

**Democratic Services**

Riverside, Temple Street, Keynsham, Bristol BS31 1LA

Telephone: (01225) 477000 *main switchboard*

Direct Lines - Tel: 01225 394416

Web-site - <http://www.bathnes.gov.uk>

Date: 9 October 2012

E-mail: [Democratic\\_Services@bathnes.gov.uk](mailto:Democratic_Services@bathnes.gov.uk)

**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, 17th October, 2012**

You are invited to attend a meeting of the **Parishes Liaison Meeting**, to be held on **Wednesday, 17th October, 2012 at 6.30 pm** in the **Memorial Hall, Little Lane, Farmborough BA2 0AE**.

The agenda is set out overleaf.

The meeting will be chaired by Councillor Rob Appleyard and the Chief Executive, Jo Farrar, will be in attendance.

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 Riverside Offices Keynsham (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. 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** - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

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

- 4. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. 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, 17th October, 2012**

**at 6.30 pm in the Memorial Hall, Little Lane, Farmborough BA2 0AE**

**A G E N D A**

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

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 THE LAST MEETING ON 20TH JUNE 2012 (Pages 7 - 14)

To approve the minutes of the previous meeting as an accurate record.

6. THE NEW STANDARDS REGIME

The Council's Monitoring Officer will attend to update the meeting on the operation of the new Standards Regime and the Standards Committee.

7. THE PROVISION OF YOUTH SERVICES

Paula Bromley (Principal Youth Officer) will give a Powerpoint presentation and answer questions.

8. THE COMMUNITY RIGHT TO BUY (Pages 15 - 16)

A briefing note is attached. Andy Thomas (Group Manager, Partnership Delivery) will attend to answer questions.

9. THE B&NES CORE STRATEGY (Pages 17 - 22)

A briefing note is attached. David Trigwell (Divisional Director for Planning Transport) and Simon de Beer (Planning Policy and Environment Manager) will attend to answer questions on:

- a. The progress of the examination of the Core Strategy
- b. The Local Planning Authority's intentions regarding the placemaking plan
- c. The potential (or otherwise) for, and the added value of, Neighbourhood Plans in Bath & North East Somerset

10. PLANNING ENFORCEMENT (Pages 23 - 24)

A briefing note is attached. An officer will attend to answer questions on the Planning Department's intentions with regard to the future of Planning Enforcement.

11. GYPSIES, TRAVELLERS AND TRAVELLING SHOW PEOPLE SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (Pages 25 - 32)

A briefing note is attached. Meghan Rossiter (Senior Planning Officer) will attend to answer questions.

12. LOCALISING COUNCIL TAX SUPPORT AND ITS IMPLICATIONS FOR THE TAX-BASE AND TOWN/PARISH COUNCIL PRECEPTS

Tim Richens (Divisional Director, Finance) will attend to update the meeting on this issue and answer questions.

13. RURAL BROADBAND PROJECT (Pages 33 - 38)

A briefing note is attached for information.

14. DATES OF FUTURE MEETINGS

The date of the next meeting will be February 20<sup>th</sup> 2013, venue to be announced.

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

**BATH AND NORTH EAST SOMERSET COUNCIL**

**PARISHES LIAISON MEETING**

**Minutes of the Meeting held**

Wednesday, 20th June, 2012, 6.30 pm

Bath & North East Somerset Councillors: Rob Appleyard (Chair), Paul Crossley, Mathew Blankley, Sally Davis

Representatives of: Bathampton, Batheaston, Bathford, Camerton, Claverton, Clutton, Charlcombe, Chew Magna, Combe Hay, Compton Dando, Corston, Dunkerton, Englishcombe, Farmborough, Freshford, Keynsham, Marksbury, Monkton Combe, Newton St Loe, Peasedown St John, Publow with Pensford, Priston, Radstock, Saltford, South Stoke, Stanton Drew, Stowey Sutton, Timsbury, Wellow, Whitchurch,

Also in attendance: Glen Chipp (Strategic Director for Place), Vernon Hitchman (Council Monitoring Officer), Nigel King (Web Project Manager), Jonathan Mercer (Communications and Marketing Manager), Meghan Rossiter (Senior Planning Officer), Simon de Beer (Planning Policy and Environment Manager), David Trigwell (Divisional Director, Planning and Transport), Ann Swabey (Democratic Services Officer), Chris Head (West of England Network).

**1 WELCOME AND INTRODUCTIONS**

The Chair, Councillor Rob Appleyard, welcomed everyone to the meeting. He expressed his thanks on behalf of the meeting to Councillor Peter Edwards, the former Chair of Council.

**2 EMERGENCY EVACUATION PROCEDURE**

The Clerk drew attention to the emergency evacuation procedure.

**3 APOLOGIES FOR ABSENCE**

Apologies had been received from John Everitt and Councillors Tim Ball, Cherry Beath, David Bellotti, Charles Gerrish, Francine Haeberling, Nathan Hartley, Eleanor Jackson, Roger Symonds and Tim Warren.

**4 URGENT BUSINESS AS AGREED BY THE CHAIR**

There was no urgent business.

**5 MINUTES OF THE MEETING ON 22ND FEBRUARY 2012**

The minutes of the last meeting were agreed and signed by the Chair as a correct record.

## **6 THE EVOLVING STANDARDS REGIME**

Vernon Hitchman, the Council's Monitoring Officer, introduced this report. He explained that the current Standards Committee had recommended to full Council that the future membership should reflect a varied representation to include independent members, parish representatives and B&NES councillors. He informed the meeting that regulations concerning Disclosable Pecuniary Interests had been recently published and that guidance for clarification would be published shortly. He reminded the meeting that in future, failure to disclose could be viewed as a criminal offence. The Standards Committee would be considering which Code of Conduct to recommend at their meeting on 21<sup>st</sup> June. He urged the town and parish councils to consider adopting a similar code. He reminded the meeting that the old code had both general provisions and precise requirements which covered most eventualities, so it would be helpful if parish and town codes included similar provisions for the prevention of misunderstanding.

