

**Democratic Services**

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Date: 16 February 2016  
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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, 24th February, 2016**

You are invited to attend a meeting of the **Parishes Liaison Meeting**, to be held on **Wednesday, 24th February, 2016 at 6.30 pm** in the **Community Space, Keynsham - Market Walk, Keynsham.**

The agenda is set out overleaf.

Yours sincerely



Sean O'Neill  
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 Sean O'Neill who is available by telephoning Bath 01225 395090 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 Sean O'Neill 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](http://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 Sean O'Neill 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, 24th February, 2016**

**at 6.30 pm in the Community Space, Keynsham - Market Walk, Keynsham**

### **A G E N D A**

1. WELCOME AND INTRODUCTIONS
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 one of the named assembly points. The designated exits are sign-posted. Arrangements are in place for the safe evacuation of disabled people. The assembly points are: the front and rear of Riverside, Temple Street.*

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 - 14)
6. VIDEO IN HONOUR OF PETER DUPPA-MILLER

The Chairman's Lifetime Achievement Award was recently renamed the Peter Duppa Miller Lifetime Achievement Award in honour of Peter's work for local communities. A short film will be shown honouring Peter's work for the community.

7. UPDATES FROM BATH AND NORTH EAST SOMERSET COUNCIL (Verbal Report)
  - (a) COUNCIL BUDGET
  - (b) ARRANGEMENTS FOR THE REFERENDUM ON A DIRECTLY-ELECTED MAYOR FOR BATH & NORTH EAST SOMERSET (Pages 15 - 16)

A briefing note the Council Monitoring Officer is attached.

8. BRIEFING REQUESTED BY PARISHES: INFRASTRUCTURE AND DEVELOPMENT IN BATH AND NORTH EAST SOMERSET (Pages 17 - 22)

A background briefing note on delivering local infrastructure, including information on the Community Infrastructure Levy, is attached, designed to complement the briefings to parishes on CIL which took place recently.

Attention is drawn to the following:

- The Council is in the process of updating the Schools Organisation Plan to reflect any changes since the Plan was last published and this will be discussed

at the Children and Young People Policy Development and Scrutiny Panel on 22nd March and will also be reported to Cabinet on 4th May.

- Two working groups (for Keynsham area and Chew Valley and Somer Valley and Bathavon, respectively) on the Joint Spatial Plan have been established, including representatives from parishes. Information on these working groups has been circulated to parish councils.
- The Council aims to develop proposals to remove through traffic from the city. This work will continue with discussions with Wiltshire, highways England and the DfT. The objective will be to develop these options for inclusion in Highways England's next funding programme.
- As part of its development of transport strategies for the Chew Valley and Somer Valley, the Council has recently examined road safety along the A37 corridor. We will engage with local communities on this in the near future.

9. SPECIFIC ISSUES RAISED BY PARISHES FOR RESOLUTION (Pages 23 - 24)

A briefing note is attached.

10. FOR INFORMATION: MEETINGS OF CONNECTING COMMUNITIES FORUMS

**Dates of Meetings of Connecting Communities Forums meetings**

<b><u>FORUM</u></b>	<b><u>DATE</u></b>	<b><u>KEY AGENDA ITEMS</u></b>
Keynsham Area	17 <sup>th</sup> February	Community safety
Chew Valley	22 <sup>nd</sup> February	Transport and Broadband
Bathavon	23 <sup>rd</sup> February	Developing the Forum
Somer Valley	25 <sup>th</sup> February	Enterprise Area

Information on the Green Spaces strategy will be available at each Forum meeting.

Chief Inspector Kevin Thatcher will provide an update on Policing matters at each Forum meeting.

More information is available [here](#).

11. DATES OF FUTURE PARISH LIAISON MEETINGS

The following dates are at present scheduled for future Parish Liaison Meetings:

11 May 2016

12 Oct 2016

15 Feb 2017

The Committee Administrator for this meeting is Sean O'Neill who can be contacted on 01225 395090.

