

Democratic Services

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Date: 17 February 2015
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To: The Chairperson and Clerk of each Parish and Town Council in Bath & North East Somerset and the Chairpersons of Parish Meetings

Copy to :
Group Leaders:
Cabinet Members:

Chief Executive and other appropriate officers
Press and Public

Dear Member

Parishes Liaison Meeting: Wednesday, 25th February, 2015

You are invited to attend a meeting of the **Parishes Liaison Meeting**, to be held on **Wednesday, 25th February, 2015 at 6.30 pm** in the **Keynsham Community Space**.

Directions: the Community Space is in the building next to the Civic Centre, above the library. As the main library entrance will be closed at the time of the meeting, please use the door on the west side of the building, facing Temple Street and the Iceland store.

The agenda is set out overleaf.

Yours sincerely



Ann Swabey
for Chief Executive

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Ann Swabey who is available by telephoning Bath 01225 394416 or by calling at the Guildhall Bath (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Ann Swabey as above.

3. Recording at Meetings:-

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator

The Council will broadcast the images and sound live via the internet www.bathnes.gov.uk/webcast An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

- 4. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Ann Swabey as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 5. Attendance Register:** Members should sign the Register which will be circulated at the meeting.

6. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

7. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

Parishes Liaison Meeting - Wednesday, 25th February, 2015

at 6.30 pm in the Keynsham

A G E N D A

1. WELCOME AND INTRODUCTIONS

The Vice-Chair of Council, Councillor Ian Gilchrist, will welcome everyone to the meeting.

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as follows:

If the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted. Arrangements are in place for the safe evacuation of disabled people. The assembly point is outside the main entrance of the Riverside Leisure Centre.

3. APOLOGIES FOR ABSENCE

4. URGENT BUSINESS AS AGREED BY THE CHAIR

The Chair will announce any items of urgent business accepted since the agenda was prepared

5. MINUTES OF PREVIOUS MEETING (Pages 7 - 12)

To approve the minutes of the previous meeting on 22nd October 2014 as an accurate record.

6. THE IMPLICATIONS OF THE CARE ACT (Pages 13 - 14)

A briefing note is attached. Nick Willmore (Programme Manager - Care Act, Adult Social Care) will give a presentation and answer questions.

7. LOCAL DEVELOPMENT FRAMEWORK UPDATE (Pages 15 - 22)

A briefing note is attached. Simon de Beer (Group Manager, Policy, Environment and Planning Strategy) will attend to answer questions on progress with the following issues;

- a) Update on the B&NES Place-Making Plan
- b) The Housing Development Boundaries Review
- c) The Designation of Local Green Spaces
- d) The Community Infrastructure Charging Levy

8. B&NES COUNCIL BUDGET FOR 2015/2016 (Pages 23 - 26)

A briefing report is attached. Andrew Pate (Strategic Director, Resources) will attend to

answer questions.

9. PERFORMANCE OF THE PLANNING DELEGATION SCHEME (Pages 27 - 28)

A briefing note is attached for the meeting to note.

10. PROGRESS WITH THE PROVISION OF IMPROVED BROADBAND (Pages 29 - 30)

A briefing note is attached for the meeting to note.

11. REVIEW OF THE PARISH SWEEPER SCHEME (Pages 31 - 32)

A briefing note is attached for the meeting to note.

12. THE ENERGY @ HOME SCHEME (Pages 33 - 34)

A briefing note is attached for the meeting to note.

13. DATES OF FUTURE MEETINGS

The date of the next meeting will be Wednesday 17th June 2015 at 6.30pm in the Keynsham Community Space.

The Committee Administrator for this meeting is Ann Swabey who can be contacted on 01225 394416.

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Bath and North East Somerset Council

PARISHES LIAISON MEETING

Minutes of the Meeting held

Wednesday, 22nd October, 2014, 6.30 pm

Councillors: Martin Veal (Bath & North East Somerset Council) (Chairman), Paul Crossley, Tim Warren (Bath & North East Somerset Council) and David Veale (Bath & North East Somerset Council)

Representatives of: Batheaston, Clutton, Combe Hay, Compton Dando, Dunkerton, Englishcombe, Farmborough, High Littleton, Keynsham, Marksbury, Monkton Combe, Newton St Loe, Peasedown St John, Priston, Publow with Pensford, Saltford, Shoscombe, South Stoke, Stanton Drew, Timsbury, Whitchurch,

Also in attendance: Tony Crouch (President ALCA)

Officers attending: Dr Jo Farrar (Chief Executive), Lisa Bartlett (Divisional Director, Development, Planning and Transport), Simon de Beer (Planning Policy and Environment Manager), Andy Thomas (Group Manager, Partnership Delivery), Richard Stott (Principal Planning & Enforcement Officer).

14 WELCOME AND INTRODUCTIONS

The Chairman of Council, Councillor Martin Veal, welcomed everyone to the meeting.

15 EMERGENCY EVACUATION PROCEDURE

The Clerk read out the emergency evacuation procedure.

16 APOLOGIES FOR ABSENCE

Apologies for absence were received as follows:

B&NES councillors: David Bellotti, Sally Davis, Charles Gerrish, Eleanor Jackson, Dine Romero

Parish Representatives: Camerton, Corston, East Harptree, Kelston, Hinton Blewett, West Harptree, Ubley

Officers: Louise Fradd

17 URGENT BUSINESS AS AGREED BY THE CHAIR

There were none.