A representative from Englishcombe Parish Council expressed concern that, when he was the subject of a complaint, he was not informed until the process was well advanced and asked whether the new provisions would allow councillors to defend themselves. The Monitoring Officer re-assured him that the committee had also felt that the previous process was not equitable with the principles of natural justice and that in the future, those who were the subject of the complaint would be notified and invited to respond to the allegations at an early stage.

A representative from Combe Hay Parish Council asked whether the Standards Committee were considering the National Association of Local Councils code and was informed that the committee were considering various local codes at their meeting on 21<sup>st</sup> June. A representative from Combe Hay Parish Council further asked whether Town/Parish Councils may delegate the granting of appropriate dispensations to the Proper Officer of that Town/Parish Council and was told that they could.

A representative of Keynsham Town Council reminded Members of the importance of keeping the register of Members' interests up-to-date throughout the 4-year period for which they were elected. The Monitoring Officer said that from 1<sup>st</sup> July, it will be a requirement as the Disclosable Pecuniary Interest provisions have changed from the old code. A representative from Clutton asked whether B&NES will be sending out forms to the parishes for them to update the register interests, but was informed that the remit of the Monitoring Officer no longer covered towns and parishes, so they would be responsible for their own records. However, a commentary on the code and specimen forms would be provided. The Monitoring Officer added that the new Disclosable Pecuniary Interest seems to have omitted the fact that people can be motivated by issues other than money. However, councils can still put this in their codes.

The Chair thanked the officer for his contribution.

## **7 RURAL BROADBAND IN B&NES**

The meeting was asked to note the reports which had been circulated with the agenda. Cllr Crossley informed the meeting that Connecting Devon and Somerset have offered an update on the project using an e-newsletter system which he would be happy to circulate to parishes.

Chris Head of the West of England network thanked those members who took part in the local exchange box scheme and said that all the information would feed into the Devon and Somerset project as part of the tendering process.

Anyone with any further queries about the scheme was asked to contact Anna Garner whose details were contained in the report.

## **8 B&NES COUNCIL WEBSITE AND ITS NAVIGATION**

Jonathan Mercer (Communications and Marketing Manager) introduced this item and gave a Powerpoint presentation about the new Council website which was due to go live at the end of July 2012. Amongst the new facilities was the opportunity for small groups and societies to put local events on the website. Organisations would need to register to upload events on the site.

A representative of Combe Hay Parish Council asked whether the planning applications section would be available on the site as it is now and was assured that it would remain the same. A representative from Clutton Parish Council asked whether the search engine could give people different search facilities .e.g. to search by date order and was informed that the new site would offer a variety of search options – there was also the option to provide links to Parish and Town Council websites. A representative from Batheaston pointed out that the base map used for house mapping was nearly 30 years old and asked if there was an intention to update. Jonathan Mercer referred the question to David Trigwell, who said that the Council used the Ordnance Survey maps which were only updated occasionally and only when there was substantial change in an area.

Chris Head asked whether the size of the site would allow those with slower download speeds to access information and also whether there would be a facility to use the site on mobile phones. He was informed that the site would be accessible to those with a slower download speed and that there was the intention to provide the site on mobiles.

The Chair thanked the officer for his presentation.

## **9 B&NES CORE STRATEGY**

### Core Strategy

Simon de Beer (Planning Policy and Environment Manager) introduced this item and informed the meeting that the Examination in Public was still underway, The Inspector was currently consulting on whether the final version of the National Planning Policy framework would have implications for the Core Strategy. The Council would be advised on the way forward on the Examination by the end of June.

A representative from Combe Hay Parish Council asked whether there were certain areas that the Inspector was not happy about and was informed that the protection of employment land and affordable housing in villages caused some concern. A representative from Clutton Parish Council asked whether the classification of core villages was changing. The officer replied that the current way of classifying villages was not always successful and that a more flexible way was being sought which looked at appropriate facilities. The Inspector wished to remove the power of veto by villages to housing development. A representative from Batheaston Parish Council asked why the Inspector was seeking clarification on local compensation schemes and was told that he wanted to make sure that the Council had a viable scheme in place that could be funded.

### Placemaking

The officer informed the meeting that the next step in the Placemaking Plan was to look at the site-specific issues alongside the parishes. A launch document was being prepared which scopes the work according to village aspirations and which should be published at the end of 2012.

The Chair thanked the officer for his presentation.

## **10 NEIGHBOURHOOD PLANNING**

Simon de Beer introduced this item. The updated Statement for Community Involvement for Planning would be presented to Cabinet in September for adoption. An online survey of Parish and Town Councils would be taking place over the summer to gauge potential interest in neighbourhood planning.

A representative of Monkton Combe Parish Council asked whether an independent group could take over the Parish Plan above the Parish Council and was informed that the Parish Council was the automatic forum to control this process. A representative from Stanton Drew asked if designations were changing and what was the driver and was told that it reflected changing circumstances. A representative from Freshford Parish Council said that they had a joint plan with Limpley Stoke and complimented the officer on the support that they had received from his department.

Chris Head asked about linking Placemaking with Neighbourhood Planning - would the Placemaking Plan be completed before Neighbourhood Planning? The officer replied that that it would not and comprised a separate Development Plan Document. A representative from South Stoke Parish Council asked about the timeframe for registering community assets. The Monitoring Officer informed him that



there was a statutory framework in place for community assets but that the detail was still being finalised. In the meantime, queries should be addressed to David Trethewey.