# Bath and North East Somerset Council

## PARISHES LIAISON MEETING

### Minutes of the Meeting held

Wednesday, 21st October, 2015, 6.30 pm

Bath and North East Somerset Councillors: Alan Hale, Tim Warren, Anthony Clarke, Michael Evans, Charles Gerrish and Martin Veal

Representatives of: Bathampton, Batheaston, Bathford, Cameley, Camerton, Clutton, Compton Dando, Compton Martin, Dunkerton, East Harptree, Englishcombe, Farmborough, Freshford, High Littleton, Hinton Charterhouse, Monkton Combe, Peasedown St John, Priston, Saltford, Shoscombe, South Stoke, Stanton Drew, Timsbury, Ubley, West Harptree, Whitchurch Parish Councils and Keynsham Town Council

Also in attendance: Andrew Pate (Strategic Director, Resources), Lisa Bartlett (Divisional Director, Development), Mark Reynolds (Group Manager Development), Peter Dawson (Group Manager, Planning Policy & Transport), Chris Major (Group Manager, Transport & Parking), Carol Maclellan (Waste Services Manager) and Andy Thomas (Group Manager Strategy & Performance)

#### 11 WELCOME AND INTRODUCTIONS

Councillor Alan Hale, Vice-Chair of Bath and North East Somerset Council, welcomed everyone to the meeting. He said that he would be chairing the meeting in the absence of Councillor Ian Gilchrist, who had presented his apologies.

#### 12 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure as set out on the agenda.

#### 13 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Ian Gilchrist, Councillor Vic Pritchard, Councillor Patrick Anketell-Jones, Dr Jo Farrar, Corston Parish Council and Tony Heaford (Publow with Pensford PC).

#### 14 URGENT BUSINESS AS AGREED BY THE CHAIR

There was none.

#### 15 MINUTES OF PREVIOUS MEETING

These were approved as a correct record and signed by the Chair.

## 16 LEADER'S REPORT

The Leader of the Council, Councillor Tim Warren, reported to the meeting on the following issues.

### West of England Devolution Deal

Councillor Warren said that the West of England (WoE) was the most productive city region outside the South East and a net contributor to the national economy. The 4 authorities in the WoE formed a bigger economic area than Merseyside. The WoE was overheating and facing challenges in housing supply and affordability and congestion. House prices were about 18% above the national average. The region needed more housing, jobs and infrastructure. There was a shortage of construction skills.

It had been calculated that a £1bn investment in infrastructure could generate a £2bn annual increase in economic output. An initial devolution and payment-by-results proposal had been submitted to the Government on 4<sup>th</sup> September. The proposal would require a review of governance arrangements. At present there was a Strategic Leaders Board comprising the Mayor of Bristol and the leaders of Bath and North East Somerset, North Somerset and South Gloucestershire. There was no appetite among the WoE partners for recreating Avon; they wanted to retain their uniqueness and individuality. There would be a meeting with ministers at Parliament and it was hoped that agreement would be reached in principle by the Spending Review announcement on 25 November.

Responding to a question from a parish delegate about what powers might be devolved to the WoE, Councillor Warren said it was hoped that powers over skills training, infrastructure investment and housing would be devolved. The four authorities were not seeking powers over health, or policing. It would make a big difference to Bath and North East Somerset if it was able to retain business rates.

### East Bath Park and Ride

Councillor Warren said that there had been several thousand responses to the consultation. It was the largest number of responses to a consultation that the Council had ever received. The responses were being reviewed and more details would be published when the review had been completed. He could not commit any particular outcome at the moment. In response to a question from a delegate, he agreed that it was possible that the Park and Ride might not go ahead. He noted that 70% of respondents to the consultation in the Bath Chronicle had been in favour, but thought that the Council now had a greater understanding of all the issues around the scheme.

### Referendum on an elected Mayor for Bath and North East Somerset

Councillor Warren informed the meeting that the necessary 5% of electors had signed a petition calling for a referendum on an elected mayor. The referendum will be held next year, perhaps in May. It was important to understand that the



referendum was about whether or not there should be an elected executive mayor for Bath and North East Somerset, the equivalent of George Ferguson in Bristol; the role of the existing Mayor of the City of Bath would not be affected.

