

Bath and North East Somerset Council

Full Council March 20th 2025

Labour Group Motion on improving transparency and community engagement around planning gain

To be proposed by Cllr David Biddleston

Council notes:

1. Like every other council, BNES has government targets for significantly more homes than it had expected to build. New housing developments will bring a clear increase in 'planning gain' – developer agreements involving funding or in-kind provision – to mitigate the impacts of development on the immediate surrounding area and its community. This will happen throughout BNES – in Bath, and its surrounding towns and villages, which have many smaller councils (town and parish councils).
 2. The Community Infrastructure Levy (CIL) and Section 106 agreements are essential mechanisms for ensuring that developers and developments both *contribute* to local infrastructure and community improvements, and *mitigate* the impact of the development.
 3. Concerns have been raised, not only here, but in many local authorities, about the lack of transparency in how CIL and Section 106 funds are collected, allocated, and spent.
 4. Throughout Bath & North East Somerset, the effective and transparent allocation of these funds, with appropriate consultation, is critical to maintaining public trust, as well as to ensuring local communities see developments' tangible benefits.
 5. A growing number of councils have therefore adjusted their processes, e.g.:
 - Watford has launched a Neighbourhood Grant Portal which allows local people to apply for funding to address the impact of new development
 - Chichester has created an Infrastructure Business Plan to improve tracking of need and delivery
 - Sevenoaks has developed an interactive CIL dashboard so developers and residents can access information on all allocations, in real time, including the total amount passed to town and parish councils.
-
- *Unless where specifically set out in the statute, motions approved at Council do not bind the Executive (Cabinet) but may influence their future decisions.*
 - *Councillors are reminded of their public sector equality duty which requires the Council to consider or think about how their policies or decisions may affect people who are protected under the Equality Act.*

6. The council's Head of Planning has confirmed that the resolutions in this motion are contained within the existing Planning Service budget.

This Council Believes:

7. A healthily functioning planning system needs greater accountability, transparency about the mitigation of impact, and funds being allocated in a timely and effective manner – as per the development agreement.

8. Residents, and those working and studying here, have a right to know and understand how locally-generated development contributions are being used to benefit their local areas and to mitigate development impact.

9. Clear and accessible reporting of CIL and Section 106 funds will enhance community confidence in BNES' strategic vision and governance around planning.

This Council Resolves to:

10. Review the Council's processes for meaningful engagement with smaller councils and communities to identify local, mitigating, priority projects for CIL and Section 106 allocations and spending, ensuring local voices are heard and their views reflected in decision-making.

10. Bring the annual CIL reports to full council every year.

11. Provide regular updates on the progress of current funded projects, ensuring clarity on how funds are currently being used to improve local infrastructure and services.

12. Provide comprehensive training on development gain, community engagement and how to make the best use of the funds, and deliver projects, for BNES councillors as well as BNES Parish and Town Councils.

13. Establish a publicly accessible online and real-time register which augments the current annual reporting system, detailing:

- The total amount of CIL and Section 106 funds collected annually
- A breakdown of how these funds are allocated, including specific projects, timelines, and expenditure to date
- Any unspent funds, their intended purpose, and deadlines for allocation

- *Unless where specifically set out in the statute, motions approved at Council do not bind the Executive (Cabinet) but may influence their future decisions.*
- *Councillors are reminded of their public sector equality duty which requires the Council to consider or think about how their policies or decisions may affect people who are protected under the Equality Act.*