

Cabinet

Date: Thursday, 8th September, 2022
Time: 6.30 pm
Venue: Council Chamber - Guildhall, Bath

Agenda

To: All Members of the Cabinet

Councillor Kevin Guy (Leader of the Council, Liberal Democrat Group Leader), Councillor Tim Ball (Cabinet Member for Planning and Licensing), Councillor Alison Born (Cabinet Member for Adult Services and Council House Building), Councillor Tom Davies (Cabinet Member for Adult Services and Council House Building), Councillor Manda Rigby (Cabinet Member for Transport), Councillor Dine Romero (Cabinet Member for Children and Young People, Communities), Councillor Richard Samuel (Deputy Council Leader and Cabinet Member for Economic Development and Resources), Councillor Sarah Warren (Deputy Council Leader (statutory) and Cabinet Member for Climate and Sustainable Travel) and Councillor David Wood (Cabinet Member for Neighbourhood Services)

Chief Executive and other appropriate officers
Press and Public

The agenda is set out overleaf.



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NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting 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. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

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4. **Public Speaking at Meetings**

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Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Emergency Evacuation Procedure**

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Cabinet - Thursday, 8th September, 2022

in the Council Chamber - Guildhall, Bath

AGENDA

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer will read out the emergency evacuation procedure as set out in the notes.

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** or **an other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

Questions submitted before the deadline will receive a reply from an appropriate Cabinet member or a promise to respond within 5 working days of the meeting. Councillors may ask one supplementary question for each question they submit, up to a maximum of two per Councillor.

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillors and members of the public may register their intention to make a statement if they notify the subject matter of their statement before the deadline. Statements are limited to 3 minutes each. The speaker may then be asked by Cabinet members to answer factual questions arising out of their statement.

8. MINUTES OF PREVIOUS CABINET MEETING (Pages 7 - 18)

To be confirmed as a correct record and signed by the Chair.

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

This is a standard agenda item, to cover any reports originally placed on the Weekly List for single Member decision making, which have subsequently been the subject of a Cabinet Member requisition to the full Cabinet, under the Council's procedural rules.

10. MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

This is a standing agenda item (Constitution rule 3.3.15) for matters referred by Policy Development and Scrutiny bodies. The Chair of the relevant PDS Panel will have the right to attend and to introduce the Panel's recommendations to Cabinet.

11. SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING (Pages 19 - 22)

To note the list of Cabinet Single Member decisions taken and published since the last Cabinet meeting (no debate).

12. COMMUNITY SERVICES DESIGN - UPDATE POSITION (Pages 23 - 36)

Following the second options appraisal jointly conducted by the Council and Clinical Commissioning Group (Bath & North East Somerset, Swindon and Wiltshire Integrated Care Board) decisions were taken by both the Cabinet and CCG Governing Body on 26 May 2022 not to extend the contract term for the three year period (Option 3) with HCRG Care Group for the delivery of Community Services in B&NES.

The decision to not exercise the Option to extend now requires a joint review of Community Service delivery models to be undertaken by the newly formed Integrated Care Board and the Council.

13. B&NES NEW LOCAL PLAN LAUNCH (Pages 37 - 150)

The preparation of a new Local Plan for B&NES provides the opportunity for the Council to look afresh at its planning policy framework for the district. As this is a long-term plan (20 years), and because the Local Plan is the Council's primary tool for place shaping and the basis of decision-making on development and the use of land, the Council needs to ensure the Plan is sufficiently ambitious to deliver the Council's priorities and is responsive to local community concerns. In particular, the new Local Plan will play a key role in helping to deliver the Council's priorities in responding to the climate and ecological emergencies.

The preparation of the Local Plan will commence with the publication of a Launch Document in September 2022. The Launch Document will outline the purpose, scope and timetable of the Local Plan and how communities and stakeholders can be involved.

14. DEVELOPMENT UPDATE: LAND TO REAR OF 89 – 123 ENGLISHCOMBE LANE, SOUTHDOWN, BATH (Pages 151 - 160)

In 2018 the Council submitted a planning application to develop 37 homes, including 14 affordable homes, on land to the rear of 89 – 123 Englishcombe Lane,

Southdown, Bath. The Planning Committee approved the application subject to conditions. Due to concerns, principally around potential risk to the on-site ecology, the administration decided not to pursue the application.

Officers were tasked with investigating whether a smaller scheme could be developed that provides local community housing whilst being sympathetic and supportive to the existing site ecology. Following concept design, option appraisal and initial business case this report proposes such a scheme for further detailed development work.

15. LIVEABLE NEIGHBOURHOODS UPDATE REPORT (Pages 161 - 168)

The Bath and North East Somerset Liveable Neighbourhoods programme aims to rethink how street space is used, to prioritise people, make it safer to move around actively, and enable more people to make journeys on foot, by bike or wheeling. Over time, this will reduce car journeys, and so cut road congestion for those with no alternative but to travel by car.

In line with the adopted Low Traffic Neighbourhood Strategy, the specific interventions in each neighbourhood will be decided following public consultation and co-design with communities. To enable the project to maintain its current timetable and deliver maximum benefit and value to the community as soon as possible, it is considered necessary to request to delegate to the Lead Member for Sustainable Transport and Directors of Place Management and Sustainable Communities, in consultation with Cabinet members and ward councillors, the decision to implement specific interventions in each location following public consultation.

The Democratic Services Officer for this meeting is Marie Todd who can be contacted on 01225 394414.

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BATH AND NORTH EAST SOMERSET

CABINET

These minutes are draft until confirmed as a correct record at the next meeting.

Thursday, 14th July, 2022

Present:

Councillor Kevin Guy (Ch)	Leader of the Council, Liberal Democrat Group Leader
Councillor Tim Ball	Cabinet Member for Planning and Licensing
Councillor Tom Davies	Cabinet Member for Adult Services and Council House Building
Councillor Manda Rigby	Cabinet Member for Transport
Councillor Dine Romero	Cabinet Member for Children and Young People, Communities
Councillor Sarah Warren	Deputy Council Leader and Cabinet Member for Climate and Sustainable Travel
Councillor David Wood	Cabinet Member for Neighbourhood Services

9 WELCOME AND INTRODUCTIONS

The Chair, Cllr Kevin Guy, welcomed everyone to the meeting.