## **17 PARISH SWEEPER SCHEME**

Carol Maclellan updated the meeting on the review of the Parish Sweeper Scheme. She said the scheme was set up in 2003. There had been limited monitoring and it was appropriate to carry out a review now. The review would assess how money was being used and to identify opportunities to improve the efficiency and effectiveness of the Scheme with parishes. About 18 parishes participated in the scheme with different ways of doing things. The first step was to find out what parishes were doing and what they liked or did not like about the scheme. Patricia Vincent had written to all town and parish councils and had met with a number of them. The information gathered would be reviewed and proposals made in December or early next year. Issues that would be looked at included staff training and the provision of equipment.

In reply to questions, Carol said

- the review was not about removing the scheme, but improving it; there was no money to enable another parish to participate at the moment, but the review would look at how the participation of additional parishes could be funded; some parishes were struggling to recruit staff and in places there was duplication; the review was about how the scheme could work more effectively and efficiently
- information was being gathered from parishes to see exactly what they were doing under the scheme; this was not clear at the moment, because the responsibilities of parishes had changed and grown over time
- the clearance of brambles and tidying of verges was not done under the Parish Sweepers Scheme, but was the responsibility of the Parks Department and should be happening as a matter of course; schedules for this work were being reviewed and uploaded to the website, so that parishes could find out when work was due in their area
- the contracting out of respraying had not been successful, so it had been brought back in house; the staff qualification had been improved and six staff trained for the new qualification; this year's programme had started much later than it should because of the problems with contracting out

Councillor Veal said he would be happy to visit parishes with Carol and would ensure that any issues raised would be fed into the consultation process.

In response to a question, Councillor Warren said that the Parish Rangers scheme was a great idea, but unfortunately funds were not available to extend it at the moment.

## 18 PLANNING ISSUES

### Planning Applications – Referral to Chair of Development Management Committee

Mark Reynolds gave a presentation. A copy of his PowerPoint slides is attached to these minutes as Appendix 1. Mark emphasised that applications where a parish had disagreed with the officer's recommendation would only be referred to the Chair if planning reasons were given. It was therefore important for parishes to ensure that they related their comments to the Council's statutory plans.

In response to questions Mark said:

- as soon as the Chair made a decision, this should be posted on the Council's website and the relevant parish would be informed; parishes should let him know of instances where this had not happened
- there was no statutory requirement to consult when applicants revised their plans after discussions with officers, but officers would consult where significant changes were made the Chair would be aware from the report and file whether a parish's comments were based on the original or revised plans

The Chair urged the planning officers to ensure that Chair's decisions were always reported back to the parish. Mark said he would remind his colleagues that this should be done as a matter of course

### Local Development Scheme

Lisa Bartlett updated the meeting.

Placemaking Plan. The Draft Plan would be considered by Cabinet in December in order for a consultation exercise to begin. It was based on national policy and guidance. Some of the Council's existing plans had been in place for some years and needed updating. Any responses to the consultation would be directed to the Planning Inspector.

Neighbourhood Plans. She thanked all those who had input to the development of these Plans. The current situation re Neighbourhood Plans can be summarised as follows. 12 areas now designated as Neighbourhood Planning areas – progress as follows:

- Stowey Sutton Plan has been made by the Council (September)
- Freshford & Limpley Stoke Neighbourhood Plan and Clutton neighbourhood Plan passed their respective referendum in September. The Plans are both due to be made by Cabinet in November
- Englishcombe is anticipated to submit its draft Plan to the Council in November
- Chew Valley area and Midsomer Norton are still anticipated to reach draft Plan stage towards the end of the year (Nov/Dec 2015)

- Stanton Drew are working on their options and are going out for community consultation in November
- Whitchurch, Westfield , Timsbury, Publow with Pensford & Batheaston are at the initial evidence gathering stage of Neighbourhood Plan preparation

### Planning Training and Support

Mark Reynolds made a presentation. His PowerPoint slides are included in Appendix 1. He said that he hoped parishes had received emails about training workshops, the first of which take place the following Monday in Keynsham.

Councillor Veal suggested that parishes should invite their ward councillors to attend the workshops.

### WoE Joint Spatial Plan

Lisa Bartlett gave a presentation on the Joint Spatial Plan. A copy of her slides is attached as Appendix 2 to these minutes.