18 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting on 18th June 2014 were proposed for approval by Peter Duppa-Miller, seconded by Councillor Tony Crouch and signed by the Chairman.

19 CONNECTING COMMUNITIES

Andy Thomas, Group Manager, Partnership Delivery, introduced this item which highlighted progress with the Connecting Communities Project. He informed the meeting that 3 Connecting Communities forums were now running and a cycle of meetings had been established. At present, the 3 forums do not cover all of the parished areas yet, but that will follow in the future. He wished to register his thanks to all the parishes who had already taken part for their co-operation. After the national and local elections in May 2015, a series of conference-style events will be held. The Bath City Conference was already successfully established.

Peter Duppa-Miller added that the 3 wards (21 parishes) not yet covered by the forums were those in Bathavon and that he hoped that they would create their own forum.

A representative of Keynsham Town Council commented that there had been difficulties in getting the Clinical Commissioning Group and Curo involved in the forums.

Action: The Chief Executive offered to take this issue to the next meeting of the Public Services Board.

20 WORKING GROUP TO STRENGTHEN COMMUNITY REPRESENTATION AND CIVIC GOVERNANCE WITHIN BATH

Andy Thomas, Group Manager, Partnership Delivery, introduced this item. He informed the meeting that the Elected Members Working Group had identified a wide range of options and wished to encourage parishes to engage with this issue and comment. For the future, the parishes will be kept informed of progress with the consultation process which will include presentations from other areas of the country.

The Chairman thanked Andy Thomas for his reports.

21 LOCAL DEVELOPMENT FRAMEWORK UPDATE

Simon de Beer, Planning Policy and Environment Manager, introduced these items relating to the Local Development Framework.

Core Strategy

The Strategy has now been adopted and there had been no legal challenge, so therefore the adoption has been confirmed. This means that the Council is on a much more robust position to defend challenges from developers.

With regard to the urban extension sites, the Core Strategy requires that the developers prepare a Masterplan in consultation with the community and the Council. Developers have indicated their willingness to do this and work with the local communities.

The clerk to Combe Hay Parish Council informed the meeting that the first exhibition of proposed development of land at Odd Down would be on 3rd November.

Placemaking Plan

Simon de Beer informed the meeting that there had been a positive response from parishes to developing placemaking plans and that the quality of the plans was very high. The options document will be presented to the Cabinet in late November and the consultation period will continue till January 2015.

Councillor Paul Crossley wished to record his thanks to Stanton Drew Parish Council for inviting him to their placemaking planning day. He informed the meeting that he was happy to attend other parish planning days, as was Councillor Tim Ball.

Housing Development Boundaries Review

Simon de Beer informed the meeting that the department had had a good response to the review, with responses from 15 councils to date. These will be included in the Placemaking Plans.

The Chairman asked whether the ward councillors were involved in these reviews and was informed that they were, along with the LDF steering group.

Community Infrastructure Levy (CIL)

Simon de Beer informed the meeting that the consultation on this issue had been completed and it would be submitted for examination in December. A corporate decision would be made as to how the levy would be spent.

The secretary to the Local Councils Association asked whether it was likely that developers will challenge the levy and delay the process. Simon de Beer replied that it was unlikely. The rates are at the high end, but a significant buffer has been included. Section 106 issues have also been taken into account. The Inspector has the option to lower the rate, having assessed our levy. A representative from Batheaston Parish Council asked whether the Section 106 agreement was defunct and was informed that it would work in tandem with the CIL.

Gypsies, Travellers and Travelling Show People Site Allocations Plan

Simon de Beer informed the meeting that the Local Development Scheme had just been reviewed. Work has been delayed to ensure that all adjoining local authorities have a good evidence base as the Strategy requires neighbouring councils to work together on this issue. Once that has been achieved, sites in the West of England can be identified. The Chairman asked when the West of England consultation would be going public and was informed that it would not be publicised as its purpose would be as a background technical document for informing the local authorities. It would eventually be published in Autumn 2015.

A representative from Compton Dando Parish Council asked how the parishes join in the consultation and was informed that a link to the consultation would be sent to all parishes. A representative of Monkton Combe Parish Council asked whether the Council could afford to identify any more sites, given the cost of the Lower Bristol Road site. Councillor Crossley replied that there had been misinformation about the cost of that site.

22 UPDATE CONCERNING HYDRAULIC FRACTURING 'FRACKING' IN B&NES

The meeting noted the briefing note prepared by Phil Mansfield (Group Manager, Building Control).

Peter Duppa-Miller added that the only PEDL area currently licenced in this region is PEDL 227 which covers the southern part of B&NES and into Somerset. Details can be found on this website:

<http://www.ukogf.org.uk/webmap/index.html>;

The holder of the PEDL 227 licence has very recently indicated that they will be submitting a planning application for an exploration borehole within the PEDL 227 area and most likely within the B&NES district. The exact location is not yet known as they are in discussions with land owners. UK Methane have said that they will consult with ward councillors first. The 14th round licence offer closed on 28th October 2014, so additional areas could be licenced.