10 EMERGENCY EVACUATION PROCEDURE

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

11 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Alison Born and Richard Samuel. The Leader explained that Cllr Richard Samuel is currently recuperating having suffered a severe stroke and the Cabinet wished him a swift recovery.

12 DECLARATIONS OF INTEREST

There were no declarations of interest.

13 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

14 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 36 questions from Councillors and no questions from members of the public.

[Copies of the questions and responses, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]

15 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Members of the public made statements as follows:

- Ms Jenny Newman (*a copy of which is attached as Appendix 2 to these minutes*). Ms Newman also presented a petition containing 521 signatures requesting that the Council restores the ponds and streams in The Royal Victoria Park, Bath.
- A statement was read out on behalf of Ms Shiva Page (*and attached as read at Appendix 3 to these minutes*). That statement was in accordance with Rule 31 of the Executive Procedure Rules ("A submission under this rule will not be accepted if it is about a matter which has already been lodged with the Council or with another statutory body as a formal complaint") as Ms Page had originally been advised that three paragraphs would be removed from her statement as their subject matter related to live formal complaints. A decision was subsequently made to allow Ms Page to include these paragraphs if she wished but she decided against this. (*For completeness a copy of the omitted paragraphs is attached as Appendix 4 to these minutes*).

16 MINUTES OF PREVIOUS CABINET MEETINGS

RESOLVED that the minutes of the following meetings be confirmed as a correct record and signed by the Chair:

Cabinet Meeting – 5 May 2022

Special Cabinet Meeting – 26 May 2022

17 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

18 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

There were none.

19 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

Cllr Sarah Warren introduced the report, moved the officer recommendation and made the following statement:

“Air pollution is estimated to cause around 80 deaths a day across the UK, with approximately 80 per year in Bath and North East Somerset. Bath’s Clean Air Zone was the first such charging zone outside London, when it was introduced on 15th March 2021, and is designed to tackle high atmospheric levels of the dangerous pollutant nitrogen dioxide, which largely originates from traffic in our city, and affects the health of our most vulnerable residents. The aim of the zone is to bring annual nitrogen dioxide levels below the legal limit value of 40 µg/m³, by deterring the most polluting vehicles from entering the city centre.

Tonight, we are considering the 2021 annual report on air quality, vehicle compliance, and traffic displacement, which covers the calendar year 2021, the first calendar year during which the Clean Air Zone was live.

During the year, we saw overall traffic levels return from lockdown to pre-covid levels in the city, with light goods vehicles reaching 112% and heavy goods vehicles 110% of their pre-covid numbers, owing to pandemic-related changes in shopping patterns. Over this period, we have also seen business thriving, with footfall in the city’s shops returning close to pre-pandemic levels by the end of the year.

A key purpose of the zone is to encourage the upgrade of the most polluting vehicles, and we were able to make substantial funds available through grants and interest-free finance to support this. As at the end of December, some 722 of the most polluting vehicles had been replaced through this route, rising to 859 by the end of May this year.

Throughout much of 2021, we saw dramatic changes to traffic flows around the city centre arising not only from lockdown, but also from the complete closure of Cleveland Bridge, which normally carries some 17,000 vehicles per day. We have, of course, been monitoring roads around the CAZ carefully to establish whether there is evidence of the displacement of traffic from the zone, wherever the public have expressed concern, as early modelling of the CAZ suggested displacement might be possible. The analysis of this data so far shows no ongoing significant displacement impacts due to the introduction of the scheme. However, monitoring will continue at some of these sites for some time, as traffic flows settle down following the various disruptions of the last couple of years.

Notwithstanding recent changes to traffic flow, the really great news is that overall, air quality continues to improve both within and outside the zone, with average reductions in nitrogen dioxide levels of 21% inside, 22% in the urban area outside the zone, and 18% in the rest of Bath & North East Somerset over the year, compared to the calendar year 2019 before the pandemic. By the end of 2021, we observed that over 90% of HGVs and taxis, 100% of scheduled bus services, and 80% of vans driving in the zone were compliant.

Despite these significant improvements, we are seeing 3 locations with readings still fractionally above legal limits of nitrogen dioxide, and we wait to hear from the Government's Joint Air Quality Unit whether or not we can be said, in their terms, to have "achieved success". But even these three sites have shown huge improvement, with Dorchester Street down from nitrogen dioxide readings of above 70, as recently as 2015, to 40.5 last year.

And, having progressed our zone despite the pandemic, at a time when some other authorities have balked, Bath and North East Somerset is now regarded as a national leader on this hugely important issue so important to our residents' health. Our officers and councillors are now being invited to speak in national forums to share our experiences and achievements introducing the zone, so we are now putting Bath and North East Somerset on the map for clean, rather than polluted air.

The zone generated £5.6m during 2021, and by the end of March this year, the future costs of the scheme had been covered, with additional income being allocated to sustainable transport initiatives, helping to provide practical and affordable alternatives to the car.

I am delighted with the substantial progress we have made here in Bath and want to thank everyone who has gone to the trouble and expense of upgrading their vehicle or changing their travel behaviour. However, we know there is no safe level of air pollution, and that's why I am ambitious to achieve more.

The World Health Organisation released new tighter guidelines last year on safe levels of six pollutants, and I immediately wrote to the Minister to urge their rapid adoption into UK law, combined with adequate advice, powers and financial support for councils in tackling them.

That's why, despite the substantial progress we have already made here in B&NES, we are not complacent, we are still ambitious to go further in support of the health of our residents and of the environment. We are increasingly thinking of clean air alongside our net zero commitment, because these objectives are aligned in so many ways. The Clean Air Zone is but one tool - our wider plans to give more people more practical options so that they can leave their cars at home more of the time are outlined in our Journey to Net Zero plan published earlier this year.

And that's why this evening we are asking officers to develop new local targets for air quality for B&NES that are more ambitious than those currently set by national Government.

In the papers this evening, a potential annual average target of 36 mg/m³ for nitrogen dioxide by 2025 is proposed for further consideration. This figure is currently breached at 7 monitoring locations in the city (including the 3 still above 40). Officers will be doing further work to establish feasibility in establishing this target, but we intend to adopt these in the coming months.

