way in which they would be assessed. The Company did an excellent job in plugging these gaps but for the future the Council should take greater responsibility for these matters, and at an earlier stage, so that the brief to the delivery vehicle is less open to interpretation and more generally accepted as being reflective of the needs of the city.
10. To a very large extent, the absence of more well-defined Council objectives, displaying a more comprehensive view of the needs of the city, and early consideration of some of the issues which later became problematic, resulted from the fact that the programme was originally conceived as being modest but became more ambitious in the latter part of 2013 and during 2014, after the award had been announced. From the outset the Council had undertaken to make £1m available to facilitate the development of the programme. However, at that stage it was envisaged that it would be run in-house and the total cost would be of the order of only £2m. This assumption was based on the

experience of previous winners of the award which Council officers had contacted. But following discussions between the then Mayor and the then City Director, both of whom took office after the original bid document had been submitted, it was decided, for very laudable reasons, that more needed to be done to capture the imagination of the public. A consultant was appointed in September 2013 to produce proposals for scaling up the plans and a programme comprising a range of projects costing £20m in total was then developed, the delivery of which would require substantial funding, in addition to that available from BCC, along with a different approach to programme management.

11. This had significant consequences. Most notably it meant that the contents of the programme were mainly driven by the willingness of others to fund specific projects from within the menu of possibilities offered to them, rather than an objective assessment of the needs of the city. In the event, a total of £12.6m was raised, of which £2.3m was in the form of private sector contributions in kind. The Company raised £10.3m in cash with £7m of this coming from the Department for Energy and Climate Change (DECC), a further £381k from the Arts Council for England and £150k from the publicly owned Bristol Energy Company. With the Council's contribution, this meant that, excluding the value of the contributions in kind, £8.5m or 82% of the cash available to the Company was taxpayer funded and that DECC, as the principal funder, became the main driving force, especially as it imposed very tight specifications over the use to which its grant could be put. At the suggestion of the Council, and for good reasons in relation to ensuring proper accountability, the £7m grant from DECC was paid to the Council rather than directly to the Company and the Council then contracted with Bristol 2015 Ltd to deliver projects specified by DECC and funded from this grant.
12. It should be noted that the total expenditure on Green Capital projects during the year was significantly greater than the amount spent by the Company. In addition to the £2.3m contributions in kind which were subject to contractual commitments and performance managed by the Company as part of the core programme there was a very substantial voluntary contribution from other bodies, including the city's two universities, which developed and ran projects they funded themselves. The contributions in kind took many different forms. For example, the First Group spent money branding its fleet of buses in the city with the Green Capital logo and First Great Western did likewise with one of its trains. Similarly, J C Decaux provided a great deal of supporting publicity through its billboards. There were also other Arts Council grants including funding of £744,564 for six exceptional projects. But the purely voluntary contributions were no less important. For example, Ujima Radio devoted many hours of broadcasting time to the promotion of the programme. It is impossible to estimate the total value of these additional contributions but they are likely to be of the order of several millions of pounds. In this review, I have nevertheless concentrated on the major part of the programme which was delivered through expenditure by the Company, as this is the element that subsequently proved controversial.

13. The rapid development of the programme into something larger and more ambitious than originally conceived also meant that insufficient thought was given to the resources and skill mix that would be needed within BCC to support it. Major events, often requiring road closures and co-ordination with the police service and other bodies, impose substantial demands on Council staff, and especially on a small number of people, without reducing the normal demands of their job. So too do significant grant programmes and major community engagement initiatives. The successful conception and management of major projects of this kind may also require skills which are not readily available within the Council. For any similar future initiatives there should be early consideration of the pressures they will impose and the additional support or access to specialist skills that will be required.
14. The late expansion of the programme and the need to raise money from the private sector to fund elements of it also constrained the extent to which the requirements of private sector partners could be properly understood and met. The motives of the private sector in such arrangements are varied and complex. As residents of the city, private sector decision makers will have a desire to make it a better place in which to live. They will also be aware that doing so may help in the recruitment and retention of key staff. In addition they will wish to be seen to share values that are strongly held by many of their staff and those they trade with or sell to. They may hope to raise their profile and promote their brand more widely. They will wish to develop good working relationships with the City Council which also regulates some of their activities, for example through its development control functions. Their motives will therefore be both altruistic and self-interested. But they will not necessarily share the Council's priorities or its understanding of the needs of the city. For example, while private sector partners were less prescriptive than DECC proved to be over how their money should be spent, they argued for more business facing events and placed stronger emphasis on Smart Cities and digital opportunities than others might have done and these requirements had to be met.
15. Moreover, cultural clashes may arise in partnership working over the nature and degree of collaboration; and the desire of private sector partners to preserve commercial confidentiality may at times conflict with the commitment of public bodies to openness about their affairs. Some of these conflicts became evident during the year. For future partnership working with the private sector BCC therefore needs to develop a more sophisticated understanding of the benefits its partners expect to gain from their involvement, the contribution they are most willing and best able to make, and the requirements or conflicts this may create.

The Chosen Delivery Vehicle

16. As described above, there were existing organisations, partnerships and projects in place within the city, promoting sustainability and bringing substantial experience and commitment to bear, prior to the positive announcement by the European Commission of the success of Bristol's bid. Perhaps the most important of these and a key factor in the award of European Green Capital status was the Bristol Green Capital Partnership. This was originally established in March 2007 as a sub-group of the Local Strategic Partnership and was at that stage an unincorporated body with a manager employed by the City Council. But it gradually developed in scope and influence and is now a leadership body with over 800 member organisations, incorporated as a Community Interest Company and with two direct employees. But although it is still strongly supported by the City Council the Partnership has never had any formal role in council decision-making. It was consulted on the decision to bid for the European Green Capital award and participated fully in the development of the bid but was not a decision maker.
17. This is relevant because although the Partnership was a well-established body with support across the city, in June 2013 it would not have been an appropriate delivery vehicle for the co-ordination of the Green Capital 2015 programme. That is not what it was created to do and it could not have been the recipient of the award. It was the Council that was necessarily the driving force from the beginning. But the successful bid was drafted by officers of the City Council and Wessex Water, a key member of the Partnership, with the Partnership Manager and several members of its steering group contributing to technical aspects and the Chair of the Partnership being a member of the final presentation team. I do not doubt that this level of civil society engagement was instrumental in the success of the bid to the European Commission. The Partnership was therefore entitled to expect a high level of involvement in the detailed development of the programme. Instead, the support it had previously received from the Council was withdrawn just at the point at which it was attracting more interest. This, together with the extent to which its involvement was subsequently overshadowed by the requirements of public and private sector funders, became a source of frustration, although this situation improved during the year with BGCP sharing the offices of the Company. For the future, there needs to be more thought given to the wider implications of diverting existing resources to provide support for major new projects and to the engagement of partners on an on-going basis.
18. The vehicle through which the Council chose to deliver the programme was Bristol 2015 Ltd, a company established by the Council specifically for this purpose in March 2014 and initially chaired by the then Mayor. The Company was later chaired by a private sector representative but its Board of Directors, comprising 12 people, continued to include the city's elected Mayor and the

Company's main source of income derived from a contract with the Council. Many of the issues falling within my terms of reference arise from a lack of understanding of the implications of the decision to deliver the Green Capital 2015 programme in this way. I have therefore felt it necessary to review the decision to create Bristol 2015 Ltd to act as the delivery vehicle for the programme.