Councillor Crossley informed the meeting that he had written to the government about the two returned licences and had asked for them not to be included in the re-tendering process, but to no avail. He and Phil Mansfield would be addressing the upcoming shale gas conference about the potential difficulties caused to Bath and the Mendip Hills by the fracking process.

23 PLANNING ENFORCEMENT UPDATE

Richard Stott, Principal Planning Enforcement Officer, informed the meeting that his department had undergone major changes in the past 6 months. 3 full-time planning and development control professionals had been recruited who would be implementing the Enforcement Plan (see attached documents). This had enabled the team to take actions against contraventions. Also, where possible, they had turned complaints

into retrospective planning applications and achieved compromises through negotiation. Actions needed to be appropriate and proportionate. Richard thanked the parishes for their patience as the department dealt with the backlog of complaints.

The Chairman said that he was pleased to hear that the backlog was clearing and asked whether there was a definition of expediency in these matters. Richard Stott replied that many issues were about disputes between neighbours where the public thought that the department could act as mediator, but where the government has granted permitted development rights, the Council has no remit to step in. They might use expediency where there were minor contraventions of the planning rules. Some are more like a nuisance rather than a breach – they would be judged on a case-by-case basis.

A representative from Saltford Parish Council asked whether the parishes will be kept informed as in the past, due to the constraints on the computer system, only the person logging the complaint was notified. Richard Stott replied that, unless the case officer was aware of the parish interest, they might not realise that they should be informed. In North Somerset, the planners publish a quarterly report on the progress of planning applications – the B&NEsteam were looking at this option and others as ways to improve communications. The representative from Saltford was not satisfied with this response and stated that parishes wanted clear action. Lisa Bartlett, Divisional Director, Development, Planning and Transport, replied that they accepted there was a problem but that the department were determined to improve communication with the parishes and release as much information as they could.

A representative from Compton Dando asked how long the process of retrospective planning application lasted. Richard Stott replied that, under the Localism Act, additional provisions were brought in around enforcement, giving local authorities the power to reject the application if there are repeated attempts to circumvent the enforcement notice. Representatives of Monkton Combe and South Stoke Parish Councils asked when the planners would serve a 'stop' notice. Richard Stott replied that it was difficult to give a definite answer as there are lots of legal issues around these notices. They have to consider whether there would be public harm or loss of residential amenity and weigh up the compensation risk. However, they could use temporary 'stop' notices while options are considered.

24 PROGRESS WITH THE IMPROVEMENT IN RURAL BROADBAND

The meeting noted the report prepared by John Cox and John Wilkinson.

Various issues were raised by parish representatives and so the Chairman suggested that, in the absence of the officer, they address their queries direct to John Wilkinson.

25 DATES OF FUTURE MEETINGS

The Chairman announced that the next Parishes Liaison meeting would be on Wednesday February 25th 2014 in the new Civic Centre in Keynsham. The Chief Executive informed the meeting that the Civic Centre and library were now open and encouraged everyone to visit.

The Chairman thanked the officers for their reports and the parishes for their attendance and contributions.

The meeting ended at 7.45 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Implementation of the Care Act 2014

Briefing for the Parish Council Liaison meeting 25th Feb 2014

This is the first substantive change in Adult Social Care since 1990; some would argue the end of the approach initiated in 1834 through the Poor Law Amendment Act. The Act does repeal many provisions of the 1948 National Assistance Act which has been the basis for care provision in England.

When?

Changes in the law relating to practice come in from April 2015, funding changes happen a year later.

Who does it apply to?

Applies to all adults needing care and support, although the main focus is the increasing number of older adults needing care and support. For the first time there will be a national criteria for agreeing eligibility, in the past it varied between councils. Carers are all now able to ask for an assessment of their needs and if eligible they can receive services in their own right.

How the resident is seen

The Care Act assumes that many people who need care are able to articulate what care and support they need and the role of the council is to facilitate it. This places the resident in the position of becoming an informed consumer not a passive recipient of services. There is a strong emphasis on councils providing people with good information on what is available and how to get it. In all contacts between the resident and care services the expectation is that the person will do as much of the planning for themselves as they can manage, with social workers being focussed on those most in need of support.

Making care personal

Traditionally services have tended to be allocated by social workers according to local criteria and protocols. The Care Act places a much stronger emphasis on Direct Payments, where the person has a cash payment to use themselves for buying services (within reason). These payments do vary according to the needs of the individual. Where the individual cannot manage this approach the Council can offer them a range of services and will arrange them on their behalf.

People who pay for their own care

About half the social care services in Bath and North East Somerset are paid for by the person needing support, what is referred to as self-funded care. This has often been arranged without professional support and results in poorly developed support or paying more than is necessary. In future the council will offer to support people managing their own care, although at a cost.

How does this support rural communities?

In the past rural services have been difficult to commission as staff have to travel long distances, the time and cost of which are often not paid for. The move towards Direct Payments and Individual Service Funds means that people can opt for local care arrangements that best suit them. For example, using a Direct Payment to employ someone in the village to provide their care. The challenge to local communities is the development of local opportunities that can be flexible around the individual, such as encouraging a list of people who could offer care or supporting businesses who could offer a payroll service.