A representative from Priston Parish Council asked whether councils had to wait for the Planning Department to supply a Placemaking Plan and was informed that Placemaking does not prevent parishes going forward with their Neighbourhood Plan; also some parishes may not want to create Neighbourhood Plans.

A representative from Clutton Parish Council stated that their council was keen to have a Neighbourhood Plan. They had produced a Parish Plan in 2010 which foresaw modest growth for the village. However, planning applications are coming through before they have been able to produce a Neighbourhood Plan and the council was concerned that these applications would use up their housing allocation for many years to come. The officer pointed out that the provisions of the Local Plan were still in place.

The Chair thanked the officer for his presentation.

## **11 HYDRAULIC FRACTURING ('FRACKING')**

David Trigwell (Divisional Director, Planning and Transport) introduced this item and gave a brief explanation of the process. The government have issued many licences for the extraction of shale gas and a clear risk of underground earthquakes has been identified by the British Geological Survey. The Council was particularly concerned about 'fracking' because of the potential disruption to the Bath hot springs. There was also concern about quarrying for the same reason. It was possible to protect Bath, being a World Heritage Site, but it was not so easy to protect the wider area of Somerset and the Mendips from whence the springs rise. It may be that the springs within the city have enough legal protection already, but they may need more protection from the sources outside the city.

A representative from Peasedown St John asked whether there was any oil shale within the authority and was told that it was theoretically possible as a former coal-mining area. The government was looking for new energy sources, hence the issuing of extraction licences, but the Council's priority was to secure special protection for the unique hot springs. A representative from Stowey Sutton stated that their concern was the potential impact of the proposed storage cells at Stowey Quarry and was informed that the Environment Agency was the lead agency for that issue, so any concerns should be addressed to them. A representative from Claverton Parish Council informed Members that the British Geological Society website contained further useful information on this issue – [www.geolsoc.org.uk/shalegas](http://www.geolsoc.org.uk/shalegas).

The Chair thanked the officer for his presentation.

## **12 THE GYPSIES, TRAVELLERS AND TRAVELLING SHOW PEOPLE SITE ALLOCATIONS DPD**

Simon de Beer (Planning Policy and Environment Manager) introduced this item. Councillor Paul Crossley went on to inform the meeting that the site allocations process had been temporarily halted as a result of the meeting of full Council on 18<sup>th</sup> June at which it was decided to continue the consultation process until mid-July. The responses arising from the consultation would form the basis of the recommendations to the Cabinet meeting on September 12<sup>th</sup>. The Cabinet recommendations would create a pre-submissions document which would then go out for a 6 week consultation. In the meantime, Councillor Crossley asked parishes to keep feeding in suggestions for sites which would be investigated.

A representative from Compton Dando requested that parishes next to the parishes where sites are allocated are also informed of the exhibitions. A representative from Clutton Parish Council asked what would happen if their parish council recommended a site in a neighbouring parish. Councillor Crossley replied that the Council were looking for variety and there was no pre-determination about which sites would go forward at this stage. David Trigwell added that all the site information would be published before the Cabinet in September, but that it would still be possible to suggest sites until then. Glen Chipp said that parishes would be kept informed.

A representative from Combe Hay Parish Council sought assurance that rejected sites would not be reinstated at a later stage and was informed by Councillor Crossley that discarded sites would not return to the list. Concern was expressed by a representative from Timsbury Parish Council about managing the movements of showgrounds which can appear in parishes with very little notice. The Chair suggested that that issue be included in the consultation for comment. A representative from Dunkerton Parish Council asked whether the site at Camerton had been rejected – Councillor Crossley confirmed that it had been. A representative of Whitchurch Parish Council pointed out that the site in Stockwood which was being illegally occupied could make a good permanent site. The Chair said that the site was being considered. A representative from Compton Dando Parish Council asked at what point enforcement on existing sites would be started and was informed by David Trigwell that there was nothing to stop it from happening now – the Inspector was happy that the Council were making progress with this issue. Glen Chipp added that the chances of successful enforcement increased as the Council went through the allocations process as the Council could show that they were identifying sites.

The Chair thanked the officers for their contributions.

## **13 DATES OF FUTURE MEETINGS**

Councillor Crossley informed the meeting about an issue concerning future election dates. If the current coalition government goes to full term in 2015, then it would be mean that 3 different types of elections could fall on the same day i.e. national, council and parish polls. This is in fact, illegal, so the Council is asking for an amendment to ignore that rule. When this suggestion was put to the meeting, the overwhelming majority were in favour of the Council's proposed action.

It was noted that the date of the next meeting would be Wednesday 17<sup>th</sup> October 2012 at a venue to be confirmed.

The Chair thanked the meeting for their welcome. He asked that parishes inform him of any community events and projects happening in the North East Somerset area as he was interested in visiting them during his year of office.

The meeting ended at 8.35 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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### **Parishes Liaison Meeting- 17th October 2012- The Community Right to Bid/ to Buy (Assets of Community Value)**

Report Author: Andy Thomas ([andy\\_thomas@bathnes.gov.uk](mailto:andy_thomas@bathnes.gov.uk); 01225 394322)

#### Background

One of the key issues facing local communities is protecting valued services and facilities, including community halls and similar buildings but potentially also other assets providing important services such as village pubs and shops. There are a number of ways in which Parish and Town Councils have acted to protect these local assets, ranging from influencing planning policy to buying a building outright. In addition, Parish and Town Councils have also improved the viability of facilities through helping to increase usage.

The new Community Right to Bid/Buy (sometimes called “Assets of Community Value”), contained in Part 5 Chapter 3 of the Localism Act 2011, is designed to provide a new tool to help with this. The provision` places a duty on local authorities to maintain a local register of “Assets of Community Value”, using criteria laid down in the Act and regulations. Once an asset is placed on the register a “moratorium period” of up to 6 months applies when there is a proposal for sale in order to provide an opportunity for the community to prepare a bid for the asset.