And we don't see this as the end of the road either - we expect to see year on year improvement in air quality, and to raise our ambition in line with that, as we see the transport transition unfolding across our district.

We are also asking officers to increase our monitoring of another important dangerous, traffic-related pollutant, particulates, as although we are compliant with current national limits, we would like to develop our understanding, with a view to making improvements in this area of air quality as well.

I would like to finish by thanking officers for their hard work monitoring the impacts of the zone so closely, and compiling the data into this annual report, which permits close public examination of our progress on this important public health measure. We clearly need to keep both air quality and potential traffic displacement under close review. We await government's assessment of the extent to which we are achieving success very shortly."

Cllr Manda Rigby seconded the motion and made the following statement:

"Cllr Warren highlighted this in her speech, but I think it's worth emphasising that the rationale behind the Bath Clean Air Zone is to reduce toxic air pollution. Nitrogen Dioxide is a health risk to everyone and is particularly dangerous for children and vulnerable people.

This is the first annual report for the Clean Air Zone's first calendar year. It's a cautious assessment, recognising that we always need more data. But I welcome the headline findings, showing the CAZ is working to reduce nitrogen dioxide pollution and to increase the proportion of compliant vehicles (benefiting a much wider area as of course these cleaner vehicles don't just travel in Bath). All this despite traffic returning to normal levels following the pandemic.

This report illustrates both the challenge and the opportunity of being the first Council outside London to deliver a charging Clean Air Zone.

The challenge because we are the trailblazers, and everyone is looking to us to get this right. We are developing the precedents, so to speak, that all other Clean Air Zones will rely on. We're testing the methodology and developing the working relationships with the Joint Air Quality Unit – a government department supported by both DEFRA and DfT. B&NES is very much being seen as a national leader – demonstrated by the invitations we receive to share our experience at national forums.

And this gives B&NES the opportunity to continue to lead the way. At the start, in 2019, the goal of the zone was to comply with the ministerial direction. But compliance isn't an end point- it's really just the beginning. The science around air quality is continually developing, with new guidelines from the WHO as Sarah mentioned. And more cities are implementing clean air zones – indeed these will become the norm across urban areas, as we recognise the improvements in public health which can be brought about by these schemes B&NES has the opportunity to

stay at the leading edge and set new goals. We want to be ambitious. To build on the progress from the Clean Air Zone.

That's why we're working on a more ambitious local nitrogen dioxide target and we're focussing on providing more information to the public about the issue of particulate pollution alongside. That's why we urged the government to go further and set more ambitious targets. All the work we are doing around sustainable transport and tackling the climate emergency is aligned with the overarching goal of the CAZ – to protect public health – and I think it's right that we should be ambitious in this area. If nothing else, the pandemic has shown us the true value of health.

I'm proud of the hard work of our team in successfully implementing the Clean Air Zone. I'm proud of the difference it's already making. And I'm proud that we are aspiring to go further and protect our residents' health even more."

Cllr Dine Romero stated:

"I am pleased that since I raised the issue of displaced traffic being rerouted onto roads in Southdown, in particular Whiteway Road monitoring of the volume and type of traffic has taken place. I am even more pleased to note that further monitoring is to be expected on this stretch of road. I look forward to hearing more on any mitigation measures that will be put in as a result of this data collection, perhaps the cabinet member might know when such discussions will take place, and whether they could they be linked to the discussions around measures which might be considered for Mount Road, under the heading of Liveable Neighbourhoods, since changes on one road will have an impact on a parallel one.

(The other issue I have previously raised around speeding is being dealt with separately)."

RESOLVED (unanimously):

- (1) To note the Annual report and the ongoing progress which has been made towards achieving reductions in nitrogen dioxide levels both within and on the boundary of the CAZ, which has been realised by the scheme increasing the proportion of compliant, less polluting vehicles driving in and around the city.
- (2) To note the continued performance of the CAZ against the scheme's financial model, ensuring it covers its costs of operation and avoids placing an additional burden on the Council and local taxpayers. In addition, note that surplus revenue is now being targeted towards sustainable transport projects as laid out in the full business case for the scheme.
- (3) To note the statement from the Joint Air Quality Unit (JAQU) on their assessment of the scheme towards achieving success with the Ministerial Directions which have been served upon the council.
- (4) In line with recommendation 3 of E3322 and Minute 1.5 of E3326, to note that further work to develop and implement a local nitrogen dioxide objective level will be continued.

- (5) To recommend that officers explore options for enhancing the capability to monitor particulate matter pollution within Bath and North East Somerset.

21 YOUTH JUSTICE PLAN 2022-23

Cllr Dine Romero introduced the report, moved the officer recommendation and made the following statement:

“As you will know the Local Authority has a statutory duty to produce an annual youth justice plan which is submitted to the national board.

The main objective of the youth justice system is to prevent offending by 10–17-year-olds.

The plan before you has been drawn together with input from the multi-agency team including police, social services, education, probation and health.

These partners have a shared responsibility not only for the plan itself and the part they play within it but for resourcing the youth offending service. The council pays the most, 54% of the budget. We are reliant on core national funding from ministry of justice and as far as I am aware we're still waiting the actual sign off but have been told it won't be less than before

In terms of how well we are doing again at the statutory purpose, the Youth Offending Service worked with 89 out of 36.7k children in B&NES in 2022 which is fewer than in previous years but there is concern that opportunities to intervene may have been missed and more children may enter the formal justice system in the future as a result.

Despite such low numbers and like many other places across the country a greater proportion of those entering the youth justice system are from black backgrounds, and as you will recall from my answer to Councillor Kumar earlier, the board are proactively looking at how we can increase representation on the board, and also within partner organisations to understand better why this is the case.

There is much more that I could draw your attention to but hope having read the plan cabinet are happy to endorse the plan, to appreciate the work that has gone into drawing it up, and finally but most importantly be supportive of the child first principle that is underpinning work in the youth justice system locally and nationally.”