The financial compact

The increase in the funding for local authorities to support their new duties is about 3% of current spend – the total gain for people is expected to be modest. From April the current arrangement that allows people to defer their care cost in a care home becomes a statutory duty. This is essentially a loan, with costs, that is repaid out of the person's estate. This avoids people having to sell their home in their own lifetime. For B&NES this is a particular risk as many people will be eligible for this scheme.

From April 2016 the personal contribution towards care will be limited to £72,000. The BBC has published a tool to estimate what this means at <http://www.bbc.co.uk/news/health-30990913>

For B&NES this tool estimates that it would take nearly 3 years to reach the cap.

However the good news is that the level of capital when the local authority starts to contribute is to increase from the current £23,500 to £118,000.

Look out for:

The Council is developing a new website for Adult Social Care that is due to be launched in late March - <http://www.bathnes.gov.uk/services/adult-social-care-and-health/my-care-my-support>

There are various clips that explain a bit more, try:
https://www.youtube.com/watch?v=mOyLON0pH_s

The Department for Health has published factsheets that are quite readable:
<https://www.gov.uk/government/publications/care-act-2014-part-1-factsheets>

For those that want to see the full detail of what is proposed (but be warned it is about 500 pages long): <https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>

Nick Willmore
Care Act Programme Manager
February 2015

**PARISH LIAISON MEETING
25th February 2015**

**LOCAL DEVELOPMENT FRAMEWORK
UPDATE ON KEY PROJECTS**

1. PLACEMAKING PLAN

1.1 The consultation on the Options closed at the end of January and the next key task is to prepare the draft Placemaking Plan for consideration by B&NES Cabinet in September 2015 and then submission for examination. B&NES Council will need to continue to work closely with Parish and Town Councils on preparing the draft Plan.

1.2 The next steps are;

Milestone	Task
March 2015	assess the comments received through the consultation
March 2015	review the evidence available or secure new evidence where needed
July 2015	work with Parish / Town Councils and other stakeholders to agree the preferred policy
August 2015	Plan sign-off
Sept 2015	B&NES Cabinet agrees draft Plan
Oct-Nov 2015	formal public consultation
Dec 2015	submit for examination

1.3 Particular issues to be discussed with Town & Parish Councils include;

- Whether any further local Community engagement is required
- Whether any further evidence is needed
- Sign-off arrangements with Parish councils

1.4 The main areas of the Plan on which B&NES Council will continue working with Parish & Town Councils are:

- Site allocations for development
- Housing Development Boundary Review
- Local Green Space Designations

The process for working on the latter two of these areas is addressed in the next sections of this report.

1.5 With regard to development site allocations and following the review of comments on the Options consultation B&NES Council will undertake further work to address the issues raised and to assess any alternative sites put forward. This work and the emerging recommended sites for allocation in the Draft Plan will be discussed with Town & Parish Councils (anticipated this will be from March/April onwards).

- 1.6 Following this site allocation work and the HDB review/Local Green Space designation work outlined below it is anticipated there will be an opportunity for Town & Parish Councils to informally consider and comment on/sign-off the officer Draft Plan during the summer prior to it being progressed and reported to Cabinet in September.

- 1.7 Town & Parish Councils are encouraged to continue to engage with their local communities during the work on the Draft Plan. In addition the Draft Plan, once approved by Cabinet, is subject to a six week consultation period providing local residents and other stakeholders (including Town & parish Councils) with a further, more formal opportunity to comment.

2. HOUSING DEVELOPMENT BOUNDARIES REVIEW

- 2.1 Housing Development Boundaries (HDBs) should be delineated to enable appropriate housing development to come forward within the policy framework of the Core Strategy, reflecting the roles of each settlement. This includes identification of sites and facilitation of appropriate windfall sites in line with the Core Strategy. They also therefore help to resist development on inappropriate sites.
- 2.2 HDBs were last defined in the Adopted B&NES Local Plan and are being reviewed in the Placemaking Plan. As a minimum they will be updated to reflect planning permissions for residential development and/or housing completions. There is an opportunity for parishes to consider whether further changes to HDBs should be proposed and/or made.
- 2.3 For the first time, B&NES has offered Town & Parish Councils the opportunity to be involved in the review of HDBs
- 2.4 To enable the Parish Councils to contribute to the HDB review, the Council developed 4 principles which are being applied in considering the HDBs of each village or Town Council area. A briefing note and further information was sent to all Parish Councils. The Council provided each parish and Town Council with a list of planning permissions and unimplemented planning permissions for residential development. The deadline for the HDB revisions is 27th February 2015. It is noted that some Parish and Town Councils have already submitted revisions however this is an opportunity to suggest any further amendments.
- 2.5 Once suggested revisions to the HDBs have been submitted to the Council they will be reviewed, the Council will feedback to the Parish and Town Councils. The agreed HDB revisions will be included in the Draft Placemaking Plan which is subject to a wider formal public consultation as planned for autumn 2015. Parish and Town Councils, members of the public, organisations and land owners, etc. will also be able to comment further on the proposed HDB's during this consultation.

