

BATH AND NORTH EAST SOMERSET

PLANNING, HOUSING AND ECONOMIC DEVELOPMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 10th January, 2017

Present:- Councillors Will Sandry (Chairman), Barry Macrae (Vice-Chair), Colin Blackburn, Lisa O'Brien, Fiona Darey, Cherry Beath and David Veale

Also in attendance: Louise Fradd (Strategic Director - Place), Graham Sabourn (Head of Housing), John Wilkinson (Divisional Director for Community Regeneration) and Lisa Bartlett (Divisional Director, Development)

36 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

37 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

38 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Liz Richardson, Cabinet Member for Homes & Planning had sent her apologies to the Panel.

39 DECLARATIONS OF INTEREST

There were none.

40 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

41 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

There were none.

42 MINUTES - 1ST NOVEMBER 2016

The Chairman stated that Councillor Liz Richardson had contacted him to suggest a small amendment to the minutes as follows.

'She informed the Panel that the Englishcombe Neighbourhood Development Plan would be debated at the Cabinet meeting on 14th November.'

The word "debated" ought to read "made"

The Panel confirmed the minutes of the previous meeting as a true record with this amendment and they were duly signed by the Chairman.

43 CABINET MEMBER UPDATE

The Cabinet Member for Economic Development, Councillor Patrick Anketell-Jones addressed the Panel, a summary is set out below.

He spoke of the significant progress that had been made by the Economic Development team over the past ten years and said that it was a credit to the Council. He added that it had taken part and completed a number of impressive projects.

He thanked the dedicated team of officers for making plans come to fruition and looked forward to the completion of Bath Quays North & South.

Councillor Cherry Beath asked if there had been any increase in empty commercial properties.

Councillor Patrick Anketell-Jones replied that there had been no change in the number of properties and that B&NES was below the national average. He said that some landlords should do more with regard to the appearance of premises when they are empty.

Councillor Cherry Beath asked if there were any elements within the budget that particularly concerned him.

Councillor Patrick Anketell-Jones replied that his portfolio did not have a large social content within it that would have an impact on residents.

Councillor Lisa O'Brien asked if Bath Tourism Plus had a robust set of Key Performance Indicators and if any were subject to penalty if not achieved.

Councillor Patrick Anketell-Jones replied that he was not able to answer that question. He said that a review was ongoing with regard to efficiency.

Councillor Colin Blackburn asked if there was a policy in place that encouraged engagement with local registered business relating to vacant premises.

Councillor Patrick Anketell-Jones replied that he believed a policy does exist and that there are Business Support Officers available to discuss such issues.

Councillor Colin Blackburn said that he would welcome a further conversation with him on this matter.

Councillor Patrick Anketell-Jones agreed with that proposal.

The Divisional Director for Community Regeneration added that there may be scope to do more work on this matter and that recently Economic Development has restructured to create two new positions that will enable a greater focus on business engagement and skills development.

The Chairman thanked Councillor Patrick Anketell-Jones for his update on behalf of the Panel. He then asked the Divisional Director for Development to briefly update the Panel on the Placemaking Plan.

She explained that following the Placemaking Plan Examination in September 2016 that the final report had not been received. She added that modifications had been received from the Inspector and that they would be subject to six weeks consultation that had just commenced. Any comments on the modifications would then be sent to the Inspector. She said that they hoped to receive the final report in early Spring.

The Head of Housing addressed the Panel and highlighted some key points from his circulated update.

Additional HMO Licensing Area Compliance Monitoring

230 HMOs in the additional licensing area were subject to a re-inspection and 33 (14%) of these were found not to comply with one or more of their HMO licence conditions (compared to 87% during initial inspection). Most of the HMOs in breach of their licence are now compliant and actions under the Housing Services Enforcement Policy are being applied to those which remain non-compliant.

Rough Sleeper Count

On a night in November we walked the streets looking for rough sleepers and used intelligence information compiled by our Outreach Team to find out the level of rough sleeping. We estimated twenty-five rough sleepers in our district which is an increase of 3 on last year. Manvers Street Hostel has 29 beds and was fully occupied on the night of the count.

Our count has been verified by Homeless Link and is a reliable estimate of the level of rough sleeping in Bath and North East Somerset.

Twenty five is an increase of 3 people since the 2015 count, but only three people identified as rough sleeping the previous year were still on the streets and all of these had been offered assistance.

He added that contact with rough sleepers is maintained on almost a daily basis.

B&NES Affordable Homes Show

50 members of staff and over 100 members of the public visited the Affordable Homes Show held in the Community Space at Keynsham on 26 October 2016. Visitors spoke with providers of low cost home ownership opportunities, took independent mortgage and legal advice and were able to join the National Help to Buy register.