The Chair asked who determined the amount of rented housing. Lisa said that at the moment affordable housing was provided on the basis of the Councils adopted planning policies and the details of the type and tenure was guided by advice from housing colleagues. Affordable housing was generally rented accommodation. The Government planned to extend the right to buy to affordable housing, but the regulations had not yet been made.

### West of England: Update on Gypsy and Traveller Work

Lisa Bartlett said the Bath and North East Somerset continued to work with its partners in the West of England. Main issues for B&NES are the large proportion of land in the Green Belt (and to allocate a site in the Green Belt, exceptional circumstances need to be made to justify such an allocation) and the lack of suitable located, available, developable and deliverable non-Green Belt sites.

Partners were reviewing their areas but early consultations had indicated that there was no capacity in the other areas for travellers from Bath and North East Somerset. It was not possible for a local authority to allocate sites in its area for travellers from another area, which meant that travellers from other areas could not be allocated sites within B&NES. Recent changes to government legislation gives greater protection for the Green Belt and greater protection for the countryside in general.

Councillor Veal asked if the traditional routes of gypsies and travellers were known, and. He also said that river travellers needed to be taken into consideration. Lisa replied that she had no information on the traditional routes of travellers in B&NES. An assessment of river travellers was being undertaken.

## **19 COMMUNITY TRANSPORT - FUTURE STRATEGY**

Chris Major provided a brief overview of Community Transport in Bath and North East Somerset.

He said that the term 'community transport' was usually applied to forms of transport provided to local communities for the benefit of those disadvantaged by lack of access to ordinary transport facilities, such as people with disabilities, or even residents of remote villages. It was often provided by charities or non-profit organisations and operated by volunteers. Local authorities had the discretion to decide whether to provide financial aid, which organisations to support and how much to give them. Bath and North East Somerset supports several organisations in Bath, Keynsham, Midsomer Norton and Radstock. The Council supports 3 dial-a-ride schemes, 5 minibus schemes and 3 voluntary car schemes in total. These groups were supported with a sum of £286,000 this year to enable them to provide in total 105,000 passenger journeys. Passengers were up 9% on the previous year and subsidy per passenger is down 14% in the last two years.

The Council had to be aware of possible legal challenges to the provision of grants under EU state aid rules, which were very complex. Factors that had to be taken into account were the amount of financial support and the nature and activities of the group. The Community Transport scheme was being reviewed by Internal Audit to ensure that relevant rules and regulations were being complied with, that the money was being properly spent and that contracts were robust and properly monitored. The Keynsham Transport Strategy is in process of being adopted and there would be similar strategies for the Somer Valley and Chew Valley areas. The Council had obtained £60,000 from the DfT's Total Transport Fund to undertake a review in the Chew Valley area as a pilot. This would allow a greater understanding of the transport needs in this area and of how different groups could be brought together to work more cost effectively. There was dialogue with local transport liaison groups.

## **20 FUTURE AGENDA ITEMS**

Items suggested were broadband in rural areas and education.

## **21 DATES OF FUTURE MEETINGS**

It was noted that the date of the next meeting would be:

24<sup>th</sup> February 2016.

It was agreed that the dates of future meetings would be:

11<sup>th</sup> May 2016

12<sup>th</sup> October 2016

15<sup>th</sup> February 2017

## **22 NOTE: LOCAL TRANSPORT STRATEGY FOR KEYNSHAM**

The Meeting noted the Council's response on the Local Transport Strategy and 'rat running' through Keynsham.

Council response

The current work on the Local Transport Strategy acknowledges that the lack of road infrastructure around Keynsham presents a significant challenge. Feedback in relation to the Keynsham strategy (eg from discussion at the exhibition on 15th September) is currently being considered and any specific proposals in relation to schemes aimed at reducing "rat-running" would be welcome. This issue may also be referred to the Keynsham Area Forum for consideration.

The meeting ended at 8.13 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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**Parishes Liaison 24 February 2016**

**Referendum on Elected Mayor for Bath and North East Somerset**

**Briefing Note from Maria Lucas, Monitoring Officer**

1. Bath & North East Somerset Council has received a valid petition under The Local Authorities (Referendums) (Petitions) Regulations 2011 seeking to change the way the Council is run from a Leader and Cabinet Executive (the current model) to an Elected Mayor and Cabinet Executive.