3. DESIGNATION OF LOCAL GREEN SPACES

- 3.1 In March 2012, the Government provided the opportunity for green spaces with a special community importance to qualify for a new protection status. This status is known as 'Local Green Space Designation'. This is a special form of protection and allows for development where it contributes to the character of the green space. Criteria for identifying sites worthy of Local Green Space designation is provided in the National Planning Policy Framework (NPPF) 2012 (paragraphs 76-78).
- 3.2 It should be noted that in addition to the NPPF, the National Planning Practice Guidance (NPPG) requires that sites nominated by the communities for Local Green Space need to meet the NPPF criteria in order to be designated and that designation needs to be based on robust justification and evidence. Local Green Spaces can be designated in a Neighbourhood Plan however the Council are offering the opportunity for the Parish and Town Councils to designate green spaces through the Placemaking Plan.
- 3.3 To enable the Parish and Town Councils to contribute to identifying important Green Spaces, the Council developed a pro-forma which is designed to support the parish and Town Councils in putting forward their green spaces for formal designation as a Local Green Space in a robust, consistent and transparent manner. A briefing note and further information was sent to all Parish Councils. Additionally in September 2013 the parishes were given green infrastructure maps which could also be used to help identify green spaces. If you require another copy of the map please contact the planning department. The deadline for submitting the pro-formas to the Council is 5pm on 27th February 2015. Please note that a number of Parish and Town Councils have already nominated green spaces however this is the opportunity to add any further spaces.
- 3.4 The Council will use the pro-forma to evidence the reasons why any nominated local green space is considered special to a local community would need to be taken into consideration when assessing 'further benefit' (e.g. historic, beauty, tranquillity, recreational value and wildlife importance). Nominated Local Green Space sites will be assessed on a site by site basis.
- 3.5 Once the green spaces/supporting evidence has been submitted to the Council it will be reviewed and if necessary further evidence will be requested. Land owners will also be contacted on any proposals to designate any part of their land as Local Green Space.
- 3.6 The agreed sites will be included in the Draft Placemaking Plan which is subject to a wider formal public consultation as planned for autumn 2015. Parish and Town Councils, members of the public, organisations and land owners, etc. will also be able to comment further on the proposed Local Green Space designations and policy at this time. The final list of Local Green Spaces can only be formalised through the formal adoption of the Placemaking Plan.

4. COMMUNITY INFRASTRUCTURE LEVY

- 4.1 The CIL was due to be approved by B&NES Full Council on 17th February 2015. The next key issue to be addressed is the CIL spend. The Council is in the process of setting out its approach to agreeing CIL spend but some key issues in relation to Town and parish Councils are highlighted below.
- 4.2 Town and Parish council's receive 15% of CIL receipts in the area (capped) and those with an adopted Neighbourhood Plan receive 25%. The regulations enable Charging Authorities offering more to councils but there are conditions on use. However, the wider spending powers that apply to the neighbourhood funding element of the Community Infrastructure Levy will not apply to any additional funds passed to a Parish or Community council. Those additional funds can only be spent on infrastructure as they would be general Levy funds.
- 4.3 Where the developer pays land in kind, it must still pay relevant proportion to local council in cash.

When does local council receive funding?

- 4.4 If the charging authority and the local council agree on a timetable for payment, the charging authority pay the local council in accordance with that timetable. However, the default payments are;
- CIL received by District Council 1st April to 30th September to be paid to local Council on 28th October of that financial year.
 - CIL received 1st October to 31st March in financial year- pay local council by 28th April of the following financial year

What can neighbourhood funding be spent on?

- 4.5 A local council must use CIL receipts passed to support the development of the local council's area, or any part of that area, by funding;
- (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
- (b) anything else that is concerned with addressing the demands that development places on an area.
- 4.6 PPG states The neighbourhood portion of the levy can be spent on a wider range of things than the rest of the levy, provided that it meets the requirement to 'support the development of the area'. The wider definition means that the neighbourhood portion can be spent on things other than

infrastructure (as defined in the Community Infrastructure Levy regulations). For example, the pot could be used to fund affordable housing where it would support the development of the area by addressing the demands that development places on the area.

- 4.7 Once the levy is in place, Parish, Town and Community Councils should work closely with their neighbouring councils and the charging authority to agree on infrastructure spending priorities. If the Parish, Town or Community Council shares the priorities of the charging authority, they may agree that the charging authority should retain the neighbourhood funding to spend on that infrastructure. It may be that this infrastructure (e.g. a school) is not in the Parish, Town or Community Council's administrative area, but will support the development of the area.

Monitoring

- 4.8 PPG states Local Councils must make arrangements for the proper administration of their financial affairs (see Section 151 of the Local Government Act 1972 ·). They must have systems in place to ensure effective financial control (see Accounts and Audit (England) Regulations 2011 · and Accounts and Audit (Wales) Regulations 2005 ·). These requirements also apply when dealing with neighbourhood funding payments under the levy.
- 4.9 CIL Regs state local councils must prepare a report for any financial year in which it receives CIL receipts. Stating
- (a) the total CIL receipts for the reported year;
 - (b) the total CIL expenditure for the reported year;
 - (c) summary of CIL expenditure during the reported year including—
 - (i) the items to which CIL has been applied; and
 - (ii) the amount of CIL expenditure on each item;
 - (d) details of any money requested to be returned by the district (see funds not spent below)
 - (e) the total amount of CIL receipts retained at the end of the year; and previous years

Local portion not spent within 5 years?