Cllr Tim Ball seconded the motion and stressed the importance of keeping children out of the youth justice system and out of trouble. He also highlighted the need to recognise conditions such as autism, ADHD and poor mental health. He thanked all those working with children in the Youth Justice system and those working to prevent children from entering the system in the first place.

RESOLVED (unanimously): To recommend approval of the Youth Justice Plan to full Council, conditional on satisfactory confirmation of the budget.

22 HEALTH & SOCIAL CARE - NEW GOVERNANCE ARRANGEMENTS

Cllr Kevin Guy introduced the report, moved the officer recommendation and made the following statement:

“The report before you outlines the new, statutory, governance arrangements for health and social care in B&NES. These arrangements came into force on 1 July and stem from the new Health and Care Act.

Under the new arrangements, an Integrated Care System (ICS) – known as BSW Together – is replacing our previous partnership arrangements. The new ICS covers the three local authority areas of B&NES, Swindon and Wiltshire. It gives us the opportunity to build on our strong track record of working with local health services, developed over the last few years, with an overall goal of delivering integrated services, improving health outcomes and reducing inequalities.

The BSW Together partnership is made up of local health and care organisations including Councils, hospitals, GPs, mental health service providers, an ambulance trust, community health providers and voluntary organisations. They will all work together to plan and organise the delivery of health and care services and are committed to giving local people and communities a louder voice in how services are provided.

A new Integrated Care Board will replace the previous Clinical Commissioning Group across Bath and North East Somerset, Swindon and Wiltshire. The Board and take the lead on planning and coordinating how £1.5 billion of health and care services are delivered.

The Integrated Care Partnership will develop strategy for health and social care and the Integrated Care Alliance will be a local ‘delivery mechanism’ setting and overseeing delivery of strategy at Bath & North East Somerset level.

We are asked to agree the Council’s participation in the Integrated Care System, approve proposals for the Council’s representation on the new structures, as laid out in the report, and endorse the overall governance arrangements.

These new arrangements provide an opportunity to work even more closely with our partners and our communities to provide the services that people need, further to integrate health and social care, and to tackle health inequalities. They also provide greater opportunities for preventative work to improve residents’ health, helping people stay healthy and independent for longer. They align closely with our overall corporate purpose of ‘improving people’s lives’.

I would like to thank our Council officers and Councillor Alison Born for their hard work.”

Cllr Dine Romero seconded the motion and made the following statement:

“I am happy to second this paper, and support of the formation of the Integrated Care Board. As an area we have a strong track record of working with partners especially the local health services. This new arrangement should be even more beneficial for our residents provide the services they need but also as we will be able to collaborate more closely, we will have greater opportunities to integrate health and social care, address inequalities and in the longer term delay the need some may have of these services.”

RESOLVED (unanimously):

- (1) To agree that the Council participates in the Integrated Care System (ICS) for Bath, Swindon & Wiltshire and to ensure appropriate representation on the various committees which make up the ICS.
- (2) To request the Leader of the Council to make the appropriate nominations for councillors to sit on the committees making up the ICS.
- (3) To authorise the Chief Executive Officer to nominate Officers (including himself) to:
 - Sit on the Integrated Care Board and to represent the Council on said Board including the making of decisions that require financial expenditure on the part of the Council provided such expenditure is within budgets agreed by Full Council; and
 - Sit on the sub-committee of the Integrated Care Board established to make placed-based decisions as may be required to ensure that the Council is appropriately and fully represented in accordance with the constitutional documents of said sub-committee.
- (4) To agree the overall governance arrangements set out in Appendix 1 of the report.

23 REVENUE AND CAPITAL OUTTURN 2021/22

Cllr Tom Davies introduced the report and moved the officer recommendation. He stated that this has been one of the most challenging and unpredictable years and that it is a huge testament to the strong financial leadership provided by Cllr Richard Samuel and the Council’s senior officers that the report presents a £4m favourable result for the last financial year. This was the second year of the Covid pandemic and there was considerable pressure on the budgets for both adult and children’s services. The favourable position enables the Council to build resilience for this and future years so that investments can be made in services to improve the lives of all B&NES residents. For example, £2.7m will be invested to provide the Park and Ride service and the strong position will also help the Council to manage the extraordinary increase in energy prices without impacting on services. He also thanked Andy Rothery, Chief Finance Officer, and the finance team for producing such clear and transparent reports. Sound financial management enables the Council to remain resilient in the face of current challenges and to continue to invest in the priorities of residents.

Cllr Manda Rigby seconded the motion.

RESOLVED (unanimously):

- (1) To note the revenue budget outturn on budget position for 2021/22, after allowing for carry forwards and transfers to reserves.
- (2) To approve the revenue carry forward proposals listed in the tables in paragraph 3.30 of the report.
- (3) To approve that all other over budgets are written-off as an exception to the Budget Management Rules for 2021/22.
- (4) To approve the transfer of £4.03m to corporate earmarked reserves, the breakdown of which is detailed in paragraph 3.31 of the report.
- (5) To note the revenue virements for 2021/22 reported for information in Appendix 2(i) of the report.
- (6) To note the reserve positions and the use of flexible capital receipts shown in paragraphs 3.40-3.43 of the report.
- (7) To note the outturn position of the 2021/22 capital programme in paragraph 3.52, and the funding outlined in paragraph 3.54 of the report.
- (8) To approve the capital rephasing and write-off of net underspends as listed in Appendix 3 of the report. This reflects the outturn spend position on projects against final budgets as detailed in Appendix 4(ii) of the report.

24 REVENUE & CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL TO JUNE 2022

Cllr Tom Davies introduced the report and moved the officer recommendation. He thanked the finance team for presenting this information in such a timely manner. He highlighted the challenges faced by the Council and, in particular, the forecast for a £2.3m overspend in children's services due to staffing pressures and the high cost of placements. The fact that this information is being presented now will enable officers and Cabinet Members to manage the situation and the Cabinet will continue to monitor this very closely. This is a particularly challenging time to manage and provide core services. The combinations of Brexit, the Covid pandemic, the war in Ukraine and the failure of the Government to provide appropriate funding to local authorities have placed enormous pressure on Councils. He highlighted the investment plans set out in the capital programme including improvements to Midsomer Norton High Street, the Radstock Healthy Living Centre, Bath Quays North and the further development of the Bath Western Riverside and the final element of the Sydney Gardens project.