19. The only realistic alternative would have been to attempt to deliver the entire programme in-house using council officers and decision-making processes. Some previous winners of the award had adopted this approach, although as already noted they had done so in the context of much smaller scale programmes. In Bristol's case, other pressures on Council staff and lack of relevant skills within BCC meant that this might not have been achievable once the decision had been taken that a more ambitious programme was needed to capture the imagination of the public. It would also have made it more difficult to attract private sector and Arts Council for England (ACE) funding and would have been a barrier to the participation of a number of individuals from private and voluntary bodies whose unpaid contribution was fundamental to the acknowledged success of the programme. In addition, it might have undermined the confidence of the European Commission in Bristol's ability to deliver on its original promises as the involvement of the BGCP was an important factor in the success of the bid. The Chair of the Partnership became a Director of Bristol 2015 Ltd.
20. It is not unusual for local authorities to establish companies at arms-length from the authority for similar purposes. For example, Liverpool's Capital of Culture programme 2008 was delivered through a private company established by the City Council in much the same way as Bristol 2015 Ltd. There are advantages from doing so in terms of the speed and flexibility of decision-making, contracting processes and the ability to attract funding and other active involvement from private and charitable sources. There are also other circumstances in which in-house delivery may produce sub-optimal outcomes. That is why the Chartered Institute of Public Finance and Accountancy (Cipfa) has issued guidance to its members on **Alternative Service Delivery Models**¹ which examines the possible options and discusses the circumstances in which the different particular models may represent the best choice.

¹
<http://webcache.googleusercontent.com/search?q=cache:AAIBjyEjsH4J:www.cipfa.org/~media/files/cipfa%2520thinks/insights/cipfa-insights-alternative-service-deliverymodels.pdf%3Fla%3Den+&cd=1&hl=en&ct=clnk&gl=uk>

21. With the benefit of this guidance and drawing on experience elsewhere, I have concluded that the creation of Bristol 2015 Ltd to manage the European Green Capital programme was the right decision. In coming to this view I have noted that careful consideration was given within the Council to the possible alternative company structures, reflecting proper legal advice on such matters as the application of charity law, EU procurement regulations and the composition of the company board, before final decisions were taken. I have also concluded that the City Council put proper mechanisms in place to ensure adequate oversight and accountability of the company, some of which I comment on further below.
22. The composition of the company Board was one of the issues that was subject to much discussion prior to the creation of the Company. Although it had originally been intended that this should allow the Council to exercise effective control it was quickly recognised that such an approach would be counter-productive and that the Company needed to be clearly perceived as being, and both in law and in practice in fact, independent in its decision making with a Board that was representative of key public and private sector partners. I believe this objective was achieved.
23. The sole member of the Council on the Company Board was the city's elected Mayor. Although he apparently held this position in a personal capacity rather than as a representative of the Council, with hindsight, it is now considered by some that the inclusion of the Mayor as a Company director meant that the decisions of the Board were inevitably going to be drawn into the political sphere. It has been put to me that it would have been better for him to attend as an observer or for the Council to have been represented on the Board at officer level. I recognise the force of this argument and I am conscious that the fact of all-out Council elections in Bristol for the first time in 2016, as well as the election of a Mayor, may have caused political debate within the city to have been unusually intense during 2015 and the early part of 2016. Nevertheless, I believe there are other reasons for the ensuing controversies and there are substantial benefits in having the Mayor as a director, both from the perspective of effective accountability to the City Council of an arms-length body and from his ability to commit BCC resources.
24. The visible commitment of the Mayor contributed to the success of the programme and encouraged others to make similar commitments. But I acknowledge that the arguments are finely balanced. I therefore recommend that for similarly high profile projects of this kind in future, careful consideration should be given to the issue of whether the city's elected Mayor should be a member of any relevant arms-length company board or partnership body, and if so the capacity in which he should serve.

25. Although he was a Board member in a private capacity I believe that in practice he will have been seen by others as a representative of the Council and the position should therefore have been clearer. In my view, few people would be able to distinguish between the Mayor's public and private roles in serving on the Board of a company created by the Council, to which he had originally been appointed by the Council as Chair, deriving most of its income from the Council and contracting with it to fulfill a public purpose. In future, if the Mayor is to serve on the Board of a similar body there must be greater clarity about his role.
26. Some similar considerations, although not the concerns about politicisation, apply to the role of the Council's chief officer in arrangements of this kind. When Bristol 2015 Ltd was first incorporated the role of the then City Director, who had joined the Council only two weeks before the EC decision to award Green Capital status to Bristol was announced, was intentionally entirely independent of the Company. Indeed, the City Director was a signatory on behalf of BCC to the contract with the Company. However, at a later stage the City Director took a more active role and following the departure of the former Programme Manager in August 2014, the City Director, reluctantly and only at the request of the Company Board which was anxious to avoid delays and other issues that might compromise the delivery of the programme, became the Company chief executive and received payment for this role which was separate from and additional to the salary received as City Director.
27. In agreeing to this the Council recognised that there was potential for some confusion and arguably some conflict of interest. It therefore obtained independent legal advice from Bevan Brittan LLP before doing so. In essence, the advice received was that there was no fundamental obstacle to the City Director holding both roles simultaneously providing appropriate steps were taken to mitigate any perceived conflict. For this reason, she was not appointed to the Board of the Company and Barra MacRuairi, the Strategic Director for Place, became the client officer for the Council. In addition, the payment she received was made to ensure that her role as chief executive of the Company was legally distinct from that of City Director. In all respects both the Council and the Board of the Company acted in accordance with the legal advice they received.
28. Nevertheless, at least in the minds of some of those I have interviewed, the perception of a conflict remained and was manifested, for example, by an open letter to the Bristol Post in January 2016, written as City Director, in response to an open letter from the former MP for Bristol West, Stephen Williams. I recommend that for the future, the same careful consideration proposed above in respect of the role of the Mayor should extend to the role of the Council's principal adviser.

The Accountability of the Programme

29. While I believe that the decision to create Bristol 2015 Ltd was the right one, it should be recognised that there are also disadvantages associated with this form of delivery mechanism. The House of Commons Public Accounts Committee (PAC) and the Comptroller and Auditor General (C&AG), who leads the National Audit Office (NAO), have for some time been questioning the accountability of private bodies dependent on public funds. Examples can be seen in NAO and PAC reports over recent years on such matters as the Work Programme, offender management and the provision of interpreter services to HM courts. It is no doubt with these issues in mind that the MP for Bristol South, Karin Smyth, who is a member of the PAC, at various points raised questions about the accountability of Bristol 2015 Ltd with Bristol City Council, and with the Comptroller and Auditor General, Sir Amyas Morse.
30. She was not alone in voicing concerns. Stephen Williams, the former Member of Parliament for Bristol West, referred to above was a former city councillor who had been a Government minister in the Coalition Government of 2010-2015. At the request of BCC he had played a role in the award of the £7m that was made by DECC and in persuading his colleague Danny Alexander MP, the then Chief Secretary to the Treasury, to travel to Bristol in April 2014 to announce this grant. This role is unlikely to have been decisive as the decision to make Government cash available arose from a meeting between the then Prime Minister, two of his Cabinet colleagues, former Mayor George Ferguson and the then City Director Nicola Yates. But Mr Williams nevertheless had good reason to be interested in the detail of how the money had been spent.
31. As Parliamentary Under-Secretary of State at the Department for Communities and Local Government from October 2013 until the General Election of May 2015 he had also been closely involved in the development of the **Local Authority Transparency Code**² which took effect in February 2015. This obliges local authorities to publish information in respect of all spending transactions over £500 and all contracts valued at more than £5,000. An earlier version of this Code had placed a similar requirement on local government applicable from 31 December 2014, with a duty to publish the required information quarterly thereafter. The information defined by the Code and which local authorities are legally obliged to publish includes “individual invoices”. When he joined with councillors and campaigners within the City in the latter part of 2015 and early 2016 in asking for a more detailed breakdown of the way in which the DECC grant had been spent, than was available under the summary headings of expenditure reported to City Councillors, he was therefore aware that had the money been spent directly by the Council the Transparency Code would have obliged publication of invoices in excess of £500.