2. Under these regulations a Referendum will be held to consider the proposed change. The poll for the Referendum will be held on Thursday 10 March 2016 between the hours of 7am and 10pm.

3. The question to be asked in the Referendum is–

How would you like Bath & North East Somerset Council to be run?

By a leader who is an elected councillor chosen by a vote of the other elected councillors. This is how the council is run now.

OR

By a mayor who is elected by voters. This would be a change from how the council is run now.

4. The Council has drawn up proposals on the operation of the governance arrangements proposed in the petition and the extent of the functions which will be the responsibility of a Directly Elected Mayor. These are summarised below:

i. Any person can stand for election as Directly Elected Mayor, provided he/she satisfied the eligibility and qualification requirements for standing as a councillor (which also apply to elected mayor). It is possible for an existing councillor to stand for election as Elected Mayor, but if elected this would create a casual vacancy in the Council on taking office.

ii. The Directly Elected Mayor takes office on the fourth day following the election and would hold office until his/her successor comes into office unless he/she resigns or dies, or becomes disqualified from office under legislation governing the qualifications and disqualifications to hold office of councillor (which also applies to elected mayors). A Directly Elected Mayor cannot be removed from

office or required to resign as a result of any vote or resolution of the Council. The Directly Elected Mayor would be required to appoint a Cabinet of at least two and not more than 9 councillors, one of whom must be designated "Deputy Mayor". The Directly Elected Mayor would have authority to delegate Cabinet functions to members of Cabinet as he/she sees fit.

iii. The position of the current 65 councillors would remain unchanged, including meetings of Full Council, Policy Development and Scrutiny Panels and regulatory panels such as licensing and planning.

iv. There would be no effect on the Bath Mayoralty as these arrangements are determined by the Charter Trustees Regulations.

v. More details, including detailed impacts on the Council's constitution, are set out in Appendix 1 of the report to Council on this matter dated 12 November 2015.

5. The Referendum will be conducted in accordance with procedures similar to those used at local government elections. In the lead up to a referendum there is a 6 week pre-referendum period (commonly known as "purdah"). This restriction also applies to Town and Parish Councils. During this time, pre-referendum restrictions apply and Councils are required to take particular care over publicity to ensure that communications are balanced and without bias – that there is no appearance of support for one side or the other in the referendum. However the essential business of the Council should continue subject to the restrictions of the pre-referendum period. Guidelines on this have been issued to staff and elected members. Therefore the Parishes Liaison Meeting will not be able to take any questions or comments regarding the campaigns for or against. If necessary, Town and Parish Councils can contact the Monitoring Officer for further advice on this issue.



## Parishes Liaison Forum, 24<sup>th</sup> February 2016

### Briefing Note- Infrastructure and Development in Bath and North East Somerset

This note should be read in conjunction with the materials for the [recent parish training session on Planning Policy](#) held in November 2015.

#### 1. Policy and Delivery Framework

An underlying principle in the preparation of the Core Strategy has been the need for new development to be well-aligned with the necessary infrastructure required to support sustainable growth. The adopted [Core Strategy Section 1e](#) sets out the overall approach to infrastructure, as follows:

“The Infrastructure Delivery Programme (IDP) outlines how necessary social, transport and green infrastructure are aligned with new development. It focuses particularly on delivery mechanisms in the first 5 years of the Plan period. Essential infrastructure required to support the District-wide strategy is outlined in the relevant section of the Core Strategy”.

More detail is provided under each of the chapters relating to specific areas of the District.