Cllr Sarah Warren seconded the motion and made the following statement:

“Continued financial resilience here at the council allows us to invest in our capital projects, such as the site redevelopment of Pixash recycling centre, with its exceptionally strong sustainability credentials; our liveable neighbourhoods programme that aims to make residential areas safer to move around on foot and by

bike; and the refurbishment of Cleveland Bridge. Thanks of course should go to not only to Cllr Samuel and his team for their ongoing excellent management of the budget in these very unpredictable times; and of course, to Cllr Davies for picking up this work at short notice and bringing forward these papers.”

Cllr Tim Ball noted the importance of future investment in Council services and the excellent financial prudence demonstrated by Cllr Richard Samuel and the finance team.

RESOLVED (unanimously):

- (1) To note the 2022/23 revenue budget position (as at the end of June 2022).
- (2) To note the revenue virements listed for information only in Appendix 3(i) of the report.
- (3) To note the capital year-end forecast detailed in paragraph 3.21 of the report.
- (4) To note the changes in the capital programme including capital schemes that have been agreed for full approval under delegation listed in Appendix 4(i) of the report.

25 TREASURY MANAGEMENT OUTTURN REPORT 2021/22

Cllr Tom Davies introduced the report and moved the officer recommendation. He noted the excellent position of the Council and stated that the excellent cashflow management had led to savings of over £1m. Investments regularly perform above the relevant benchmark. The two EFG investments have been particularly successful providing above average returns. The Council is in a strong position with regard to its treasury management.

Cllr Wood seconded the motion.

RESOLVED (unanimously):

- (1) To note the Treasury Management Report to 31 March 2022, prepared in accordance with the CIPFA Treasury Code of Practice.
- (2) To note the Treasury Management Indicators to 31 March 2022.

26 TREASURY MANAGEMENT PERFORMANCE REPORT TO 30TH JUNE 2022

Cllr Tom Davies introduced the report and moved the officer recommendation. He pointed out that the two EFG funds are performing well. The Council is now starting to receive some extra income due to the increase in interest rates. He thanked officers for their hard work in relation to treasury management.

Cllr Kevin Guy seconded the motion.

RESOLVED (unanimously):

- (1) To note the Treasury Management Report to 30 June 2022, prepared in accordance with the CIPFA Treasury Code of Practice.
- (2) To note the Treasury Management Indicators to 30 June 2022.

27 QUARTER 4 YEAR END 2020/21 CORPORATE PERFORMANCE REPORT

Cllr Kevin Guy introduced the report, moved the officer recommendation and highlighted the following achievements of the administration which have been possible due to strong financial management:

- Building a new state of the art recycling hub
- Investing £14m to improve and maintain highways
- 17,894 calls received by the Community Wellbeing Hub
- Developing 6 new residents' parking zones
- A reduction of 66% in carbon emissions from Council buildings since 2010
- Investing over £900k in cleaner green neighbourhoods
- Recruiting more foster carers
- 3,100 new homes including 700 affordable homes in the last 3 years
- Allocating more than £38m over the next 5 years to drive down carbon emissions
- 33,000 trees planted on Council and private land since 2020
- Building the first ever Council homes for a generation

He thanked all Council staff and Cabinet members for their hard work in delivering these achievements.

Cllr Tom Davies seconded the motion. He stated that the report contains a vast amount of interesting information about the work of the Council which demonstrates how much is going on.

RESOLVED (unanimously):

- (1) To note progress on the delivery of key aspects of the Council's service delivery, details of which are highlighted in section 3.6 and Annex 1 of the report.
- (2) To note the level of service activity for 2021/22 highlighted in the infographic presentation at Annex 2 of the report.

The meeting ended at 7.20 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

Bath & North East Somerset Council

Cabinet Single-Member Decisions and Responses to Recommendations from PDS Panels

published from 6 July 2022 until 30 August 2022

Further details of each decision can be seen on the Council's Single-member Decision Register at <http://democracy.bathnes.gov.uk/mgDelegatedDecisions.aspx?&dm=3>

Grant for Cleveland Pools Trust

Contribution towards the costs to complete refurbishment of Cleveland Pools.

Decision Maker: Council Leader

Decision published: 11/08/2022

Effective from: 19/08/2022

Decision:

To fully approve £340k for Cleveland Pools Trust being funded from the Council's corporate capital contingency budget.

Wards affected: Bathwick;

Lead officer: Maria Newton

Approach Pitch and Putt Golf Course Procurement

Bath and North East Somerset Council has undertaken a market engagement exercise to both alert the market to the potential upcoming procurement process, and to assist with the development of tender documentation to find a new operator of the Approach Pitch and Putt Golf Course.

There appears to be adequate interest from the supplier market to continue with the procurement process as planned and a Single Member Decision is required to move to Stage 2 and allocate resource.

Decision Maker: Cabinet Member for Neighbourhood Services

Decision published: 11/08/2022

Effective from: 19/08/2022

Decision:

To move to Stage 2 of the procurement process to find a new operator for the Approach Pitch and Putt Golf Course.

Wards affected: (All Wards)

Lead officer: Martin Pellow

Energy Rebate Discretionary Fund Scheme

A Discretionary scheme to provide financial support for rising energy costs.

Decision Maker: Cabinet Member for Adult Services and Council House Building

Decision published: 28/07/2022

Effective from: 05/08/2022

Decision:

The Cabinet Member agrees to introduce the Energy Rebate Discretionary scheme as set out in the document Energy Rebate Discretionary Fund Policy.

Wards affected: (All Wards)

Lead officer: Damien Peak

Bath West Children's Centre Service Procurement

The Bath West Children's Centre Service is a key part of the Early Help offer for Bath and North East Somerset. The contract expires at the end of March 2023, but it was recommended to extend for a further year until March 2024 before considering the future longer term tender options to allow sufficient time to ensure the future children's centre service aligns with emerging national key policies and areas of work, such as Family Hubs and SEND Review, to ensure that the Council goes out to tender for the right service.