2

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408386/150227_PUBLICATION_Final_LGTC_2015.pdf

32. The Council's response to Mr Williams prompted Karin Smyth MP to raise questions with the C&AG about the arrangements by which the grant to the council of £7m from the Department for Energy and Climate Change was passed through to the company for spending on projects. In a reply to her dated 4 April 2016 Sir Amyas states:

"In relation to the council holding the grant and making funds available to the Company via a contractual relationship, I am content that this is good practice. The contract between the council and the Company allowed the council to pass through the conditions from DECC, including reporting requirements, rights to information and audit access."

33. The contract, referred to, which is available in full on the Council's website, was only part of the accountability arrangements to which Bristol 2015 Ltd was subject. As the chair of the company pointed out to Ms Smyth in a letter dated 30 March 2016 monitoring of its activities took the form of:

- "Regular monthly updates to the Bristol City Councillors;
- monthly reports to BCC which allowed payment of funds based on deliverables under our contract with BCC;
- five submissions to the Audit Committee;
- monthly reports to DECC;
- regular reports sent to the European Commission;
- two internal and one external audit with a second external audit completed and about to report positively;
- comprehensive February CEO's report with 24 detailed appendices, in the public domain, which was provided at the Board's request giving extensive information about operational and financial matters over the last 18 months;
- assessments by the Audit and Scrutiny Committees of the Bristol City Council."

In total, there were 11 reports to Council committees between June 2013 and March 2016. For people coming from a private sector background this is a heavy burden of accountability, but given that £8.5m of the £12.6m programme came from taxpayer funded bodies, it was accepted without question by the Board of the Company. However, the view of the Board was that while it should comply with controls and audits that were agreed, to go further than that was unnecessary. Responding to repeated requests by others for more detailed information than was reported to the BCC Audit Committee therefore appears to have been regarded by the Company as a distraction, although in the public sector this is an everyday fact of life and was therefore foreseeable. If there was room for doubt, the nature of the accountability demands that Bristol 2015 Ltd would be subject to, despite its arms-length status, should have been made clearer to all concerned at an earlier stage. For future arrangements of this kind I recommend that the letter of appointment of company directors should specify their responsibilities in this respect.

34. Nevertheless, I can find no reason to disagree with the Comptroller and Auditor General about the adequacy of accountability arrangements. In my view they were robust, proportionate, and in line with what I would have expected to see. Indeed, I would go further. The decision to pass the £7m grant from DECC through the Council was at its suggestion. DECC had originally proposed making payment directly to the Company. Had it done so there would have been less accountability for the expenditure from this grant than the Council was able to achieve.

The Transparency of the Programme

35. In reaching the above conclusion I am however mindful of the distinction to be made between accountability and transparency, although clearly the two are related. Private sector partners providing funding for parts of the programme and suppliers contracting with the company wished to preserve commercial confidentiality in respect of their transactions and, significantly, one of the explicit benefits, from the Council's perspective, of establishing the Company was that it would be free from obligations under the Freedom of Information Act 2000 (FOI) "given commercial sensitivities". In my view, the avoidance of FOI responsibilities can never be a legitimate objective of a public body, in this instance not least because the Act allows commercially sensitive information to be withheld from publication.
36. Although the Local Government Transparency Code did not apply to the Company the situation in respect of the Freedom of Information Act is less clear cut. The legal advice given to the directors of the company was that FOI did not apply to it and this was also the view of the Council. Moreover, this view appears to have been accepted by the C&AG in a letter to Karin Smyth MP dated 24 February 2016 in which he states:

"You have established that Bristol Green Capital Ltd is not subject to Freedom of Information legislation as it is not publicly owned. I can also confirm that I do not have access rights to audit Bristol Green Capital Ltd"

However, in the later letter to Ms Smyth, dated 4 April 2016 and referred to above, Sir Amyas states:

"On transparency it is worth noting that the contract between the Council and the Company contains provisions for rights over information and audit access. These include provisions extending my rights of access to audit the use of the DECC grant through to the Bristol 2015 Ltd (the Company) and for the Company to assist the Council in responding to FOI requests, including through providing relevant information when requested to do so by the Council"

Sir Amyas then goes on to draw attention to guidance issued by the Office of the Information Commissioner (OIC) concerning the applicability of the FOI to outsourced services³ and to state:

"it is for the Information Commissioner to rule on compliance with FOI requests"

3

<https://ico.org.uk/media/for-organisations/documents/1043530/outsourcing-and-freedom-of-information.pdf>

37. As noted in this later letter the OIC guidance suggests that where information is held on behalf of a public authority it may be subject to FOI provisions. The rules are complex and the applicability of the test is a matter of judgement as well as of law. For example, the guidance notes that

“information is ... held by a public authority ... if the contractor or another party holds it on behalf of the authority. There should be an objective basis for deciding what information is held on behalf of the authority. The contract is the main source to decide this.”

In the case of Bristol 2015 Ltd, it is unlikely that FOI would have applied to projects being funded wholly from private sources, which were clearly distinguishable as such within the Company’s accounting systems, but it may well have applied to projects funded by the Council or from the DECC grant and even if it had not, it appears that the Council had contractual rights of access to information that had been the subject of FOI requests.

38. Nevertheless, it is also important to note that the OIC guidance on these matters was not issued until 24 July 2015. It was therefore unavailable to both the Company and the Council when the Company was created, although some of the case law from which the guidance is drawn was extant at that time. When requests first began to be submitted for details of the Company’s expenditure, the Company, its partners and suppliers believed they were on firm legal ground in resisting such requests and so it is unsurprising that there was considerable concern about alleged retrospective changes in the ground rules when in June 2016 the newly elected Mayor decided to publish 600 invoices previously issued to the Company.
39. There was justification for this concern, especially as some of the invoices concerned contained personal information and covered work funded by private money. It is surprising that at least some of the invoices were not subject to redaction prior to publication. But I believe there was also a genuine misunderstanding about the provisions of the Freedom of Information Act 2000 and its applicability to the Company, given the contractual arrangements that had been adopted and the source of most of the Company’s funds. While the Company’s desire to respect undertakings that had been given to suppliers and partners was commendable, for the future, I recommend that arms-length company directors should be made aware of the guidance from the Office of the Information Commissioner on this matter and should be encouraged to draw it to the attention of suppliers. Where there is legitimate room for doubt about the applicability of FOI legislation, the Council and its arms-length bodies should adopt a presumption in favour of transparency. With hindsight, the stance taken by both the Council and the Company in responding to FOI and similar requests for greater transparency unwittingly created suspicions that there was something to hide. In truth, these suspicions were wholly unfounded, as the Council has subsequently established.