Pages 36-43 of The [Draft Placemaking Plan](#) also set out [District Wide Strategy and Policies](#) in relation to infrastructure, confirm that:

“The approach is to ensure that investment in infrastructure is secured. Delivery will be assisted through a range of funding mechanisms from the Council, the West of England LEP, the Government and the private sector. “

The [Infrastructure Delivery Programme](#) (January 2016) forms part of the evidence base to support the Local Plan and Planning Obligations Supplementary Planning Document (SPD) and Community Infrastructure Levy (CIL). The Programme sets out in more detail the infrastructure requirements for the area to 2028/29. It is broken down according to the following detailed categories:

- Affordable Housing
- Energy
- Education- including early years, primary, and secondary (pp 43-60)
- Health – including primary and secondary care, mental health and community health and social care (pp 62-72)
- Minerals and Waste
- Water and Drainage
- Green Infrastructure
- Transport
- Leisure and built sports facilities

- Public realm
- Community facilities - including police, fire, libraries

For each of these categories, specific schemes are identified as well as costs, funding sources, lead agencies and relevant policies. Infrastructure investment may come from a variety of sources, depending on the nature and type of scheme, including:

- Section 106 agreements (see below)
- Community Infrastructure Levy Regulation 123 funding (see below)
- Agency capital programmes
- DFT major transport schemes
- West of England and Local Enterprise Partnership funding

## 2. [Community Infrastructure Levy \(CIL\)](#)

CIL aims to reduce the costs and increase certainty in the negotiation of planning obligations. By providing for the pooling of funds, CIL breaks the former planning obligation regime's requirement for a direct link between a contribution and a particular development. A Briefing was provided to Parish Councillors on this at the recent training session and the relevant slides are included below:

Bath & North East  
Somerset Council

### Community Infrastructure Levy

- » Largely replaces s.106 contributions. From April 2015 in B&NES. Backed by law with tough penalties for non-payers.
- » Calculated using a tariff per m<sup>2</sup> of net GIA. Paid by "liable party". Exemptions and payment by instalments allowed.
- » Paid to B&NES first, then proportion (15% capped at £100 per CT property if there is no NDP in place, 25% uncapped if NDP is in place) paid by B&NES to PCs every 6 months.
- » PCs must spend their CIL (within 5 years) to support development in their area (i.e. infrastructure or anything else that addresses demands placed by development).
- » PCs to report by 31 Dec on how much received and how spent (on their website or on B&NES website).

Bath and North East Somerset – The place to live, work and visit

## Community Infrastructure Levy

- » Planning applications granted permission prior 5<sup>th</sup> April 2015 not CIL liable
- » For those applications granted permission post 5<sup>th</sup> April 2015 CIL is charged when Reserved Matters permission granted – as this is the point at which floorspace of scheme is known
- » 25% local proportion paid from when Neighbourhood Plan is 'made'

Bath and North East Somerset – *The place to live, work and visit*

The local authority approved the Community Infrastructure Levy (CIL) charging schedule in February 2015. This came into effect on 6<sup>th</sup> April 2015. CIL is a “tariff” system that allows the local authority to raise funds from developers to contribute to the costs of providing some of the infrastructure needed for new development.

The Local Authority Regulation 123 list sets out the infrastructure types that it intends to fund, partly or wholly, through CIL receipts. These are:

- **Strategic Transport Infrastructure** including cycling and walking infrastructure, and public transport (excluding development specific mitigation works on, or directly related to, a development site);
- **Green Infrastructure** to deliver the requirements set out in the Green Infrastructure Strategy (excluding on site provisions);
- The **Early Years provision** set out in the Childcare Sufficiency Assessment (Except for the Whitchurch Strategic Site and Bath Western Riverside Charging Zone proposal);
- **School Schemes** set out in the Schools Organisation Plan (except primary schools and places required by strategic site and Bath Western Riverside Charging Zone proposals); the Council is in the process of updating the Schools Organization Plan to reflect any changes since the Plan was last published and this will be discussed at the [Children and Young People Policy Development and Scrutiny Panel](#) on 22<sup>nd</sup> March and will also be reported to Cabinet on 4<sup>th</sup> May.
- **Social Infrastructure**, including social and community facilities, sports, recreational, play infrastructure and youth provision, and cultural facilities (excluding on site provisions);
- **Strategic Energy Infrastructure** (excluding on site provisions);
- **Health and well-being infrastructure** (excluding on site provisions);

- **Strategic waste facilities;**
- **Strategic Flood Risk Management infrastructure** (excluding on site provisions).