On exit, we asked visitors to complete a simple feedback survey and we also sought feedback from the exhibitors. The results of these surveys were incredibly positive and gave us an insight into potential low cost home owners visiting the event:

The enthusiasm and momentum we have created with our provider partners from the event is being used to develop plans for wide scale promotion on eligibility for low cost home ownership and emerging opportunities for purchase, both within the Council and across the wider B&NES community. A second event is planned for later in 2017 and a plan for low cost home ownership promotion will be developed in the early part of 2017. We will update the Panel in due course on this.

Councillor Lisa O'Brien asked if the Council were informing HMO residents what standards they should expect.

The Head of Housing replied that the Council has worked hard to engage with tenants. He said that there is information available on the website, officers have attended Fresher's Week for the universities and articles have been put in the local press.

The Chairman asked if he knew how many HMO's were currently in Radstock, Midsomer Norton & Keynsham.

The Head of Housing replied that he did not have that information to hand.

Councillor Fiona Darey commented that she recalled that one Christmas in London a venue was set aside to provide not only hot food but also some support services.

The Head of Housing replied that Julian House provides this service to members of the public that attend their premises. He said that they can receive a hot meal and have their medical needs assessed. He encouraged people in need to attend there and register with them.

Councillor Colin Blackburn said that with regard to Affordable Housing he would like to see developers encouraged to system build.

The Team Manager for Enabling & Development commented that they were exploring options with Curo on this matter.

Councillor Barry Macrae asked what could be done to eradicate the number of rough sleepers and how do the figures compare nationally.

The Head of Housing replied that B&NES has a relatively high rate of homelessness, around twice the national average and would be in the top 15% nationally. He informed the Panel that Bristol has the second highest concentration of rough sleepers in the UK. He added that B&NES has a Direct Access Hostel (Julian House), despite there not being a statutory requirement for the Council to have one. Councillor Lisa O'Brien commented on the successful work of Julian House and asked if their resources should be expanded.

The Head of Housing replied that investment would always be welcome for their work. He added that the Department of Communities and Local Government had recently announced a £40m funding opportunity to address homelessness and rough sleeping. He said that Housing Services, working with other local housing agencies and in partnership with neighbouring Local Authorities, supported two bids for funding. One of the bids, for £250,000, led by Swindon in partnership with Wiltshire Council and B&NES, has been successful. He stated that a new scheme is to be set up to help those new to the streets, or at imminent risk of sleeping rough, to get the rapid support they need. The three Local Authorities will meet in early 2017 to commence the new service.

The Chairman asked if any records were kept for people who are 'sofa surfers' and asked about people who were homeless in the rural areas of B&NES.

The Head of Housing replied that officers visit known locations across the area and said that Ward Members were helpful in notifying in some instances. He added that the recent count does not include 'sofa surfers' however 'sofa surfers' are recorded as such when presenting to the Council as homeless.

The Inclusive Communities Manager commented that the Director of Public Health had recently highlighted a number of issues that he would like to discuss with the Responsible Authorities Group (RAG), one of which was Homelessness.

The Chairman thanked everyone for their contributions to this item.

44 DIRECTORATE PLANS

The Strategic Director for Place introduced this item to the Panel. She explained that year one of the Directorate Plans was coming to a close and the budget to reflect year 2 is due to be set in February. She said that the report presents a refreshed version of the Place Directorate Plan for initial consideration and feedback as part of the 2017/18 budget setting process.

She highlighted some of the main work areas from within the Plan.

We will:

- Continue to deliver the Core Strategy Target for jobs and infrastructure for Bath and North East Somerset, including the delivery of around 3,900 new homes between 2016/17 & 2019/20 through the Placemaking Plan
- Produce a draft Destination Management Plan by summer 2017 and gain approval of this and an Events Management Framework by Autumn 2017.
- Deliver the Heritage Services Business Plan 2016-2021. Establish the project management team from the Archway Centre by April 2017 and hit key milestones towards being on site during 2018 and 2019.
- Agree Community Infrastructure Levy (CIL) Spend Priorities based on income estimated at £1.5m by 2018/19. Review B&NES Infrastructure Delivery Plan as part of the CIL spend process by summer 2017.

- Continue to work with partners to develop and support sustainable and affordable housing solutions for those who are homeless or in need. Deliver 465 new affordable homes over a 3 year period 2015 -2017 comprising: intermediate housing; Starter Homes; and affordable homes for rent.
- Work with Parish Councils, communities and key partners to deliver and adopt around two Neighbourhood Plans per year.
- Continue to progress the local plan documents in the Council's local development framework including a Review of Houses of Multiple Occupation supplementary guidance.

She explained further some of the key risks associated with the Place Directorate.

Difficulty in achieving the affordable housing provision – This relates to Council funded schemes where appropriate and the use of sec 106 and CIL funding and effective partnership working with the Housing & Communities Agency and housing associations to secure new provision.