The Inclusivity of the Original Objectives

40. Bristol is a very diverse city with a population that derives from 120 different countries of origin, speaks 91 different languages and practises at least 45 religions. Nearly 20% of the total population is of black and minority ethnic (BME) origin and in some wards the proportion is around 50%. It is also very economically diverse, displaying extremes of wealth and poverty, and spatially diverse, with these different groups largely concentrated in different areas of the city. In some parts of Bristol there are large parts of the population, especially among young people or the very elderly, who never, or very seldom, visit the city centre. Building greater social and community cohesion and creating social capital within disadvantaged communities are therefore constant priorities for BCC. Becoming European Green Capital 2015 provided an opportunity to advance these objectives and this was recognised in the composition of the Bristol 2015 Ltd Board and in the way in which it designed and delivered the programme for the Green Capital year. But while tackling exclusion was seen by both the Company and the Council to be important, this was not their sole, or even principal objective.
41. As stated above, the bid approved by the European Commission when awarding Bristol the title of European Green Capital 2015 did not contain specific objectives. The primary focus of the Commission was on knowledge transfer across the EU and the primary focus of BCC was on showcasing and celebrating the city's achievements with a view to promoting economic development. It was the drive and enthusiasm of the then city Mayor, who has a lifelong commitment to environmental causes, which prompted the city to seek to engage its population to a greater extent than previous winners of the award had sought to do. But the consultant responsible for developing the more ambitious programme was not appointed until September 2013, the interim 2015 team was not created until January 2014 and the Company was incorporated only on 1 March 2014. There was therefore little more than a year, and arguably less than a year in which to raise the cash, and design and deliver the specific projects which would be needed to match these broader ambitions.
42. The Council undertaking to provide funding of £1m did not come close to meeting the requirement for some £20m, identified when an outline programme was first put together, so there was an imperative to raise additional funding. This was expected to come from a range of private and public sector sponsors, grant-funding and in-kind volunteer resources. The consultant employed by the Council to assist it in managing these tasks later became a permanent employee and was subsequently seconded to the Company. The energy and imagination of the individual concerned, who had valuable experience of Liverpool's year as Capital of Culture, was critical to both the detailed conception of the programme and the fundraising effort need to deliver it; and despite the limited time available there was undoubtedly consultation with many stakeholders on proposed ideas for inclusion, although details are no longer available of how widespread these consultations were.
43. But given the need to raise a large amount of money in a short period it is at least possible that more effort was put into consulting those who appeared likely to have funds available than those who did not. Ironically, the success achieved in raising

private funding may have disenfranchised some key sections of society. And there is clear evidence that the eventual overall shape of the programme was largely determined by what partners, including and perhaps especially DECC, were willing to fund. Moreover, the consultation was necessarily with existing bodies and community groups. No attempt to reach beyond them, to individuals or networks with which there had been no prior engagement, could realistically have been successful at that stage.

44. This is reflected in the experience of some of those I interviewed as part of my review who became aware of the Green Capital year only at a late stage or because of their association with an environmental interest group. But it does not however mean that either the Company or the Council lost sight of inclusivity as a key consideration. As described in paragraph 8 above the Council decided at an early stage to define three over-riding objectives which were pursued across five themes. Two of the three objectives were identified as sustainability leadership and international profile. These had a direct relevance to the European Commission objective of promoting knowledge transfer and the BCC objective of promoting economic development within the city that had originally prompted the Council to pursue Green Capital status and persuaded the European Commission to grant it. But the first objective was stated as local empowerment and this was subsequently listed as the first objective on both the Company and Council website and publications.
45. However, empowerment and inclusivity are, of course, not necessarily the same thing. For example, when parents become more empowered in relation to decisions over secondary school admissions middle class parents prove better than others at knowing how to play the system so the effect is often to increase exclusion rather than reduce it. And in this case the empowerment objective was originally defined by reference to organisations already playing a full role in civic affairs. Empowerment was defined as:

“Empower existing initiatives, networks and organisations to further improve the environment of Bristol”

I accept that this was a well-meaning attempt to avoid effort being needlessly expended on the creation of new organisations or on the design of new projects which might be in competition with existing ones. But it was a narrow definition of empowerment and the limitations of this formulation were not acknowledged until a later stage when, **as a report**⁴ to the Scrutiny and Overview Management Board reveals, the then Mayor, councillors and others made it clear that they wanted the programme to:

“enable those who were already engaged in this area to do more

AND

to reach individuals, communities and organisations which were not.”

4

https://democracy.bristol.gov.uk/Data/Overview%20&%20Scrutiny%20Management%20Board/201603021800/Agenda/0302_9.pdf

This was then reflected in, for example, the Grants Programme, where the initial guidance made it clear that inclusivity formed part of the criteria and some otherwise strong applications were rejected for failing to satisfy this test, as well as in the approach taken to the Neighbourhood Arts Programme. But, in my opinion, it is fair to say that although no-one was deliberately excluded and inclusivity formed part of the key objectives of the Green Capital year it was an underlying consideration rather than a principal driver and was not built into the design of the programme from the very earliest stages.

46. Nevertheless, once the omission was acknowledged both the Company Board and the Council did more than pay lip service to this objective. After the initial set up, the Board was restructured following advertising which emphasised the need for a broad range of skills and experience and through a process of competitive appointment. In consequence, the membership was drawn from different parts of the city as well as from different stakeholder groups or experts with a recognised interest in one or other of the agreed themes. For example, one of the Board members was Director of Knowle West Media Centre, an education project serving one of the most deprived wards in the south of the city. Another was the chair of the St Paul's Carnival. There was an African woman and there was also a Sikh, although in each case they were not there to represent a minority ethnic community but to make a particularly valued set of skills available to the collective discussions of the Board. Both the Chair of the Board and the Mayor, who was also a Board member, visited different parts of the city and spoke to different groups about the aims of the programme and the projects comprising it and there was a conscious bias within some elements of the programme in favour of excluded groups or disadvantaged areas. Several members of both the Company Board and the Council also participated fully in Ujima Radio's Big Green and Black Debate and have encouraged the ongoing discussion of these matters that Ujima Radio has promoted.
47. It is arguable and indeed was argued within the City by some people in the latter part of 2014 that neither BCC nor the company had a sufficiently deep understanding of how the objective of promoting local empowerment, even once more broadly defined, might best be pursued across the five chosen themes of nature, transport, energy, resources and food. It is also likely that appreciation of how environmental considerations impact upon social inclusion varied across each of these themes. For example, fuel poverty has long been recognised as an issue of social inclusion and so too has the importance of a healthy diet and the role that local sourcing and proper education can play in ensuring both the availability of good quality food and the skills needed to cook it. But, for example, there was only limited or no engagement with elderly groups about how to reduce fuel bills and the short timescale between the announcement of the EU decision and the commencement of the Green Capital year did not permit any wider public debate than the limited time and space given over to discussion of these matters by local broadcasters and newspapers. And by October and November of 2014 it was already too late in any event to fundamentally alter the shape of the programme, which was published in September 2014, at least without a substantial additional cash injection by the Council.