Decision Maker: Cabinet Member for Children and Young People, Communities and Culture

Decision published: 27/07/2022

Effective from: 04/08/2022

Decision:

The Cabinet Member agrees that the Bath West Children's Centre service contract shall be awarded to the current provider (Action for Children) for a further year from 1st April 2023 until 31st March 2024.

Wards affected: Moorlands; Twerton

Lead officer: Ellie Weyman

Household Support Fund from 1 April 2022

To delegate responsibility to the S151 Officer, in consultation with the Cabinet Member for Economic Development and Resources, on how the Household Support Fund for 2022 and subsequent periods should be allocated.

Decision Maker: Cabinet Member for Adult Services and Council House Building

Decision published: 21/07/2022

Effective from: 29/07/2022

Decision:

The Cabinet Member agrees to delegate responsibility for decisions on how the Council's Household Support Fund grant allocation should be used, to the S151 Officer, in consultation with the Cabinet Member for Economic Development and Resources, including subsequent iterations of the scheme and similar grants.

Wards affected: (All Wards)**Lead officer:** Damien Peak

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Bath & North East Somerset Council			
MEETING/ DECISION MAKER:	Cabinet		
MEETING/ DECISION DATE:	8th September 2022		EXECUTIVE FORWARD PLAN REFERENCE:
			E
TITLE:	Community Services Design – Update Position		
WARD:	All		
AN OPEN PUBLIC ITEM			
List of attachments to this report:			
Appendix 1 List of Services included in HCRG Care Group Community Services Contract B&NES			
Appendix 2 Programme and Governance Structure (Draft)			
Appendix 3 New Governance Arrangements for Health & Social Care			

1. THE ISSUE

- 1.1 Following the second options appraisal jointly conducted by the Council and Clinical Commissioning Group (Bath & North East Somerset, Swindon and Wiltshire Integrated Care Board as of 1st July 2022, referred to as ICB) decisions were taken by both the Cabinet and CCG Governing Body on 26th May 2022 to not extend the contract term for the three year period (Option 3) with HCRG Care Group for the delivery of Community Services in B&NES.
- 1.2 The decision to not exercise the Option now requires a joint review of Community Service delivery models to be undertaken by the newly formed Integrated Care Board and the Council. Future delivery models of the services in scope will include consideration of the in-sourcing of adult social care services and council commissioned services, including public health services, alongside procurement options for health and public health services.

2. RECOMMENDATION

Cabinet is asked to:

- 2.1 Note the work undertaken since the decisions on 26th May 2022 not to exercise the Option to extend.
- 2.2 Consider the outline Community Service Transformation Programme proposed structure as set out in section 3.2 of the report.

- 2.3 Require a full business case for the future operating model for B&NES Community Health and Care Services be prepared and a further report be brought to the February 2023 Cabinet for a decision on the new model of delivery for Community Services in B&NES.
- 2.4 Require as part of the November 2022 report to Cabinet a decision on the future adult social care and commissioned services operating model.
- 2.5 Delegated responsibility to deliver the new model to the Director of Adult Social Services in consultation with the lead Cabinet member for Adult Social Services and within allocated resources.

3. THE REPORT

3.1 Background

- 3.1.1 Full information in relation to the issue and required background information can be found in the 26th May 2022 report to cabinet – HCRG Care Group Options Appraisal in section 1 and 3 of the main report. [See Link](#)
- 3.1.2 Because of the 26th May 2022 decisions taken by Cabinet and Clinical Commissioning Group (CCG) Governing Body to not exercise the Option to extend the Community Services contract between B&NES Council, ICB and HCRG Care Group the contract will cease on 31st March 2024 and a new model of service delivery is required as of 1st April 2024 for the B&NES area.

3.2 Update Position

3.2.1 Phase One – Programme Planning (June 2022 to November 2022)

- A working group is already in place between the Council and ICB which has reviewed the services within scope of the Contract (**Appendix 1**) and where they will be best delivered within the health and social system. This group has developed the proposed Community Service Transformation Programme structure (**Appendix 2**)
- In September a formal overarching Community Services Transformation Board will be created to provide oversight for three change programme workstreams. The Board will have representation from the ICB and the Council. This Board will explore opportunities within the Integrated Care System to deliver services on a broader BSW footprint where it would benefit the local population and provide increased opportunities for service resilience. The Board will ensure we achieve the right balance between delivery at scale and delivery to meet specific local need and maximise the benefits for the B&NES population
- The Community Services Transformation Programme proposes three change programme workstreams for the ICB and the Council to oversee and to deliver the safe transition of existing services to the new delivery model:
 1. Programme 1 will cover Adult Social Care (ASC) redesign to make a recommendation on the future ASC operating model. In addition, this programme will develop a model for the future commissioning of the community partners. The Senior responsible officer for this programme is the Director of Adult Social Care
 2. Programme 2 will cover the future of commissioning Public Health services and review service specifications/performance. The Senior responsible officer for this programme is the Director of Public Health who will work closely with the Director of Children's Services to ensure service interdependencies are taken into consideration for adults and children
 3. Programme 3 will develop the model of Community Based Integrated Care Services for adults and children and will take into consideration the BSW Care Model. Programme 3

will be led by the ICB and will also take the opportunity to review service specifications/performance in advance of any changes to services and delivery

- Additional project and programme management capacity will be identified to deliver the new Community Service Transformation Programme

3.2.2 Next Steps – Phase One Planning and Engagement September 2022

- From September 2022 there will be a monthly briefing to the lead member for Adult Social Care and the lead member for Public Health and Children and Young People Services
- Officers of the Council and the ICB will develop recommendations for the future delivery model for Community Services in B&NES as of 1st April 2024 together with the new specification for health and public health services
- On 30th August 2022 the ICB will receive a report that sets out the approach that is being developed across BSW to coordinate the development of integrated health services and to ensure that the future approach to contracting for these services is undertaken in a manner that is consistent with both the principles enshrined in the Health and Care Act and the upcoming Provider Selection Regime
- An engagement event will be held on 29th September to update sub-contractors who presently report directly to HCRG Care Group, on the process and timescales and to receive feedback on key strategic priorities as HCRG Care Group services transition to the health and social care system. The engagement event will also confirm legislative changes and the impact on procurement. 3SG and Community Wellbeing Hub partners will be invited to attend the event