Devolution timescales – This is with regard to the capacity of our officers working in Transport, Planning and Skills to ensure that we are able to react effectively for our 'business as usual' and the work required for Devolution.

Delivery of capital projects and capitalised fees - There is a risk with all capital projects where fees have been capitalised against them for potential reversion to revenue if the project is not implemented.

Councillor Barry Macrae asked how our plans fit in with other Local Authorities and urged a focus for B&NES to not be lost.

The Strategic Director for Place replied that they are always looking at ways in which the directorate can improve which is why Councillors will see reviews of plans and policies. She stated that the Joint Spatial Plan dovetails into our own Core Strategy.

The Chairman asked if she was satisfied that the Cabinet and Senior Management Team (SMT) recognise the risks that she had outlined within the plan.

The Strategic Director for Place replied that she was. She said that a formal risk register is considered in making all Cabinet / Council decisions and that she had been in detailed discussion with SMT colleagues while producing the plan.

Councillor Cherry Beath asked what she saw as her most immediate challenge.

The Strategic Director for Place replied that the directorate had become quite income driven and that a recent away day the issue of business skills was raised. She said that with that in mind she was looking to see how that skills base can be enhanced.

Councillor Barry Macrae said that he was pleased with the growing business element of the directorate but wanted to be assured that we were still acting as a democratic authority.

The Strategic Director for Place replied that the directorate is a customer focussed business and is using those principles to deliver services. She added that no restructuring had occurred without Member involvement, especially that of the Cabinet Member(s).

Councillor Barry Macrae said that he would like the directorate to be community and customer focussed.

The Chairman commented whether the Parks team could be given the same level of control as Heritage Services had been with regard to property maintenance.

The Strategic Director for Place explained that there is a large Capital Programme to deliver, including;

- Somer Valley Enterprise Zone
- Midsomer Norton Town Hall
- Roman Baths
- River Avon Park
- Keynsham High Street
- Archway Project
- Disabled Facilities Grant

The Divisional Director for Community Regeneration addressed the Panel on budget proposals from within his department.

Commissioning of Destination Management – He said that governance arrangements were currently being discussed.

Film Office – Expand the service to increase income generated.

Investigate expansion of HMO licensing scheme &/or selective licensing.

Increase Homeseach Marketing Fees – Increase the recharges for this service.

B&NES Enterprise Agency / SME (Small and Medium Enterprises) Workspace Management – Enhance provision of managed workspace across B&NES.

Disabled Facility Grants – Retained at current level and refinanced from grant.

Arts Development – Phase out Art grants from the Council moving to a strategic support role.

Councillor Cherry Beath asked if an Arts Board was to be created.

The Divisional director for Community Regeneration said that this had been established and the next meeting would soon take place. He said that the Cultural

Strategy would be used as a base for future work and that it hoped to achieve a high impact by working together.

Councillor Lisa O'Brien asked what the unmet level of need for work space is.

The Divisional Director for Community Regeneration replied that existing business centres at The Guild and Wansdyke Centre were full. He added that The Guild is looking to expand and that the work space at the former Frys site was to be marketed.

Councillor Barry Macrae praised the good work in helping to start businesses and said the Council should do as much as it can to keep them as they look to expand.

The Divisional Director for Community Regeneration replied that success builds the confidence levels within the area and cited the rental level achieved at 20 Manvers Street.

Councillor Fiona Darey asked if the increased Homeseach fee would affect residents.

The Head of Housing replied that it was to be a small increase and anticipated there being no impact to residents.

Councillor Cherry Beath commented that there was to be a significant increase in the savings related to Arts Development in 2019/20.

The Divisional Director for Community Regeneration said that the Council will at this stage be providing support following any funding being achieved. He added that its role will be to direct and guide groups to other sources of funding.

Councillor Colin Blackburn spoke regarding available work space. He said that the former Herman Miller site could have provided a substantial amount of space, but the site was no longer available.

The Divisional Director for Community Regeneration replied that the Council did have discussions with the agent regarding the site. He added they are trying to be more proactive with available office space and said that the sites of Bath Quays North / South will be game changers. He said they also recognise the need to be collaborative and share ideas with the private sector.

The Chairman spoke of the importance of taking equalities issues into account during the budget setting process and that decisions should be made as to how we can benefit the people of B&NES.

The Divisional Director for Development addressed the Panel on budget proposals from within her department.

Spring Water – Income through the supply of spring water to third parties.

Supporting the adoption of Neighbourhood Plans from Parish and Town Councils – Enabling further grants to be achieved over 2 years.

Development Management additional income streams – Increasing charges for householder enquiries and charging for reviewing Neighbourhood Plans, from a Development Management perspective, produced by Town and Parish Councils.

Councillor Barry Macrae asked if information relating to available sites for development is shared between the Divisional Director for Development and the Divisional Director for Community Regeneration.