48. Moreover, during the year itself the number of events included in the programme and the pressure to move on from the completion of one to the organisation of the next meant that there was little time for reflection. In consequence, the learning from experience as the year progressed was limited and there was little evidence of deep understanding of the links between social justice and environmental issues such as the need to provide the economic conditions needed to permit poor people to participate in the Green movement. BME groups invited to participate in workshops and similar events welcomed the opportunity to do so but argued that it would have been more helpful for them to have been involved in setting the agenda. And many of those who did attend events were able to do so only because it was part of their job. Once the Programme was under way it was too late to consider whether it might be possible to compensate others for whom attendance might involve loss of earnings or some other personal cost. To make it easier for a wider group of people to attend, a large number of activities were scheduled to take place in the evenings or at weekends. Yet unless childcare facilities were also available this still excluded single parents who could not afford to pay for childcare, for example, from being able to participate. And a few more events away from the city centre might have made attendance at them more attractive to traditionally excluded communities, although projects associated with the grants and community arts were held in all parts of the city and the Company did take steps to ensure that travel costs were not a barrier to attendance at some key events held in the city centre. For example, free transport was laid on from all over the city for attendance at the Youth Day.
49. Although the grants programme was consciously geared towards more deprived areas, it too had an in-built bias in favour of existing groups and “insiders”. Decisions on the award of grants were made impartially and reflected the quality of the applications submitted. But writing grant applications is a skill that is best acquired by experience, so well-established groups have it and others do not, with the result that regardless of the quality of their ideas and capacity people from poorer backgrounds are doubly disadvantaged by this process. For example, deadlines may be missed or key criteria overlooked. Had thought been given at an early stage to the support needed to assist community organisations not used to submitting grant applications to navigate their way through the system, it might have been possible to approve funding for a wider range of projects.
50. Although more people became involved as the year progressed and although the lack of diversity within BCC itself is seen to be a problem within BME communities, there is also a sense that some obvious opportunities to generate wider engagement at an earlier stage were by-passed. For example, had time permitted, the 14 neighbourhood forums and the multi-faith forums might have been invited to submit ideas for the outline programme that was the basis for requesting funding support. And the Council could have done more to demonstrate its commitment to reaching out to all parts of the city by responding with greater vigour to a pollution problem in Avonmouth during the Green Capital year which caused residents to experience serious nuisance from

flies. In the inner city, thought should have been given to the messages that might be conveyed when a planned visit by the Secretary of State for Energy and Climate Change to a unique geothermal project funded by her department and managed by the King George V Memorial Trust at Owen Square Park in Easton was cancelled by the Council.

51. There is also a recognition that some opportunities were missed to pursue small new projects which would not have cost large amounts of money and to give greater prominence to existing projects within more deprived areas of the city that would have enabled excluded communities to feel a greater sense of engagement with the Green Capital year. For example, it is possible that some small-scale events might have been funded through crowd-sourcing and there is acceptance that allotments might usefully have been showcased to a greater extent within the food theme. I have heard other examples during my review and it is also possible to argue, as some have done, that it would have been better to have a programme comprising fewer events, with time for more thought to be given to the approach to be taken to each of them.
52. It might have helped too if more effort had been made to engage National Health Service (NHS) bodies in the Green Capital year. The NHS was involved to some extent but it could have played a much bigger role. It has a large number of BME staff, a substantial presence in disadvantaged areas, regular contact with people from all sections of society and a shared commitment to reducing inequality. Moreover, it has a direct sectoral interest in some of the themes and issues dealt with as part of the Green Capital year, such as promoting healthy eating and reducing air pollution. And the connection between poor mental health and feelings of disempowerment or alienation is well understood within the NHS. It therefore had more to contribute to the programme than it appears to have done. This is particularly surprising as the Bristol inner city Wellbeing Hubs and Communication Centres is a former winner of an NHS Alliance Excellence Award for the best community health engagement project in the UK and was developed in partnership with BME community representatives and health and social care staff. The Company sought to overcome this relative lack of engagement by the NHS in various ways. For example, one of the main strategic Grants “Food on prescription” tackled the relationship between food and health, concentrating on poor areas of the city and the initial discussion phases of the national health and wellbeing bill were held over three days in Bristol as part of the year’s activities, but greater involvement by NHS bodies would undoubtedly have gone some way to addressing subsequent concerns about inclusivity.
53. In short, to the extent to which the Green Capital year was insufficiently all encompassing and inclusive it is important not to ascribe the responsibility for this to the Company alone or to see it as anything other than a few missed opportunities identified only with the benefit of hindsight. Both the Council and the Company had a role to play and so too did others in leadership positions within the city. But all were well-intentioned. No groups or communities were deliberately excluded, and engagement steadily increased during the year, reaching many people who had no prior involvement in environmental issues.

54. On reflection, both the Board and the Council acknowledge that more could and should have been done in pursuit of the local empowerment objective they had adopted. In a report on the Lessons Learned from Bristol 2015 prepared in September 2016 for discussion by the Company Board the author acknowledges that inclusion was considered by the Board as a key requirement and states that:
- “Inclusion was particularly important with reference to Objective (1). There was agreement that although there was considerable effort put into and, indeed success achieved in being inclusive in the delivery of the programme, more could have been done to better effect. This conclusion is likely to be the case in every project, since inclusion is a central and long-standing issue for Bristol as a whole and the European Green Capital was no exception. Inclusion was not specifically adopted as a distinct objective for the Company but it was an underlying requirement. The ‘active striving’ element was missing and a more passive encouragement approach was used instead. Repeated efforts were made to increase inclusion and, indeed, several strands of work focused on this specific topic as the key objective (e.g. neighbourhood arts programme). The key learning is that inclusion has to be embedded in the structure, governance and programme delivery from the start.”
55. I would not take issue with these conclusions but would add that this requires a paradigm shift within the Council. I would recommend that thought be given now, well in advance of any possible future initiative of this kind, to ways in which the Council might build capacity within disadvantaged communities and organise future consultations or workshops so that it is possible for them to reach beyond “the usual suspects”. Nevertheless, I also recognise that in relation to the Green Capital year it is important not to under-estimate the difficulties confronted by the Company as a result of the absence of any real thought having been given to these issues prior to the submission of the bid, or even at the stage at which the more ambitious programme was being developed in the latter part of 2013 and the Spring of 2014.
56. It is also important not to under-estimate what was actually achieved or the extent to which traditionally excluded groups were able to, and in fact did, engage with the Green Capital programme and took pride in its success.