3.2.3 Phase Two – Recommission Process September 2022 to March 2024

- A high-level options appraisal will be present to November Cabinet on the proposed new models of delivery for Adult Social Care
- The February 2023 Cabinet report will update on each of the three programmes on Adult Social Care, Public Health, and Community Based Integrated Care Services
- Adult Social Care, Public Health and Community Partners will be presented to Cabinet supported by a business case to ensure Cabinet are assured of safe delivery of the transition of the service with the outline of the likely costs of the new model
- A decision date in February 2023 ensures alignment between all commissioning bodies

3.2.4 Phase Three – Service Improvement and Transformation April 2024 – March 2025

- A key priority will be to ensure safe transfer of services to meet the needs of the B&NES population. This will be challenging due to the ambitious timescale for the Community Services Transformation programme, coupled with the transitional changes to the newly formed Integrated Care System but plans are in place for mitigation

4 STATUTORY CONSIDERATIONS

4.1 Full information in relation to regulatory considerations can be found in the 26th May 2022 report to Cabinet – HCRG Care Group Options Appraisal in section 4 of the report.

4.2 Two statutory services were removed from the HCRG Care Group contract at the start of Year 6 (1st April 2022 – 31st March 2023) by mutual agreement with HCRG Care Group. These services are Strategic Adult Safeguarding which has been returned to the Council and Continuing Health Care has returned to the ICB.

4.3 There remains a need to ensure continuation of effective and robust contract monitoring and management of the existing B&NES Community Services contract held by HCRG Care Group until 31st March 2024. To limit any new areas of dispute and reduce the risk of legal challenge or the provider serving notice on the contract, there will be no new services added to the contract and no modifications or removal of services from the contract, unless under exceptional circumstances and by mutual agreement with HCRG Care Group. This will apply for the remainder of the contract term, until 31st March 2024.

4.4 **Appendix 3** outlines the new governance arrangements for Health and Social Care.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 Additional capacity will be required for programme management as well as subject matter expertise to deliver the three programmes. This will be met through a mixed model of procurement of professional services, investment in interim project roles, back filling current roles to release capacity to focus on this programme and utilisation of fixed term staff to fulfil specified activities to a defined brief. The process to ensure sufficient project and programme management resource has now commenced.

5.2 It is expected that the cost of mobilisation, safeguarding and safe service transition will cost the following over the life of the Community Services Design, and this will be subject to review as part of the programme planning process.

Year	Estimated cost to deliver programme
Year One 2022/23	£450,000
Year Two 2023/24	£900,000

5.3 Costs associated with the establishment of an ongoing delivery model of Social Care provision within the Council will be funded from the Social Care reserve.

5.4 Programme management and transition costs that relate to services that are integrated with health will be managed through the programme governance set out in **Appendix 2** with costs identified and charged accordingly with Social Care costs funded by the Council and Health costs funded by the ICB.

5.5 Programme management and ongoing transformation costs from 2024/25 will be funded by the existing value within the HCRG Care Group contract following movement of resources as the contract ends.

6 RISK MANAGEMENT

6.1 A Community Services Transformation Programme risk register will be maintained to demonstrate robust assurance of risk management and mitigation actions.

7 EQUALITIES

7.1 Diversity Impact Assessment (DIA) – this will be completed as part of the recommendations made to Cabinet on the new model of delivery for community services.

7.2 Quality Impact Assessment - this will be completed as part of the recommendations made to cabinet on the new model of delivery for community services.

8 CLIMATE CHANGE

8.1 Officers do not expect any effect on the Council's carbon footprint.

9 OTHER OPTIONS CONSIDERED

9.1 A full options paper will be brought to Cabinet in February 2023 for a decision to be taken on the future model of delivery for Community Services in B&NES.

10 CONSULTATION

10.1 As joint commissioners of the B&NES Community Services contract the Council and ICB will continue to work in partnership to deliver the Community Services Transformation Programme and make recommendations on a new model of delivery for Community Services to Cabinet and the ICB.

10.2 Refer to section 3.2.2 detailing the supplier engagement event planned for 29th September 2022.

Contact person	Suzanne Westhead – Director of Adult Social Care
Background papers	26 th May 2022 Options Appraisal Report – HCRG Care Group
Please contact the report author if you need to access this report in an alternative format	

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Appendix 1 Integrated Community Services Contract B&NES - HCRG Care Group

SD Number	Services for Adult Social Care	Directly provided, Sub-Contracted or both	Funding Source
PD01	Adult Social Care Statutory Services - Statutory Service	Direct	Council
SD02	Adult Carers Support Service	Sub-Contract	Council & BCF
SD14	Community Based Mental Health Pathways (Community Links and MH Reablement direct, etc.)	Direct & Sub-Contract	Council, ICB & BCF
SD20	Community Mental Health Services For Older Adults and Those With Dementia (Day centre service)	Sub-Contract	Council & ICB
SD23	Direct Payments Hub	Direct & Sub-Contract	Council & ICB
SD27	Home From Hospital/Home Response Service	Sub-Contract	Council, ICB & BCF
SD25	Extra Care Housing	Sub-Contract	Council & BCF
SD28	Homelessness Prevention Pathway Services - Rural Floating Support	Sub-Contract	Council
SD29	Housing Related Support - Positive Accommodation and Support Pathway	Sub-Contract	Council
SD30	Independent Living Service	Sub-Contract	Council & ICB
SD Number	Services for Children - Health	Directly provided, Sub-Contracted or both	Funding Organisation
PD03	Looked after Children - Statutory Service	Direct	ICB
SD07	Children's Bladder and Bowel Service	Direct	ICB
SD08	Children's community nursing and psychology services	Direct	ICB
SD09	Children's Continuing Care Service	Direct	ICB

Key - Funding Source

B&NES Council	Council
Public Health	PH
Integrated Care Board	ICB
Better Care Fund	BCF