The Divisional Director for Development replied that it is and that the process really is a two way conversation.

The Strategic Director for Place added that she meets with her Divisional Directors on a weekly basis to discuss such matters.

The Chairman asked for further explanation on the entry relating to Spring Water.

The Divisional Director for Development replied that the Council are responsible for the Springs which are also protected by the County of Avon Act. She gave the example of the Gainsborough Hotel as one recent third party which has a spa facility within its complex.

The Chairman thanked the Panel for their comments and the officers for their contributions during the debate.

45 ALLOCATIONS OF COMMUNITY INFRASTRUCTURE LEVY FUNDS FOR 2017/18

The Divisional Director for Development introduced this report to the Panel. She explained that the Community Infrastructure Levy (CIL) came into effect in B&NES on 6 April 2015 following adoption of the CIL Charging Schedule by Council on 17 February 2015. She said that CIL largely replaces Section 106 contributions as developer-provided funding for infrastructure projects. She informed them that only Affordable Housing and site-specific infrastructure is now covered by Section 106 obligations and that education, highways and other strategic infrastructure is funded by CIL.

She stated that CIL becomes payable when development commences on site and is calculated by multiplying the net internal area of development by the appropriate rate in the Charging Schedule. She said that developers could not be double charged via CIL and Section 106 contributions.

She explained that as there are no Parishes within Bath the Council established the Bath City Forum as an “advisory and consultative body” without delegated funding or decision-making powers. She added that it did however specifically included within its Terms of Reference “assisting and advising the Council on issues specific to the City, such as how best to spend that portion of CIL receipts which are used to address local priorities”.

She said that officers were about to commence work on reviewing the Infrastructure Delivery Plan.

Councillor Lisa O'Brien commented that the projection for CIL income for 2016/17 was around £1m and asked who decides how this will be allocated after the 15% is given to Town and Parish Councils where the income has arisen.

The Divisional Director for Development replied that the decision on how CIL is spent is made using the Council's Infrastructure Delivery Plan. She added that the Plan identifies the essential infrastructure needed to support the Council's growth proposals and relates to infrastructure provided both by B&NES and other providers. She said that it also enables a co-ordinated approach to be taken having regard to the Council's Capital Programme and through the budget making process.

Councillor Lisa O'Brien asked if there was an assumed pot within CIL for education provision.

The Divisional Director for Development replied that she would expect provision relating to education to be within the proposed allocations each year.

Councillor Barry Macrae asked if the CIL from within B&NES could be expected to be used within Bristol.

The Divisional Director for Development replied that it would not.

Councillor Lisa O'Brien asked if Town and Parish Councils had sole authority on how to spend their allocation.

The Divisional Director for Development replied that they must assure themselves that they are spending within the prescribed regulations. She added that they are also eligible to pool it with the overall allocation.

Councillor Barry Macrae asked what effect devolution would have on CIL and would it lead to a metrocity being created.

The Chairman asked if Ward Councillors, and if appropriate adjoining Ward Councillors for development sites should also be consulted as to how the Bath CIL allocation should be spent as they would know where infrastructure improvements could be usefully made in their wards. He gave the examples of 43 Upper Oldfield Park and the Casino development where resident's groups had either opposed or commented on the application and asked whether they should also be consulted on infrastructure proposals.

Councillor Fiona Darey commented that she felt that any problems should be addressed through the planning process.

Councillor Lisa O'Brien said that there was work to be done on issues within Bath and that the City Forum needs a proper protocol.

The Divisional Director for Development said that applications are agreed on their own merits and reiterated that CIL is calculated using the agreed Charging Schedule and becomes payable when development commences on site. She stated that this is the point where planning considerations end and the process moves to the agreed spend mechanism.

She explained that a process was agreed by the Bath City Forum at its meeting of 26 April 2016 and that one of its stages is as follows;

- Bath City Forum CIL Standing Panel to be convened, comprising Forum members those local elected members appropriate to the neighbourhood portion of CIL under discussion

Councillor Fiona Darey said that she was a member of the Bath City Forum and that it was clear that this is a move away from Section 106 agreements. She added that community involvement is encouraged through the Forum.

The Panel **RESOLVED** to note the proposals for the allocations of Community Infrastructure Levy Funds for 2017/18 as set out in paragraph 5 of the report.

46 PANEL WORKPLAN

The Chairman introduced this item to the Panel. He asked them to feedback on his proposals relating to the Flood Risk Management Review.

Councillor Fiona Darey said that she would welcome a detailed discussion on the flow of the river.

Councillor Lisa O'Brien commented that she would like the Chew Valley area to be included within the review.

The Chairman said that he had previously discussed the matter with Councillor Liz Richardson, Cabinet Member for Homes & Planning and would now discuss further with her and officers who should attend the meeting and what information would be covered in the report.

The meeting ended at 5.05 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services