The performance of the company and the Legacy of the 2015 Green Capital Year

57. There have been two substantial reports on the outcomes of the Bristol 2015 Green Capital year. The first of these⁵ was prepared by Council officers and presented to the Overview and Scrutiny Management Board on 2 March 2016, alongside a short film presentation by the Chair of the Company. The report concluded that:

“Bristol has successfully achieved its three principal objectives:

- **Local Empowerment.** Bristol has developed a substantial programme to empower local people, communities and businesses. It has reached every neighbourhood in the city and supported over 200 local community-led projects. The programme has reached more people than any previous European Green Capital’s programme.
- **Sustainability Leadership.** Bristol has fulfilled its responsibilities as European Green Capital and in doing so contributed to the wider sustainable development of Europe as well as boosting our reputation.
- **International Profile.** Bristol has boosted its international engagement this year, reaching a global audience. We have accelerated our work developing partnerships which we will use to secure funding and investment in the future.”

The other major report was prepared by the Company and published under the title *In It For Good: Bristol European Green Capital 2015 Citywide Review*⁶. This is a 135 page report which provides a very full account of the work of the Company and the projects it sponsored. It includes a wealth of statistics which I have not attempted to summarise as part of my review and also reproduces the text of the congratulatory letters from the EC referred to in paragraph 2 above. Both reports testify to the undoubted overall success of the Company and the programme it delivered. But because of the focus in my terms of reference on inclusivity and legacy I have concentrated on the evidence provided by these reports and other aspects of my review that the programme achieved success in these two particular respects.

5

https://democracy.bristol.gov.uk/Data/Overview%20&%20Scrutiny%20Management%20Board/201603021800/Agenda/0302_9.pdf

6

<https://www.bristol2015.co.uk/citywide-review/>

58. The Citywide Review notes that 40% of the total funding went on projects with a focus on lasting local empowerment and quotes the former City Director, in her role as chief executive of the Company, as concluding:

“Empowered citizens are at the heart of truly sustainable cities. That is why we placed so much emphasis on projects that had a focus on lasting local empowerment. Whether people engaged with an art project in their area, attended a lecture or tried volunteering, we created lots of different ways for people to get involved.”

Under the Local Empowerment heading it lists the Grants Programme, the National Schools Programme, Go Green, the Volunteering Programme, the Neighbourhood Arts Programme, Bristol City Council Green Capital Projects, the Museums Programme Life Raft, Cunae and Bristol’s Festivals. No doubt some of these, while open to all residents of the city to participate in, proved in practice to be less inclusive than others. But there is little doubt that collectively they reached many communities within the city that the Council has traditionally found it hard to engage. The Schools Programme, the Grants Programme and the Neighbourhood Arts Programme are worthy of particular mention.

59. The Schools Programme involved 14,300 key stage 2 children (aged 7 to 11). It was the most ambitious and comprehensive education programme of any European Green Capital and saw 2,774 children attending field trips, 10,220 attending workshops at the Festival of Nature and over 8,000 sessions delivered on the Sustainable Learning website. The programme is now called Sustainable Learning and is part of the Council’s services supporting schools and driving behaviour change. Perhaps its most important element was the creation of lesson plans and other online resources for future use by teachers in Bristol and elsewhere across multiple subject areas and curriculum objectives. It made good use of pedagogical research and feedback from teachers on the need for teaching and learning materials in this area and has since been rolled out nationally. Workshops were delivered specifically by Bristol education partners, highlighting to teachers that sustainability can be part of national curriculum learning and be an inspirational part of a child’s school life. Every school in Bristol received resources and assemblies and over 70% took up an offer of five free sustainability lessons for their classes. As an email to the Mayor from the Head of Sustainable Learning and dated 29 September 2016 explains:

“Children enjoyed maths lessons about sustainable ways to travel to school, computer coding lessons about reducing energy consumption, a story telling workshop encouraging them to reduce food miles and include vegetables in their diet, a nature lesson outdoors investigating wildlife in their school grounds as well as waste workshops to improve waste issues.”

The Schools Programme also included an award-winning game Sustainable Shaun developed in collaboration with the internationally renowned animation studio Aardman which has now been translated into 24 languages and is used in 170 countries. The 2 March 2016 report to the Overview and Scrutiny Management Board also drew attention to the One Tree Per Child scheme run with every primary school in the city and reaching all primary school age children.

60. The Grants Programme was similarly far reaching. Like the Schools Programme it was by far the largest scheme of its kind offered by a European Green Capital. It provided grants to 204 projects across three strands – neighbourhood, small and strategic with the neighbourhood grants being managed by BCC through the Neighbourhood Partnerships. This enabled the council to respond to local priorities and bias the awards in favour of disadvantaged areas and excluded groups. A total of 133 projects were funded through the Neighbourhood Grants scheme and over 23,000 volunteer hours were used to help make the projects happen. Similarly, a total of £225,000 was awarded through the small grants scheme with 39 not-for-profit organisations receiving grants of up to £10,000.
61. Among the projects supported by the grants programme were 40 food based projects. They included collective buying groups and fish farming in disused buildings. There were also several transport projects such as bike swaps and new walking routes. Energy projects looked at encouraging sustainable construction of new homes and preparing community buildings to switch to solar energy; and there were several nature projects which included the transformation of derelict land into an orchard.
62. Each of Bristol’s 14 Neighbourhood Partnership areas also benefited from the Neighbourhood Arts Programme which resulted in imaginative and varied projects, some of them with lasting impact. They emerged from a six months consultation with local groups in each neighbourhood. Advisory Groups of local people in each area were also created to help write the creative briefs and choose the artists who were commissioned to deliver the projects. In total, nearly 10,000 people were directly involved through 38 events and 221 workshops and 50,000 were engaged as audience members. Yet only 2% of the overall Company expenditure was devoted to this Programme.
63. My terms of reference also required me to consider the extent to which the envisaged legacy has been delivered. For some elements of the Green Capital year, such as the online teaching and learning resources created as part of the Schools Programme, the lasting benefits are clear. But there are nevertheless inherent difficulties involved in measuring the legacy of projects of this kind:
- Many of the positive benefits may take many years to materialise. For example, it is far too soon to know how the engagement of school children will impact upon the decisions they make in later life.
 - As much of the programme was built on existing projects and initiatives it is a matter of conjecture how far the recognised benefits can be properly attributed to the programme. Some or even many may have occurred anyway.
 - A key objective of the original bid was to act as a catalyst for accelerating improvements, but the Green Capital year was not the only such catalyst and its impact is difficult to separate from that of others. For example, developments that would not otherwise have happened may have been stimulated more by concern about repeated UK experience of flooding than by the Green Capital programme.

- And at least some of the benefits that could clearly be attributable to the programme may have been mitigated, at least to some extent, by subsequent events. For example, the positive views within the EC may well have been affected by the subsequent referendum decision in favour of British withdrawal from the EU.

Moreover, in Bristol's case a particular difficulty in assessing legacy impact arises from the lack of detail in the original objectives and the absence of any clear success measures in the bid document. I believe it would have been helpful for more thought to have been given by the Council at an early stage to how the legacy of Bristol's European Green Capital 2015 year would be assessed. It would have been extremely useful, for example, if a baseline assessment had been commissioned against which progress could be measured. Where such measures already exist, for example in relation to visitor nights, they have proved to be helpful. For the future, I would recommend that a comprehensive baseline assessment should be attempted and a plan prepared on how legacy impacts will be captured and reported.