Once this period ends, however, the asset owner is free to sell to any party on any terms. Assets of Community Value can be owned by public bodies (including local authorities) or by private concerns but there are a number of exemptions, including residential dwellings and statutory undertakers’ assets.

#### How the new right will operate in Bath and North East Somerset

The Assets of Community Value (England) Regulations 2012 set out who can nominate assets for inclusion on the list and this includes Parish and Town Councils with a “local connection”. They also set out the processes and timescales involved. A report with recommendations on the detailed decision-making processes for applying these new provisions in Bath and North East Somerset will be considered by Cabinet on 10<sup>th</sup> October.

Bath & North East Somerset Council’s [Assets of Community Value](#) website will be kept updated with Guidance and Nomination Forms as well as signposting to other sources of help and advice. We would welcome discussion with Town and Parish Councils prior to any nominations so we can help clarify the process and also identify the best way of protecting local assets and identifying potential external funding.

Once the local authority has received a nomination and has applied the criteria above, it will need to assess whether the actual “non-ancillary” use of the asset, in its opinion -

**Further the social well being or social interests of the local community, and it is realistic to think that there can continue to be use of the asset**

**which will further the social well being or social interests of the local community, although not necessarily in the same way as before.**

Alternatively, an asset can qualify if it had such a use in the recent past, and it is realistic to think that there is a time in the next five years when it could do so again (whether or not in the same way as before).

In assessing this, it is currently proposed that the Council will consider:

- Who benefits from the use locally and potential impacts if it ends
- What services the asset is delivering to the community
- Why this asset is of social value to the locality it serves (for example, a shop or pub in the middle of a city may serve a different purpose than a small village shop or pub)
- How much support there is locally for this asset being placed on the list of assets of community value

The asset owner will have the right to a review of any decision to “list”, and also to request compensation later on if there is loss due to delay in selling the asset as a result of it being listed. Parish and Town Councils will be asked to provide evidence in response to nominations in their area (not just ones that they have put forward) as will local Bath & North East Somerset elected members and the owner of the asset.

#### Further Information

Detailed presentations have been made on the new right to the Somer Valley Partnership and the Chew Valley Partnership. In addition, this formed part of Bath & North East Somerset’s contribution to a recent ALCA training session on the Localism Act. The Council’s Policy and Partnerships team is available to help Parish and Town councils to address local issues and to support [Localism and Community Planning](#).

For more information on the Assets of Community Value in Bath & North East Somerset please contact [assets@bathnes.gov.uk](mailto:assets@bathnes.gov.uk) or go the following web pages

The Council web pages on Assets of Community Value

<http://www.bathnes.gov.uk/services/neighbourhoods-and-community-safety/localism-and-community-planning/new-community-rights/as>

Report to Council Cabinet, 10<sup>th</sup> October 2012

<http://democracy.bathnes.gov.uk/documents/s22737/E2473Localism-Assets%20Com%20Value.pdf>

Report to Economic and Community Development Policy Development and Scrutiny Panel, 27<sup>th</sup> September 2012

<http://democracy.bathnes.gov.uk/documents/s22585/Assets%20of%20Community%20Value-%20Update.pdf>

Assets of Community Value (England) Regulations 2012

<http://www.legislation.gov.uk/ukdsi/2012/9780111525791/contents>

## PARISHES LIAISON MEETING: WEDNESDAY 17<sup>TH</sup> OCTOBER 2012

### ITEM 9a: CORE STRATEGY

1. The B&NES Core Strategy examination has been suspended in order to address the issues raised by the examination Inspector. The Inspector is of the view that the publication of the National Planning Policy Framework (NPPF) during the course of the examination rendered the B&NES methodology for assigning housing need non-compliant with national policy. He therefore states that he could not come to a conclusion on the level of housing. He requires the housing need to be re-assessed and plan amended to increase housing supply and/or enable some of the planned housing to be delivered sooner.
2. There are also a limited number of other policies on which the Inspector commented and the key issues are set out later in this paper.
3. With regard to housing, there are two main issues to address. Firstly to re-asses the housing requirement in an NPPF compliant way and then, if further housing land is required, to identify the most appropriate locations. The main steps required before the resumption of the hearings are;

	Date	Tasks
1	Now to December 2012	<ul style="list-style-type: none"> <li>• Review Housing requirement (SHMAA review)</li> <li>• Consider options for increasing/accelerating housing land supply</li> </ul>
2	Jan 2013	Reporting
3	Feb 2013	Council agrees changes to Core Strategy
3	March – April 2013	Public engagement on changes
4	May 2013	Assess results of consultation & prepare for resumption of hearings
5	June 2013	Hearings resume
6	Inspector's Report	September 2013?
7	Adoption	Winter 2013

4. Underpinning this work is the fact that the Council is seeking to make changes to a submitted Plan at examination and is not at preparation stage. This potentially limits the scope of options that can be considered because the final plan must not be fundamentally different to the submitted Plan. In addition a suspension is time limited which requires that the work needs to be expedited. This has procedural implications such as arrangements for community involvement. The public engagement on the changes scheduled for March April is not a conventional consultation. Its purpose is to publicise the Council's agreed changes to the submitted Plan so the Inspector has the benefit of public views on the changes. The Council will **not** be considering the comments and making changes

### **Assessment of housing requirement (SHMA review)**

5. The key outputs required for the B&NES Strategic Housing Market Assessment (SHMA) review are listed in NPPF (159). The B&NES review will, in advance of a full-scale West of England SHMA and policy review, establish a housing requirement for the District. Cross boundary issues, may also be raised in the SHMA.
6. In line with requirements of the NPPF para 159, the SHMA review will identify the scale and mix of housing and the range of tenures that is likely to be needed over the plan period which:
  - meets household and population projections, taking account of migration and demographic change;
  - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community;
  - caters for housing demand and the scale of housing supply necessary to meet this demand

### **Review Housing Land Supply**

7. Following the identification of the housing requirement in a manner consistent with the NPPF, the Council will need to consider what changes are needed to the Core Strategy. NPPF para 47 states that local planning authorities should ensure that their Plans meets the full, objectively assessed needs for market and affordable housing in the housing market area. This will include an update of the existing housing land supply in the Strategic Housing land Availability Study (SHLAA) and the identification of new locations if required.