- 4.10 If a Local Council does not spend its levy share within five years of receipt, or does not spend it on initiatives that support the development of the area, the charging authority may require it to repay some or all of those funds to the

charging authority. If it cannot pay the CIL back then future CIL payments to the Council will be adjusted.

Value Added Tax

- 4.11 Unless a local council is registered for VAT, they will need to be VAT on CIL income. Some Local authorities, who are VAT registered, therefore administer CIL on behalf of their local Councils through agreed arrangements

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PARISHES LIAISON MEETING

25TH FEBRUARY 2015

Budget 2015/16 plans on course to deliver local priorities

A budget proposal guided by the principles of investing in the future of the area, protecting services to the public and freezing Council Tax was today (3 February) announced by Bath & North East Somerset Council's Cabinet.

The year 2015/16 will see the completion of a three year budget plan. Because the Council continues to be financially prudent and is delivering back office efficiencies, we are staying on course to deliver a balanced budget together with improvements for local communities for the future.

Key points for the 2015/16 budget:

- Council Tax frozen for the fifth year running (£1,201.85 for a 'Band D' property) – recognising the on-going pressure on household incomes.
- Despite the financial pressures, the Council has managed a balanced budget of £119,843,000 for 2015/16.
- Capital spending programme totalling £84.6m: including £5.9m on highway maintenance and improvements; £1.9m on transport initiatives and £6.3m on school expansions across the district to meet rising demand for pupil places.
- The Council faces significant reductions (14%) in Government funding this year; and faces further financial challenges in the years to come.

Leader of the Council, Cllr Paul Crossley (Lib-Dem, Southdown), said: "Because of our sound financial management, our plans are on-target and on-budget. They have allowed the Council to deliver £30million in savings whilst protecting frontline services.

"We will continue our focus to support vulnerable people in the community and deliver a sustained regeneration to create jobs and prosperity for our children and children's children."

Cllr David Bellotti (Lib-Dem, Lyncombe), Bath & North East Somerset Council's Cabinet Member for Resources, said: "For the fourth year running of this administration we are proposing no increase in council tax. Our prudent management of resources mean that we can also do more to tackle poverty through the social fund, supporting foodbanks and tackling with our community partners the misery caused by payday loans.

"We will be bringing more help to small businesses in our area by doubling the threshold to £50,000 where local companies can bid first to deliver our goods and services. We will also be ensuring that from April 1st all our staff will receive a living wage."

Tackling Poverty

The Cabinet is proposing a number of measures to alleviate poverty in our district, including maintaining funding for the Welfare Support Fund at £250k despite loss of Government grant; supporting local food banks; working with partners to help local people replace payday loans with much lower cost borrowing; increasing minimum pay for Council staff to meet the Living Wage; ensuring we continue to develop our Connecting Families programme, as well as working to reduce unemployment both for adults and school leavers.

Supporting vulnerable people

Support for the most vulnerable members of our community will continue to be a priority, helping individuals, families and children achieve their full potential and take advantage of the opportunities that will undoubtedly open up in the future. The budget for 2015/16 recognises changes in our funding, emerging priorities and new responsibilities coming to the Council.

The Council, working in close partnership with NHS B&NES Clinical Commissioning Group, has also set out and agreed plans to allocate £12 million from the Department of Health's Better Care Fund to provide integrated care and support for local people during 2015/16.

Known locally as the Better Care Plan, this will provide services that support and safeguard older and vulnerable people, helping them to remain independent and live at home for longer.

In addition, the [Care Act](#), which will be implemented across the country in phases starting in April 2015, brings new duties around social care services into the Council. These include offering people greater flexibility in helping them get the care they need and ensuring that carers can receive much-needed support too.

The Cabinet's budget proposal estimates an investment of more than £1million to fund the extra costs of this in 2015/16. **Investing in the local economy**

The Cabinet proposes to increase the financial limit of the Council's "Think Local" Procurement Strategy to provide local businesses with the opportunity to obtain contracts of up to £50,000 (up from the current £25,000). This is further demonstration of our commitment to support local businesses

Residents and local businesses may also benefit from a planned £125,000 commitment to the Green Deal and [Energy at Home](#) scheme.

Bath & North East Somerset Council is the lead authority for the [Somerset Business Rates Pool](#) which could see up to £2million in business rates being retained to boost the local economy across Somerset. These will be reinvested to support local economic developments.

To date the Council has secured £6.2m of external investment to pay for infrastructure which will enable the Bath City Riverside Scheme to create to create up to 9,000 new jobs and 3,400 new homes for the city. £1,200,000 has been earmarked for the development of the Midsomer Norton Business Centre.

Affordable homes

The Council continues to work with the Homes and Communities Agency (HCA) and housing associations to provide affordable housing across the district. It is anticipated that between 2011 and 2015, 750 new affordable homes will have been completed.

HCA funding of £1,788,536 of has been awarded to deliver 60 new affordable homes at Bath Western Riverside and Radstock between 2015 and 2018, supported by additional funding from Curo Group. The Council is match funding these projects with £1.9m.