64. Nevertheless, there is an obligation on the Council to produce a report for the Commission in five years time using agreed bench marks as a proxy for formal assessment of the legacy. The original Memorandum of Understanding signed by both the Council and Commission states:

“A winning city final report (an ex-post evaluation report), evaluating the impact of the award on the city, should be completed and ready for publication as early as possible and at the latest by the end of June in the year immediately following the winning year (i.e. 6 months after the end of the winning year)..... A five year update report will also be required from the EGCA winning city 2015.

An Annex to the Memorandum gives guidance on measures of impact to be employed under the three categories of Society, Economy and the Environment. Several of these however are measures of activity rather than impact such as lists of promotional material used to publicise the award locally and across Europe, while others such as “increase in Green procurement” are likely to be, at best, estimates.

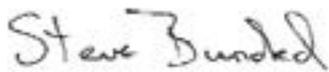
65. Nevertheless, the report, when produced, is likely to demonstrate substantial anecdotal and some statistical evidence of the Green Capital year producing benefits which will have a lasting impact. Among the many which have been mentioned during the course of my review are the following:
- The Quality of Life Survey shows that the poorest wards in the city displayed the greatest increase in concern about climate change.
 - BGCP membership has increased from 200 to over 800 organisations. The Partnership has also been placed on a more secure footing and given greater independence of the Council through incorporation as a community interest company and the direct employment of permanent staff. This was facilitated by support from the Company following the withdrawal of support by the Council referred to in paragraph 17 above.

- Volunteering has increased and capacity building initiatives are ongoing. For example, the University of Bristol is continuing with its programme of encouraging student volunteers and has made money available to work with BGCP and Ujima Radio on developing Green and Black ambassadors. It is also seeking additional funds from elsewhere to support this. There is substantial evidence that the Green Capital year has fundamentally changed not just the way in which the University thinks about environmental issues, including the asset management of its own estate, but also the way in which it engages with the city.
 - The University of Bristol has also recorded the highest ever number of applicants for its Masters courses in Environmental Sciences.
 - The number of Wildlife Trust volunteers trebled during the year and that increase has been maintained.
 - 36,000 trees were planted as part of the education programme.
 - The international reputation and profile of the city has clearly been raised. Visitor numbers during the year reached record levels and the number of overseas delegations rose from 12 to 70. The city's involvement in the Climate Conference in Paris also means that many of its key figures are now in strong demand for overseas speaking engagements providing further opportunities to showcase what Bristol has achieved.
 - There has been a lasting impact on the ambition of the city's transport plan which has been heavily influenced by one of the theme groups established during the year. The Corporate Plan now commits Bristol to being carbon neutral by 2050.
 - New thinking about transport issues has also permeated other organisations. Airbus is building an electric plane which it expects to test-fly in 2017 and a major commercial property developer has abandoned its use of cars and issued staff with electric bikes.
 - There is evidence of many small-scale projects initiated during the year having continued beyond it, for example community-led projects growing food.
 - There is also evidence that the commitment of private sector partners has continued. For example, the Smart Alliance between BCC, Bristol 2015 Ltd, Skanska, KPMG and FirstGroup plc will see more than £600,000 invested in sustainability projects benefiting the whole city.
66. This is not intended to be an exhaustive list and as indicated above, some of the legacy impacts may not yet be apparent. An important part of what the Green Capital year attempted to achieve was raising the consciousness and ambition of those who live in the city in relation to environmental matters. It was about encouraging people to believe that more could and should be done. And in that respect, I have no doubt that it was a very great success.

Conclusion

67. My review of the Bristol Green Capital 2015 year has been at least the third of its kind. It follows the review conducted by Council officers and reported to the Overview and Scrutiny Management Board on 2 March 2016 and the Lessons Learned review which was conducted within Bristol 2015 Ltd and reported to its Board on September 2016 before being shared with the Mayor. I make no apologies for the fact that I have come to broadly similar conclusions as these two previous reviews. Nor do I apologise for the fact that although the emphasis in my terms of reference was learning the lessons from success I have felt it necessary to dwell at some length on aspects of the year which, even if successful, gave rise to controversy or dispute. It was clear to me at an early stage that these controversies caused some damage to relationships which now needs to be repaired if this has not already been done. It has become increasingly less clear to me why such damage should have occurred in the first place.
68. The differences of view that gave rise to controversy were no more than that. They did not represent opposing values or conflicting motivations but differences of emphasis and perspective. Previous winners of the award, such as Hamburg, experienced similar differences but on a lesser scale as their plans were less ambitious. In Bristol the intensity of debate was a manifestation of the intensity of the commitment of all concerned, the optimism engendered by the city's long history of achievement and the challenges confronting those within leadership roles in Bristol as a consequence of the city's diversity.
69. The bottom line is that measured against the task that it was given, it is impossible to reach any other conclusion than that Bristol 2015 Ltd performed well and the Green Capital year was a considerable success. It contained creative eye-catching projects which captured the imagination of the public. It engaged many schoolchildren and youth organisations and caused them to perhaps think about environmental issues in new ways. It provided support in the form of grants to a number of small organisations. And at the same time it enhanced the external reputation of the city and resulted in a huge increase in visitor numbers. In short, by any measures the year was hugely successful, popular and rewarding, with positive outcomes that are likely to last for many years. It did not resolve the problems of exclusion within the city but could not reasonably have been expected to do so. No doubt, it could have made a greater contribution to doing so, but only if this had been built into the objectives by the Council from the earliest stages and if more time had been available to think through the best way of tackling these issues. The challenge now confronting the city's leadership is to devote the time and thought needed to address these challenges in advance of any future major initiative of a similar kind.

70. In conclusion, I would like to thank Mayor Marvin Rees and Bristol City Council for inviting me to undertake this review. I would also like to offer my own congratulations to Bristol City Council, Bristol 2015 Ltd, and all those directly concerned in its delivery for the undoubted success of Bristol's European Green Capital 2015 programme. Bristol has made a huge contribution over many years to advancing understanding and concern about environmental matters within the UK and beyond. I hope this continues to be the case for many years to come.



Steve Bundred

21 December 2016

Appendix A

Evidence Base

The following is a list, in alphabetical order, of those I interviewed during the course of my review:

- Martino Burgess** – Head of Bristol Corporate SME, Gregg Latchams LLP
- Mohammed Elsharif** – Health Improvement Manager, Bristol City Council
- George Ferguson** – Bristol City Mayor, November 2012 - May 2016
- Dr Andrew Garrad** – Chair, Bristol 2015 Ltd
- Cllr Geoff Gollop** – Chair of Overview and Scrutiny Management Board and Former Deputy Mayor and Cabinet Member for Finance
- Melanie Henchy-McCarthy** – Chief Internal Auditor, Bristol City Council
- Stephen Hilton** – Director of Futures, Bristol City Council
- Stephen Hughes** – Interim Chief Executive, Bristol City Council
- Barra MacRuairi** – Strategic Director for Place, Bristol City Council
- Alex Minshull** – Sustainable City and Climate Change Manager, Bristol City Council
- Professor Richard Pancost** – University of Bristol, Cabot Institute and School of Chemistry
- Marvin Rees** – Bristol City Mayor, May 2016 to date
- Cllr Afzal Shah** – Member, Bristol City Council
- Karin Smyth MP** – Member of Parliament for Bristol South, 2010 to date
- Stephen Williams** – MP for Bristol West, 2005-2015 and DCLG Parliamentary Under-Secretary of State 2013-2015
- Liz Zeidler** – Former Chair, Bristol Green Capital Partnership