#### *SHLAA update*

8. This includes reviewing the contribution of all sources of housing land supply such as sites already with permission, contribution from windfall sites, bringing empty properties back into use and the role of student accommodation. It will also include a review of potential sites in the SHLAA to ensure capacity and delivery assessments are still reasonable. This will be informed by a 'call for sites exercise'. This will ensure that the Council's evidence base is up-to-date.

#### *Assessment of options*

9. In the event that new greenfield locations are required, the Council must be able to demonstrate that it is pursuing "the most appropriate strategy when considered against the reasonable alternatives based on proportionate evidence" (NPPF para 182). The Council will assess how options perform against the seven Core Strategy objectives (updated in light of the (NPPF) and the LDF Sustainability Appraisal criteria. This includes issues such as environmental impact; deliverability; minimising the need to travel; maximising the use of sustainable transport modes, capacity. This work is linked to the review of the SHLAA.

### **Other Core Strategy Policies**

10. The inspector also expressed concern about four other Core Strategy polices, of particular note was the Affordable Housing policy. The Inspector considered that a



blanket application of an average of 35% affordable housing across the District didn't appear to reflect the evidence on differences in sub-district viability and that an area based approach may be more justified. The Council will review the evidence and the implications for this policy.

### **Next Steps**

11. As set out in the programme above, B&NES is scheduled to agree changes to the Core Strategy in February 2012. There is some benefit in discussing the emerging results on housing and other policies with Town and Parish Councils beforehand and appropriate arrangements will be made.

## ITEMS 9b and c: PLACEMAKING PLAN AND NEIGHBOURHOOD PLANNING

### Introduction

1. This briefing note updates town and parish council on the purpose, scope and preparation programme for the Placemaking Plan. It also comments on the potential for and added value of preparing Neighbourhood Plans.

### Placemaking Plan: Purpose, scope & timetable

#### Purpose

2. The **Placemaking Plan** complements the Council's Core Strategy by setting out the development aspirations and the planning requirements for the delivery of development sites, and updating and reviewing the planning policies used in the determination of planning applications. It is focussed on creating the conditions for better places, and on providing greater clarity to enable developments to be delivered. It will provide the detail to show how development can benefit and enhance local communities.
3. Within the context of the Core Strategy and the National Planning Policy Framework (NPPF) the Placemaking Plan will ensure a robust and up to date planning policy framework is in place for the period up to 2031

#### Scope

4. The Placemaking Plan will:
  - facilitate the delivery of development sites by providing the necessary level of policy guidance and site requirements to meet Council objectives.
  - safeguard and enhance the quality and diversity of places in B&NES and identify opportunities for change.
  - set out how the housing supply and other development commitments are to be delivered.
  - be prepared in a collaborative way to ensure that it responds to the aspirations of other parts of the Council, stakeholders and local communities.
  - address how infrastructure requirements will be met and other obstacles to delivery of development sites will be overcome.

#### Timetable: Key stages

5. The programme for the main stages of preparation is set out below. This programme was agreed by Cabinet at its meeting on 12<sup>th</sup> September.

Issues and alternative options consultation	Spring 2013
Publication of draft Plan	December 2013
Submission to Secretary of State	April 2014
Hearings	August – September 2014

Receipt of Inspector's Report	December 2014
Adoption	March 2014

### Current Stage: Issues and Options

6. Research and collaborative internal working is currently underway to:
  - Identify evidence gaps in site knowledge and policy
  - Evaluate effectiveness of existing development management policies, and identify requirements
  - Generate placemaking themes , opportunities and options for places or groups of sites
  - Formulate site specific development principles and requirements, development and infrastructure requirements
  
7. Within the context of the Core Strategy the Placemaking Plan will need to set out a planning policy framework to help shape the future of the towns and villages across the District. This work needs to be undertaken with the involvement of local communities, including through Town and Parish Councils. A process of engaging the Town and Parish Councils needs to be developed in order to secure input into the options stage of the Placemaking Plan, and to ensure that a widespread understanding of the issues is achieved. Issues that are likely to require discussions include:
  - a. Achieving sustainable development in the villages that meet the criteria of Core Strategy policy RA1 (the draft Core Strategy suggests development of around 30 dwellings at these villages)
  - b. Reviewing the Housing Development Boundaries of RA1 villages, RA2 villages and those washed over by the Green Belt.
  - c. Delivering Affordable Housing.
  
8. In order to start engaging Town and Parish Councils in this work and to help develop a clear process for on-going involvement a briefing/workshop event with Town and Parish Councils is being set up for November. Following this initial session it is hoped that the input of Town and Parish Councils will help to ensure the Placemaking Plan sets out a spatial planning framework for villages reflecting local community aspirations.

### Neighbourhood Planning

9. The Neighbourhood Planning Protocol, which was approved by Cabinet in September, sets out information on planning at the neighbourhood level and outlines the various different forms this can take. These include the preparation of Neighbourhood Plans. Town and Parish Councils can choose to prepare a Neighbourhood Plan to help guide and shape future development of their communities. However, experience elsewhere has shown that the preparation of Neighbourhood Plans is a time consuming and is likely to be financially costly.