Over the next year affordable housing will be developed in Bath city centre, Keynsham, Midsomer Norton, Paulton, Radstock and High Littleton. There will also be Council investment in rural housing, bringing empty homes back into use and delivering new housing for households with specific needs. New affordable housing will also be developed on former Ministry of Defence sites and on other strategic sites across the area.

Future challenges and opportunities

The West of England sub-region is now able to retain any growth in business rates collected within the Enterprise Areas and Enterprise Zone, including Bath City Enterprise Area.

This will be reinvested through an Economic Development Fund of around (£500m) into infrastructure to support jobs and business growth in the economy for the West of England region over the next 25 years. This includes enhanced flood defences which will reduce flood risk for properties in the area as well as bring development sites out of the flood zone enabling new offices and homes to be built.

The Cabinet is confident of its Budget 2015/16 plan to borrow more to invest in our economy and services – coupled with a prudent use of financial reserves – will generate more income for the Council and reduce the need for similar borrowing in the following year.

Given the scale of savings already achieved and those outlined in this Budget, the Council has estimated that it is likely to require further savings or additional income of over £38m in the years 2016/17 to 2019/20.

The Council will therefore seek to develop a new Medium Term Financial Plan during 2015/16 to cover the next 4-year period once further information

becomes available on the overall level of resourcing available to local government.

February 2015

PERFORMANCE OF THE PLANNING DELEGATION SCHEME

BRIEFING NOTE TO THE PARISHES LIAISON MEETING 25TH FEBRUARY 2015

A request has been made to provide statistical information on how the scheme of delegation and in particular the Chair referral system is operating in planning decision taking.

During the calendar year of 2014 the Development Control Committee made 92 decisions at 13 Committee meetings. Of the 92 Committee decisions 63 of these were presented to Committee as a result of the Chairman referring the application. The other 29 decisions were either referred to the Committee by the Divisional Director – Development or the Group Manager – Development Management or they were required to be considered because they were applications made by Councillors or staff working within the planning service. During 2014 the Chairman of the Committee was presented with 110 Chair referrals in total and 63 applications were taken to the Development Control Committee whilst 57 referrals he decided could be delegated decisions

Mark Reynolds
Group Manager
Development Management

February 2015

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PARISHES LIAISON MEETING 25th February 2015

BROADBAND UPDATE

1. BACKGROUND

- 1.1 The Council is part of the Connecting Devon & Somerset (CDS) Partnership which is working to improve rural broadband services.
- 1.2 The programme is restricted by State Aid rules to areas which are served by non-commercial single provider telephone exchanges.
- 1.3 This paper provides an update on the current position regarding the work of the CDS Partnership and the roll-out of superfast broadband to the rural areas of B&NES. It also covers the support which is now available specifically to businesses and organisations within B&NES.

2. CDS - CURRENT POSITION

- 2.1 The current Programme is gathering significant momentum with over 400 live cabinets across the CDS geography. This is equivalent to nearly 100,000 homes and businesses able to access a fibre broadband service.
- 2.2 The first cabinet in B&NES went 'live' on the 23rd of January 2015 in Batheaston (Corner of Barnfield Way and Bannerdown Rd, BA1 7PW).
- 2.3 We have included a map that indicates where cabinets in the B&NES area will be going live soon. The exact dates are not available from BDUK. To assist with the information, the CDS website <http://www.connectingdevonandsomerset.co.uk/> now provides a postcode search facility which is updated on a monthly basis. By using this facility residents can determine whether they are included in the rural broadband roll-out programme as well as see the current schedule for survey work in the area and the areas that are covered in the BT commercial roll out. This information is made available in a map format with colours explaining the status of a specific postal code.

2.4 CDS EXTENSION

Connecting Devon & Somerset (CDS) has announced that it will be publishing the tender for the second stage of the superfast broadband programme across the region in February.

Connecting Devon and Somerset will be using the Government's national procurement framework for its delivery partner for most of the area. However, the CDS partnership is keen to open up this second stage to other potential providers. It will therefore be running an open procurement process in Dartmoor

and Exmoor National Parks allowing bids from other suppliers. The Parks represent some of the most challenging terrain for connecting remote rural communities to superfast broadband. Two areas in Exmoor are already being connected with the support of CDS by an innovative Yeovil-based firm, using a combination of satellite and Wi-Fi technology.

The second stage of the roll out will involve an investment of at least £38m – the largest amount of any superfast broadband project in the UK which was secured by CDS and its partners in August 2014. This funding will be spent on increasing superfast coverage and CDS are on track to reach their ambition of 100% superfast broadband coverage by 2020.

3. BUSINESS BROADBAND

- 3.1 Government announced on the 10th of February 2015 that the Connection Voucher Scheme, under which businesses are eligible to apply for a voucher worth up to £3,000, has been extended beyond the Bristol and the 5 mile radius area to include all postcodes for businesses in B&NES.
- 3.2 The Connection Vouchers Scheme now includes a total of 6654 registered businesses.
- 3.3 You can input the postcode for a specific property into the online checker at <https://www.connectionvouchers.co.uk/> to confirm that the premises are eligible.
- 3.4 Questions about the Connection Vouchers Scheme should be addressed to Bristol City Council who is administering the scheme. The Council can be contacted by email at <mailto:connection.vouchers@bristol.gov.uk> or by phoning 0117 357 4445.
- 3.5 This arrangement is temporary and all voucher applications must be submitted by the end of March 2015. Partners in the West of England are continuing to lobby Government to have the scheme extended across the whole of the sub-region on an ongoing basis.