In addition, I have benefited from written comments on a draft of this report submitted to me by:

- Dr Andrew Garrad** – Chair, Bristol 2015 Ltd
- Nicola Yates OBE** – City Director, May 2013 - July 2016

I examined the following documents:

Bristol City Council Structure Diagram

Bristol - Green Capital – Report to BCC Corporate Management Team, 5 December 2006

Bristol, A Green Capital - The City Council's Action Plan – Report of BCC Cabinet to Council, 27 March 2007

Green Cities Fit For Life – Original bid by Bristol City Council to the European Commission for European Green Capital 2015 status, available on the European Commission website at <http://ec.europa.eu/environment/europeangreencapital/winning-cities/2015-bristol/bristol-application/index.html>

Bristol European Green Capital 2015 – Report to BCC Cabinet, 27 June 2013

European Green Capital Award – Memorandum of Understanding between the European Commission and Bristol

Creating an Impact: Liverpool's experience as European Capital of Culture – Research Report published by the University of Liverpool

Various BCC emails and internal memoranda covering the period 22 August 2013 to 16 January 2014 and related to the establishment of Bristol 2015 Ltd

Alternative Service Delivery Models – Guidance to its members published by the Chartered Institute of Public Finance and Accountancy

Bristol 2015 European Green Capital: A funding proposal for Government

Bristol 2015 Ltd-Governance and Financial Update – Report to Bristol City Council Audit Committee, 7 November 2014

Green Capital Strategic Grants Funding – Report to BCC Cabinet, 16 December 2014

Articles by Johnathon Walker appearing in the Bristol Post on 30 October 2014 and 12 November 2014 respectively headlined “**Bristol Green Capital can't be left to elite**” and “**Comments help prove my point on divided city**”

Agreement for the delivery of services connected to the 2015 European Green Capital Programme between Bristol City Council and Bristol 2015 Ltd, dated 23 January 2015

Exchange of Open Letters between Stephen Williams (former MP for Bristol West) and Nicola Yates (BCC City Director) appearing in the Weekend Post for 29-31 January 2016 together with an accompanying article headlined “**Green row: Fury as ex-MP asks how £7m was spent**”

Bristol 2015 Ltd-Planned Coverage – Report of BCC Internal Audit, dated 5 August 2015

Bristol 2015 Ltd-Planned Coverage – Report of BCC Internal Audit, dated 7 October 2015

Outsourcing and freedom of information - guidance document – Guidance issued by the Information Commissioner’s Office, 24 July 2015

Bristol 2015 Ltd (3rd Audit) – Report of BCC Internal Audit, dated 26 February 2016

Review of European Green Capital 2015 – Report to BCC Overview and Scrutiny Management Board, 2 March 2016

Green Capital Funding-Final Report – Report to BCC Audit Committee 11 March 2016

Letter to Nicola Yates, City Director BCC from Dr Andrew Garrad, Chair, Bristol 2015 Ltd dated 10 June 2016 concerning publication of invoices

Report concerning Bristol Green Capital 2015 for Bristol City Council – Previous independent review report prepared by Philip McCourt, Consultant, on behalf of Weightmans LLP, dated 22 June 2016

Bristol European Green Capital 2015 Grants Programme – Draft report prepared as a supplement to the Citywide Review by Dorothy Greaves and Alex Minshull and dated 25 July 2016

Various Bristol Green Capital 2015 Monthly Reports to the Department for Energy and Climate Change

Various emails and letters submitted to me by BCC officers and both internal and external interviewees in response to specific questions or by way of amplification of issues raised during interviews; in many instances with links to further information published on the internet

Email to Mayor Rees from Jo Taylor, Head of Sustainable Learning, Bristol 2015 Ltd, dated 29 September 2016 and headed Eco-communities project

Exchange of Correspondence dated 2 December 2014 and 7 April 2015 between Mr Barry Cash and BCC Chief Internal Auditor, Melanie Henchy-McCarthy, together with a spontaneous written submission to me from Mr Cash dated 10 November 2016

Correspondence to and from Karin Smyth MP comprising

- a. Letter to Nicola Yates OBE, City Director, dated 2 February 2016
- b. Letter from Nicola Yates OBE, City Director, dated 4 February 2016
- c. Letter to Sir Amy Morse KCB, Comptroller and Auditor General, dated 4 February 2016
- d. Letter from Sir Amy Morse KCB, Comptroller and Auditor General, dated 24 February 2016
- e. Letter to Andrew Garrad, Chair of Bristol 2015 Ltd, dated 10 March 2016
- f. Letter from Andrew Garrad, Chair of Bristol 2015 Ltd, dated 16 March 2016
- g. Letter (by email) from Andrew Garrad, Chair of Bristol 2015 Ltd, dated 30 March 2016

- h. Letter from Sir Amy Morse KCB, Comptroller and Auditor General, dated 4 April 2016
- i. Letter to Jeremy Pocklington, Acting Permanent Secretary DECC, dated 13 May 2016
- j. Letter from Jeremy Pocklington, Acting Permanent Secretary DECC, dated 1 June 2016
- k. Letter to Mayor Marvin Rees, Bristol City Council, dated 31 August 2016

Together with a summary chronology, prepared by Karin Smyth MP, of her enquiries into Bristol Green Capital spending

Letter to Nicola Yates OBE, BCC City Director, from Andrew Garrad, Chair of Bristol 2015 Ltd, dated 10 June 2016, concerning release by the Council of Bristol 2015 Ltd invoices

Bristol Public Health: Inner City Wellbeing Hubs and Communication Centres Network – Paper prepared by BCC Health Improvement Manager Mohammed Elsharif

Bristol European Green Capital 2015, Citywide Review – Published report of Bristol 2015 Ltd on its activities in support of the European Green Capital year and their impact.

Lessons learned from Bristol 2015: A discussion document for the Board – Confidential document prepared for Board of Bristol 2015 Ltd but submitted to Mayor Marvin Rees under cover of a letter dated 22 September 2016

Apart from those specifically mentioned above, I read several articles, letters, news stories, comments and blogs which are to be found on the Bristol Post website.

In addition, I viewed the webcast of the BCC Audit Committee on 11 March 2016 and the Overview and Scrutiny Board meeting on 2 March 2016, both of which are archived on the BCC website.

I browsed the separate Bristol 2015 website.

I also listened to broadcasts of the Green and Black debates which are archived on the Ujima Radio website and viewed various ITV West Country broadcasts archived on its website.

Appendix B

Terms of Reference

The Mayor and Cabinet wish to commission a review of Bristol Green Capital 2015 with a view to learning from the successes and shaping any future similar opportunities the Council may wish to consider embarking upon.

In particular the Mayor and Cabinet wish to focus on:

- The original objectives for the Bristol Green Capital 2015 and subsequently the company delivering the programme (Bristol 2015 Ltd) to the extent that they were sufficiently all encompassing and reflected the needs of Bristol at that time
- How well the programme and company performed against the original objectives
- The extent to which the envisaged legacy has been delivered, the impact of this legacy and, what, if anything, could have been done to ensure that this was more embedded in the community
- An opinion as to whether the original objectives sufficiently reflected the diversity of Bristol in addressing equality and inclusion