10. The Placemaking Plan provides the opportunity for I Town and Parish Councils to work with B&NES to secure and establish much of what can be set out in Neighbourhood Plans. Inputting into and helping to prepare the Placemaking Plan has three main benefits:
  - More cost effective than preparing a number of individual Neighbourhood Plans
  - Policy framework for a village/neighbourhood becomes part of a strategic plan
  - Efficient use of Council expertise/resources to deliver community aspirations
  
11. The November briefing session /workshop will assist both B&NES and the Town and Parish Councils to facilitate collaboration in advance of the wider consultations on the Placemaking Plan scheduled from Spring 2013. This will include discussion of the SHLAA update.

**Briefing Note to Parishes Liaison Meeting**

**17<sup>th</sup> October 2012**

**The Planning Department's intentions with regard to the future of Planning Enforcement.**

Following the appointment in May and July of two qualified Planning professionals who will bring experience to the Enforcement Section of the Planning Department there has been a state of flux!

The Policies relating to Enforcement are currently being examined and the processes are being transformed to improve the efficiency and approachability of the Section.

The Section is spearheading the Customer Service 'Programme for Change' programme within the Planning Department.

Our vision is to transform perceptions and create a service that uses negotiation in combination with legal powers whilst explaining the reality of what can be achieved under Planning Legislation to benefit the wider environment of Bath and North East Somerset.

At present we have a Planning qualified Team Leader, a Planning qualified Principal Officer, a Planning qualified Senior Officer and two Enforcement Officers. Whilst it is acknowledged that it is impossible to police the entire District with such a small team, (and indeed this is not the role of a planning enforcement team) it will be possible to sift complaints through better use of electronic systems so that effective use is made of the Officers. This will mean that those issues raised which are of a high priority can be actioned quickly whilst others that do not fall within the remit of Planning can be redirected. It is going to be necessary to create a hierarchy of priorities to achieve this goal and there will need to be liaison with Parish and Town Councils who as always are the 'eyes and ears' of any good Council!

We welcome the help Parish and Town Councils can give us as an extra resource with their local knowledge and we will continue to work to improve the information that we are able to provide them in terms of feedback.

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## **Gypsies, Travellers' and Travelling Showpeople Site Allocations DPD Update on Stock Take and Progress**

### **Context**

1. At its meeting of 12 September 2012 the Cabinet noted that a 'stock take' is currently underway. The key tasks included within that stock take are:
  - responding to the issues arising from the Preferred Options consultation;
  - ongoing assessment of the 3 sites previously consulted on;
  - assessment of new sites suggested through the Call for Sites, including a review of the existing unauthorised Gypsy and Traveller sites;
  - a review of the site selection process which will be used to review existing sites and assess new sites;
  - review of major development sites, as part of the Core Strategy review, to assess opportunities for Gypsy and Traveller sites;
  - a review of capacity outside the Green Belt, including opportunities for provision in neighbouring local authorities;
  - an update to the assessment of need for pitches to establish the level of need for 5 and 10 year supply of sites in accordance with Planning for Traveller Sites; and
  - ongoing engagement with neighbouring local authorities in accordance with the duty to cooperate.
2. The programme for that work is for the stock take to be completed in December 2012. That will be followed by a public consultation on the results of the stock take in March/April 2013.

### **Stock Take Progress**

3. The full schedule of representations for each site previously consulted on have been published on the dedicated webpages at [www.bathnes.gov.uk/planningfortravellers](http://www.bathnes.gov.uk/planningfortravellers) (see 'Consultation').
4. Fieldwork for the update of the assessment of accommodation need (GTAA) has nearly been completed by consultants. The report will identify the need for permanent and transit pitches, and Travelling Showmen's yards, over the next 15 years (as required by national policy), as well as identifying any preferred tenures and site specific requirements expressed by those interviewed. A final report is expected to be published in December 2012.
5. Contact has been made with the neighbouring local authorities to ascertain whether there is any scope to accommodate Bath and North East Somerset Council's need for Gypsy, Traveller or Travelling Showpeople sites in their area.

6. Research is also underway on the potential for Gypsy and Traveller site delivery on urban extensions or major development sites, including speaking with other local authorities who have sought to address this issue.
7. The Council is writing to developers and Registered Providers to ask for their feedback on two options that could be taken forward:
  - (1) to incorporate a non-site specific criteria policy which seeks consideration of the inclusion of Traveller pitches on large development sites; and
  - (2) the potential for large development sites to be specifically allocated to include Traveller pitch delivery.

### **Site Selection Assessment Matrix**

8. A key part of the stock take is a review of the site selection process. A draft set of criteria were included as part of the Cabinet report, and have since been subject to internal consultation and review. The amended set of criteria is appended to this briefing note.
9. The draft assessment criteria take a more analytical approach to site assessment, setting out a number of questions arising from the policy requirements of *Planning for Traveller Sites*, the NPPF and the local planning policy context.
10. In the meantime work has commenced on the assessment of each of the 3 sites remaining from the previous consultation stage, the new sites recommended to the Council, and the existing unauthorised sites. The Council will analyse all feedback received from neighbouring local authorities, statutory consultees, developers and Registered Providers, together with the results from the GTAA update and use this information to inform the site assessments.

### **Next Steps**

11. The stages are:
  - Results of GTAA update are considered by the Council (November 2012);
  - A formal decision on a shortlist of sites for public consultation in February 2013;
  - March-April 2013: public consultation on the shortlist.
12. The results of the public consultation will then inform preparation of the draft Plan, formal public consultation and subsequent submission to the Secretary of State for examination. There is benefit in discussing the emerging results of the stocktake with Town and Parish Councils at an early stage and appropriate arrangements will therefore be made.



## **DRAFT REVISED SITE SELECTION CRITERIA**

Assessment tables to be broadly guided by national policy, Planning for Traveller Sites and the NPPF, Local Plan policy HG.16 and the emerging Core Strategy Policy CP11 (as below) as baseline criteria for land allocations. Tables identify analytical approach to site selection by drawing out site-specific opportunities and constraints as against the criteria.