The decision on how to spend the CIL income will be made as part of an annual process that aligns with the Council's annual revenue budget and capital programme setting. The Council's Cabinet will make the final decision on the release of CIL funds. All the CIL collected will be used to support infrastructure for the communities within the District and will be allocated as follows:

- **Local Funds:** 15% of CIL (up to a maximum of £100 per Council Tax dwelling in the area per annum) or 25% with adopted Neighbourhood Plans will be passed directly to local communities;
- **Administration Costs:** Up to 5% of CIL receipts will be used within Planning Services to cover costs associated with monitoring, managing and collecting CIL;
- **Strategic Funds:** The remaining CIL receipts will be allocated by B&NES Council.

Funds will be targeted to address infrastructure priorities identified in the Infrastructure Delivery Plan. The timetable will run on an annual basis and will be aligned with the budget decision making process, including a review of the Regulation 123 List if necessary. The allocation decisions will be based on funds actually available and risk assessed projection of future funding.

CIL must be spent on the provision, improvement, replacement, operation or maintenance of infrastructure needed to support the development of the area. It is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies, unless these are likely to be made more severe by new development. CIL receipts can only be spent on capital projects, although capital spending to improve existing assets or to extend their life is also permissible.

Local Funds will be passed from B&NES to the Parish/Town Councils twice a year on 28<sup>th</sup> April and 28<sup>th</sup> October

### 3. Section 106

In addition to CIL, Part 2 of the [Supplementary Planning Document on Planning Obligations](#), focuses on the type of planning obligations that the Council will seek to secure through the Section 106 mechanism. It sets out the policy context and, where appropriate, the trigger above which obligations will be sought in relation to each obligation type. The obligation types are as follows:

- Affordable Housing including Extracare Housing (see below)
- Transport Infrastructure Works

- Public Transport
- Green Infrastructure
- Adoption of On-Site Green Space, Allotments and Landscaping Schemes
- Tree Replacement
- Site Specific Targeted Recruitment and Training in Construction
- Fire Hydrants
- Education facilities (see below)
- Other Site Specific Measures

The Affordable Housing section of the SPD contains significantly more detail than other sections, as Affordable Housing obligations will be secured solely through the Section 106 mechanism, without funding from CIL

In relation to S106 contributions to education, the Council will be notified of the proposed mix of dwellings in the development and the following pupil yield figures based on type of dwelling and number of bedrooms will be used to calculate the contribution:

No. of bedrooms						
	Flats		Houses			
Primary pupils per 100 dwellings	4	30	9	30	46	65

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### Parishes Liaison Meeting 24<sup>th</sup> February 2016

#### Specific issues raised by Parishes for resolution - Briefing Note

##### a) Parish Sweeper Scheme: Update

Written update from Carol Maclellan, Head of Waste Services, below:

*We would like to thank parishes for their contributions and ideas on this so far. Regrettably, this review has taken longer than anticipated due to unexpected pressures on the waste service. We hope to be in a position to circulate findings at the end of March.*

##### b) Other items

In recent months a working party of Parish Council clerks have been developing detailed proposals to further improve communications, consultation and liaison. A survey of all parish clerks in the area has been undertaken which has yielded useful feedback on how joint working can be improved. It is proposed that this group be tasked with reviewing and updating the Parish Charter in the light of changes since its last review in 2008 and bring back proposals to Parishes Liaison. The working party will also consider items (i)-(iii) below, as raised by the Parishes, in more detail:

###### (i) Issues relating to publicising road diversions

*Council response: Roadworks are wherever possible advertised in advance through roadside signs, traffic regulation order notices and on the [Elgin road report](#) website which is regularly updated. It must be noted however that in the case of unplanned emergency works by utility companies, notification is not forwarded in advance of works being started.*

###### (ii) Poor search engine of B&NES website

*Council response: 64% of people arriving at the Bath & North East Somerset Council website do so via google search. However, the Council is aware of the need to maintain an effective search mechanism on its website. We are currently also working with Parish clerks so they can quickly share information and updates through an online community hosted by the Council.*

###### (iii) Quality of planning drawings

*Council response: Detailed information on how to get the best out of the system for viewing planning applications electronically is available [online](#). It is considered that generally the quality of drawings on line is sufficient but parishes will continue to receive paper plans of major applications as these are supplied by the developer.*

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