4. BROADBAND POSITION

4.1 B&NES, in conjunction with North Somerset Council, appointed Thys van Tonder as the new principal Broadband Development Officer at the end of November 2014. Since then Thys has been contributing immensely, using his commercial knowledge, towards the CDS program, Voucher Connection Scheme, North Somerset Broadband development and he has also submitted a business plan to turn Bath into a Smart City. This business proposal could provide a platform and solution not only to the broadband challenges in Bath but could bring relieve to the existing broadband challenges in the surrounding 'rural areas'.

Parish Sweeper Scheme

The format of the current Parish Sweeping Scheme was established in 2005 and has therefore been in existence for many years now. The scheme was based around the provisions within the Environmental Protection Act 1990 Litter Code.

During 2014 the operation of a Parish Ranger scheme was trailed. The ranger scheme identified issues with the clarity of the responsibilities within some areas of the parishes.

This trial identified that a review of the Parish Sweeping Scheme was needed to ensure that the scheme is operating efficiently to meet mutual objectives. This review has been programmed to begin in June 2015.

The review will cover the following:

- Review / update of objectives and documentation
- Cleansing standards
- Responsibilities of the Parish and B&NES Council
- Payment
- Monitoring
- Health & Safety compliance

All Parish Councils will be consulted and recommendations made through the review will be discussed with the Parishes at appropriate points through the process.

Martin Hellyer
Technical Team Leader, Strategy & Contracts

February 2015

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Briefing Note

Bath & North East Somerset Energy at Home

Energy at Home Partnership

A Partnership including B&NES Council, Curo, Bath & West Community Energy that aims to promote energy efficiency, better heating, insulation and renewable energy across Bath and North East Somerset.

Strategic aims

- reduce fuel poverty
- cut health costs
- cut carbon emissions
- strengthening the local economy

Benefits for residents:

- warmer homes
- homes that promote health & wellbeing
- lower energy bills
- improved property values

Energy at Home Scheme

The Energy at Home Partnership has been developing the Scheme over the last two years. B&NES Council manages and supports the Energy at Home Scheme. This includes an **Advice Service** who give free, impartial home energy advice and support the customer through their journey, and a **Retrofit Delivery Provider** who will project manage the installation of the energy saving home improvements.

Energy at Home Advice Service

The Centre for Sustainable Energy have been appointed to run the Energy at Home Advice Service. Any resident can get free, impartial home energy advice on a range of issues including:

- How to use less energy / getting a better deal on energy bills / Get out of fuel debt
- Which energy saving home improvements may be appropriate for their home e.g. boiler upgrade, insulation, solar panels etc.
- Which grants, finance offers or extra support might be available

If appropriate a resident can also be:

- booked in for a home energy assessment (Free if in receipt of qualifying benefit / £150)
- helped to find local, certified installers
- referred on to other services

Freephone: 0800 038 5680

or 0117 934 1960 (cheaper from a landline)

Phone lines open: Monday-Friday 9am-6pm or Saturday 9am-12pm

www.energyathome.org.uk

advice@energyathome.org.uk

This service replaces the old home energy advice line for B&NES residents.



Retrofit Delivery Provider

This element of the Scheme is currently being procured and should be in place by early spring 2015. The Retrofit Provider will:

- Arrange the finance and any grant allocation for the customer
- Arrange for the installation of the measures

There are interim arrangements in place until the Retrofit Provider is in place.

Energy at Home Trade Support

Enabling local building trade professionals to take advantage of the increase in demand for energy saving home improvement work is a vital element of the scheme. Energy at Home Trade Support offers highly discounted access to training, certifications, and memberships to local businesses.

Freephone 0800 038 5688 / tradesupport@energyathome.org.uk

www.energyathome.org.uk/trade-support

B&NES Council's Green Deal Top Up Grant

B&NES Council was awarded £ 700,000 from the Department of Energy and Climate Change Green Deal for Communities Fund to help residents make their homes more energy efficient.

Residents can apply for funding of up to £7,000 for solid wall insulation or up to £3,000 for other measures. These can be combined up to a maximum of £7,000 per property. The offer is open to home owners, private tenants and private landlords and to be used in combination with Green Deal finance or the equivalent amount can be self-financed. Contact the Advice Service for more information and to receive an application pack.

Bath Green Homes

Energy at Home had a soft launch through Bath Green Homes; a community project jointly organised by Transition Bath, Bath Preservation Trust & B&NES Council. Bath Green Homes consisted of an extensive programme of community events throughout the autumn to inform and inspire residents about home energy efficiency. It included the first Bath Home Improvement Fair, an Open Homes Weekend, and a variety of other talks and workshops.

www.bathgreenhomes.co.uk

Progress to date

- 495 calls to the Advice Service
- 231 unique callers
- 172 requests for Top Up Grant application packs
- 113 home energy assessments carried out
- 350 people attended the Home Improvement Fair
- 400 people attended the Bath Green Homes Open Homes Weekend
- 40 people attended the Bath Green Homes talk on solid wall insulation