### **Policy CP11**

The following criteria will be used to guide the identification of suitable sites to meet the established accommodation needs of gypsies, travellers and travelling showpeople to 2011 and their accommodation needs beyond 2011 once assessed.

Proposals for sites for gypsies, travellers and travelling showpeople accommodation will be considered against the following criteria:

- a. local community services and facilities, including shops, schools and health facilities, should be accessible by foot, cycle and public transport
- b. satisfactory means of access can be provided and the existing highway network is adequate to service the site
- c. the site is large enough to allow for adequate space for on-site facilities and amenity, parking and manoeuvring, as well as any commercial activity if required
- d. the site does not harm the character and appearance of the surrounding area
- e. adequate services including utilities, foul and surface water and waste disposal can be provided as well as any necessary pollution control measures
- f. use of the site must have no harmful impact on the amenities of neighbouring occupiers
- g. the site should avoid areas at high risk of flooding and have no adverse impact on protected habitats and species, nationally recognised designations and natural resources

**Table 1**

<b>Site</b>	
<b>Background Information</b>	
<b>Site size, location and existing land use</b> <i>(Where is the site in relation to the existing settlement boundary?)</i>	
<b>Planning history</b>	
<b>Sustainability – economic factors</b>	
Site access to local services? <i>(Food shop, schools, doctor's surgery)</i>	
Would the site enable access to employment opportunities?	
<b>Sustainability – social factors</b>	
Could the site promote peaceful and integrated co-existence? <i>(E.g. residential amenity, privacy, proximity to neighbouring land uses)</i>	
Site access to health facilities?	
Site access to education?	
Could the site promote opportunities for a healthy lifestyle? <i>(E.g. adequate landscaping, play space provision)</i>	

<p>Could the site provide an opportunity for high quality design and a good standard of amenity? <i>(E.g. soft landscaping, site not isolated)</i></p>	
<p><b>Sustainability – environmental factors</b></p>	
<p>Would the site make use of previously developed, untidy or derelict land?</p>	
<p>Would the site place occupants / neighbouring land uses at risk from flooding?</p>	
<p>Is the local infrastructure accessible and have capacity for development? <i>(E.g. highway capacity, ability to turn vehicles on-site, access)</i></p>	
<p>Could the site provide a healthy environment for site and neighbouring occupants? <i>(E.g. contamination, noise issues, hazardous location, access to utilities)</i></p>	
<p>Would the site adversely impact on any important habitat(s) or species? <i>(E.g. Site of Nature Conservation Interest)</i></p>	
<p>Would the site adversely impact on any landscape designation(s)? <i>(E.g. Area of Outstanding Natural Beauty)</i></p>	

Would the site adversely impact on any heritage asset(s)? <i>(E.g. World Heritage Site, Conservation Area, Listed Building)</i>	
<b>Sites in Rural Areas and the Countryside</b>	
Would the scale of the site dominate the nearest settled community?	
Is the site proposed to meet a need for a rural exception site and would this site be appropriate? (Solely affordable provision)	
<b>Green Belt</b>	
Would the site require an exceptional Green Belt boundary alteration?	
<b>Mixed Use</b>	
Would a mixed-use site at this location be practicable, and have due regard to the safety and amenity of site and neighbouring occupants? <i>(I.e. Could the site enable traditional Gypsy / Traveller lifestyles, including through live/work pitches?)</i>	
<b>Is the site Suitable, Available and Achievable?</b>	
Commentary on overall site suitability for development	

Is the site available for development as residential or transit pitches, or a Travelling Showmen's yard? <i>(Any ownership issues)</i>	
Is the site developable and deliverable? Over what timescale would the site come forward? <i>(E.g. viability concerns, barriers to delivery)</i>	
What pitch capacity does the site have?	
<b>Conclusions</b>	

**Table 2**

***Following table to be used in assessing the overall need for Green Belt sites to be released for allocation for all sites.***

<b>Green Belt Boundary Alteration</b>	
Are any of the sites recommended for allocation located within the Green Belt?	
Consideration of exceptional circumstances warranting individual boundary alteration(s)	

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<b>Bath &amp; North East Somerset Council</b>	
MEETING:	Parishes Liaison Meeting
MEETING DATE:	17 <sup>th</sup> October 2012
TITLE:	BDUK – Connecting Devon and Somerset Broadband Project
WARD:	ALL
<b>List of attachments to this report:</b>	
None	

## **1 THE ISSUE**

1.1 The Connecting Devon and Somerset programme is led by Devon and Somerset County Councils in partnership with Bath and North East Somerset, North Somerset, Plymouth and Torbay Councils. It aims to provide 100% broadband coverage of at least 2Mbps with a minimum of 85% superfast broadband at 24Mbps by 2015 and superfast broadband for all by 2020.

## **2 RECOMMENDATION**

The Parishes Liaison meeting is asked to:

2.1 Note the contents of this report for information.

## **3 FINANCIAL IMPLICATIONS**

3.1 In January 2012 Cabinet agreed a capital contribution of £690,000 to the Connecting Devon and Somerset project over 3 years 2012/13 to 2014/15.

3.2 This secures a contribution of £690,000 from the Department of Culture Media And Sport's BDUK fund direct to the project.

3.3 This allows for match funding of £1,380,000 from a private infrastructure provider also direct to the project.

3.4 £179,000 European Regional Development Fund (ERDF) revenue funding for Demand Stimulation and Skills Uplift has also been secured, this goes directly from ERDF to the project.

3.5 In February 2012 the Chief Executive agreed a Council revenue contribution totalling £175,000 over three years for project management to the Connecting Devon and Somerset project from the Revenue Budget Contingency Reserve. This goes direct to the project.

3.6 B&NES Officer time is provided from core Economic Development budgets.

## **4 THE REPORT**

### **THE INVITATION TO TENDER**

- 4.1 The Connecting Devon and Somerset superfast broadband programme launched its procurement process on 2<sup>nd</sup> July 2012. This followed the completion of work to deliver a National Framework of suppliers, with two bidders, BT and Fujitsu Telecom, signing an agreement in London.
- 4.2 BT and Fujitsu were invited to tender for the Connecting Devon and Somerset contract to deliver the infrastructure for superfast broadband across the area. Both companies signed up to the National Framework following a lengthy procurement process, however Fujitsu have withdrawn from the bidding process following a public statement that they will not be submitting bids to any of the national publicly-funded opportunities.
- 4.3 The BT bid is due for submission on 31<sup>st</sup> August 2012. The Connecting Devon and Somerset project is committed to ensuring that a successful bid from BT would deliver excellent value for money.

### **DEMAND REGISTRATION**

- 4.4 The Connecting Devon and Somerset project is registering demand for improved broadband from residents and businesses via their website [www.connectingdevonandsomerset.co.uk](http://www.connectingdevonandsomerset.co.uk)
- 4.5 This information will be provided to the infrastructure providers and will inform their decisions about where to invest further.

### **STATE AID**

- 4.6 State aid is a European Commission term which refers to forms of assistance from a public body or publicly-funded body, given to undertakings engaged in economic commercial activity on a selective basis, with the potential to distort competition and affect trade between member states of the European Union.
- 4.7 Connecting Devon and Somerset must have a state aid notification approved by the European Commission before public monies can be spent on superfast broadband.
- 4.8 The formal consultation has been launched that will form an important part of the state aid notification.
- 4.9 The consultation, launched 3<sup>rd</sup> March 2012, sets out where it is currently known that superfast broadband will be provided over the next 3 years and where under state aid rules, the Connecting Devon and Somerset Programme can intervene to increase superfast coverage. The outcome of the State Aid process has not yet been announced but resolution is expected by the end of September 2012.



## **DEMAND STIMULATION AND SKILLS UPLIFT**

4.10 The demand stimulation and skills development programme will motivate and equip consumers, communities and businesses with the desire and the right skills to fully adopt broadband and to use ICT in order to achieve maximum economic development impact. It comprises a significant targeted promotional campaign, a community support programme, a business support programme and a skills development programme covering businesses, consumers and public service users.

4.11 Businesses will be targeted through

- Business transformation mentoring to provide bespoke and tailored advice
- Interactive business animation events targeted at sectors and areas facing particularly strong skills, knowledge and confidence gaps
- Peer to peer support using business associations, sector networks and business support intermediaries such as banks and accountants
- Skills development workshops
- A promotional campaign.

4.12 Communities and residents will be targeted through:

- Community champions giving trusted advice and helping other members of their community gain confidence
- Interactive community animation events targeted at those which face particularly strong skills, knowledge and confidence gaps.
- A programme of support, expert advice and a toolkit to support those communities who wish to develop their own community broadband hubs
- A skills development programme to equip basic adopters with the skills needed to utilise better broadband
- a promotional campaign across the area.

## **SURVEY RESULTS**

4.13 A survey of 8,170 businesses and residents across the Connecting Devon and Somerset area has been undertaken.

- 4,470 telephone interviews were conducted with residents. Of these 73% had a broadband connection, a figure that is very close to the national average of 76% (Ofcom Q4, 2011)
- Only 3% of broadband users questioned during the survey already had what could be considered to be a superfast connection reflecting the relatively low penetration of the technology across the project area

- 3,699 businesses took part in the telephone survey. Of these, 19% of businesses said they do not currently have a broadband connection. The majority of these felt it was not needed for their business
- 62% of residents and 59% of businesses with a connection stated they needed faster broadband (a total 16,911 residents and businesses across the programme area)
- During the survey respondents were asked to do an online speed check, 27% of residents and 25% of businesses currently experience speeds of less than 2Mbps. Currently 5,598 businesses and residents have told us they are experiencing this level of service
- 54% of residents and 54% of businesses experience speeds of between 2 and 8 Mbps
- For those with a measured connection speed of less than 4Mbps (Nearly 50% of all broadband users) the demand for a faster service was very significantly higher at nearly 80%

## **TIMETABLE**

- 4.14 The award of the Devon and Somerset broadband partner contract is expected in late 2012.
- 4.15 The business and community skills campaign will be launched early 2013.
- 4.16 The deployment and roll out schedule will be announced Jan / February 2013.

## **5 RISK MANAGEMENT**

- 5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.
- 5.2 The Service maintains and regularly reviews a risk register aligned with corporate requirements.
- 5.3 There are a number of Risks associated with the Programme and these have been acknowledged in the Local Broadband Plan. A Risk Log for the Programme is owned by the Connecting Devon and Somerset Programme Manager and this is reviewed at each Programme Board meeting. Responses to some of the key risks of the Programme are commercially sensitive and are not in the public domain.

## **6 EQUALITIES**

- 6.1 Through the Connecting Devon and Somerset broadband project there are some real opportunities to:
- Reduce the inequality of service generally experienced by those living in more rural areas than those living in more urban areas;

- Improve communities' ability to use the internet to access public service information, work from home if travel is difficult, develop their businesses, use distance learning materials, and so on;
- Ensure more vulnerable communities and groups, such as older people, can receive help to access better internet services which might for example help to support them in dealing with health issues.

<b>Contact person</b>	Anna Garner 01225 477 748
<b>Divisional Director</b>	Jeremy Smalley 01225 477 822
<b>Background papers</b>	Report to Cabinet 11 <sup>th</sup> January 2012, Connecting Devon and Somerset.
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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