SD10	Children's Learning Disability Service - delivered by PH	Direct	ICB
SD12	Children's Speech and Language Therapy Service	Direct	ICB
SD42	Children's Community Audiology Service	Direct	ICB
SD53	Youth Offending Service Nurse	Direct	ICB
SD59	Community Paediatric Service	Direct	ICB
SD No	Services for Public Health	Directly provided, Sub-Contracted or both	Funding Organisation
SD01	0-19 Public Health Nursing (linked to SD10/53)	Direct	PH
SD16	Community Safety Equipment Children - Public Health Service	Sub-Contract	PH
SD32	Integrated Sexual Health Service	Sub-Contract	ICB & PH
SD39	NHS Health Checks	Direct & Sub-Contract	PH
SD50	Substance Misuse Services	Sub-Contract	ICB, Council & PH
SD52	Wellness	Direct & Sub-Contract	ICB, Council, BCF & PH
SD Number	ICB & Council Services	Directly provided, Sub-Contracted or both	Funding Organisation
SD31	Integrated Reablement Service	Direct	Council, ICB & BCF
SD43	Adults with a Learning disability	Direct	Council & ICB
SD Number	Services for Adults - Health	Directly provided, Sub-Contracted or both	Funding Organisation

SD13	Adult Audiology (incl hearing therapy)	Direct	ICB
SD15	Community Bladder and Bowel Service (Adults)	Direct	ICB
SD17	Community Hospital Inpatients	Direct	ICB
SD19	Community Nursing (Adults) Inc District Nurses	Direct	ICB
SD21	Community Pain Management	Direct	ICB
SD22	Specialist Dementia Services	Sub-Contract	ICB
SD24	End of life Care	Sub-Contract	ICB
SD26	Movement Disorders Clinic and Falls & Balance Service (Clara Cross)	Direct	ICB
SD35	Lymphedema Nursing	Direct	ICB
SD38	Physiotherapy Outpatients and Primary Care Specialist Physiotherapy	Direct	ICB
SD40	Orthopaedic Interface Service	Direct	ICB
SD46	Specialist Cardiac and Respiratory Services (Adults) - Heart Failure Nursing	Direct	ICB
SD47	Specialist Diabetes Services (Adults) - Diabetes Education	Direct & Sub-Contract	ICB
SD48	Specialist Neurology and Stroke Services (Adults)	Direct & Sub-Contract	ICB
SD49	Speech and Language Therapy (Adults)	Direct	ICB

SD51	Urgent Care Facility at Paulton MIU	Direct	ICB
SD54	Podiatry	Direct	ICB
SD57	Tissue Viability Nurse Service	Direct	ICB
SD58	Community IV	Direct	ICB
SD61	Falls Rapid Response	Direct	BCF

B&NES Community Services Transformation Programme Structure and Governance

Integrated Care Board -
Community Health Services
Decisions

Council Cabinet – Adult Social
Care & Public Health Decisions

B&NES Council Assurance
Senior Leadership Team
CMT
Business Change Hub

Community Services Transformation Board (At Scale and Place) – strategic oversight meeting
Adult Health, Children’s Health, Public Health, Adult Social Care and Community Partners
Senior Responsible Officers ICB and Senior Responsible Officers Council

Programme Management Group for delivery workstreams (At Scale and Place) – delivery oversight meeting
Adult Health, Children’s Health, Public Health, Adult Social Care and Community Partners

Programme - One
Adult Social Care Redesign &
Community Partners
SRO – Suzanne Westhead
(Scope – B&NES)

Programme - Two
Public Health
SRO – Rebecca Reynolds
(Scope – B&NES)

Programme - Three
Community Based Integrated Care
Services (Adults & Children’s)
SRO – Richard Smale and Laura Ambler
/Mary Kearney-Knowles
(Scope - BSW)

**ASC Operating
Model**

Lead & Project
Manager

**Community
Partners
Operating
Model**

Lead & Project
Manager

**Future
Commissioning
/Redesign**

Lead & Project
Manager

**Review Service
Specifications/
Performance**

Lead & Project
Manager

**Future
Commissioning/
Redesign (Adults &
Children’s)**

Lead &
Project Manager
Adult and Project
Manager
Children’s

**Review Service
Specification/
Performance
(Adults &
Children’s)**

Lead &
Project Manager
Adult and Project
Manager
Children’s

All programmes and workstreams will explore the interdependencies for service delivery at place and scale

- Cross-cutting enabling functions:**
- Workforce (HR/TUPE/Pensions)
 - IT/Systems
 - Communications (Internal and External)
 - Engagement
 - Procurement
 - Legal
 - Finance
 - Data and Performance
 - Estates

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Appendix 3 New Governance Arrangements for Health and Social Care

The Health and Care Act 2022 ('the Act') has passed through the Parliamentary process. The Act creates the Integrated Care System (ICS) which has been established to ensure better integration between Health and Social Care with the aim being to improve the health and wellbeing of our communities across Bath & North East Somerset. The ICS operates on the established NHS governance footprint of Bath and North East Somerset, Swindon & Wiltshire (BSW) and has 2 key components:

1. Integrated Care Board (ICB) to manage commissioning of NHS services
2. Integrated Care Partnership (ICP) is responsible for developing integrated strategies for the whole BSW population, covering health and social care to address the wider determinants of health and wellbeing

A local delivery mechanism called the Integrated Care Alliance (ICA) will then operate on a Bath & North East Somerset level.

Integrated Care Board (ICB)

Integrated Care Boards will be introduced by the Act as of 1 July 2022 and will replace the current Clinical Commissioning Groups ('CCG's'). ICBs will be responsible for commissioning health and primary care services in the same way as CCGs are currently plus some additional areas currently reserved to NHS England.

The local ICB for Bath & North East Somerset will also cover the local authority areas of Wiltshire and Swindon. ICBs form part of the new Integrated Care System ('ICS') which, it is hoped, will further empower local commissioning bodies to commission goods and services that are most relevant to their areas of operation.

In accordance with Schedule 2 of the Act, the ICB must contain at least one local authority representative. The Act sets out that this representative will represent all local authorities within the ICB's geographic area. These are however minimum requirements and it has been suggested by the current CCG (who are responsible for implementing the new constitutional arrangements for the ICB) that each of the three local authorities would be permitted to nominate a representative to sit on the ICB. The three local authorities have provisionally agreed, subject to Cabinet approval, to nominate their Chief Executive's to sit on the ICB.

Integrated Care Partnership (ICP)

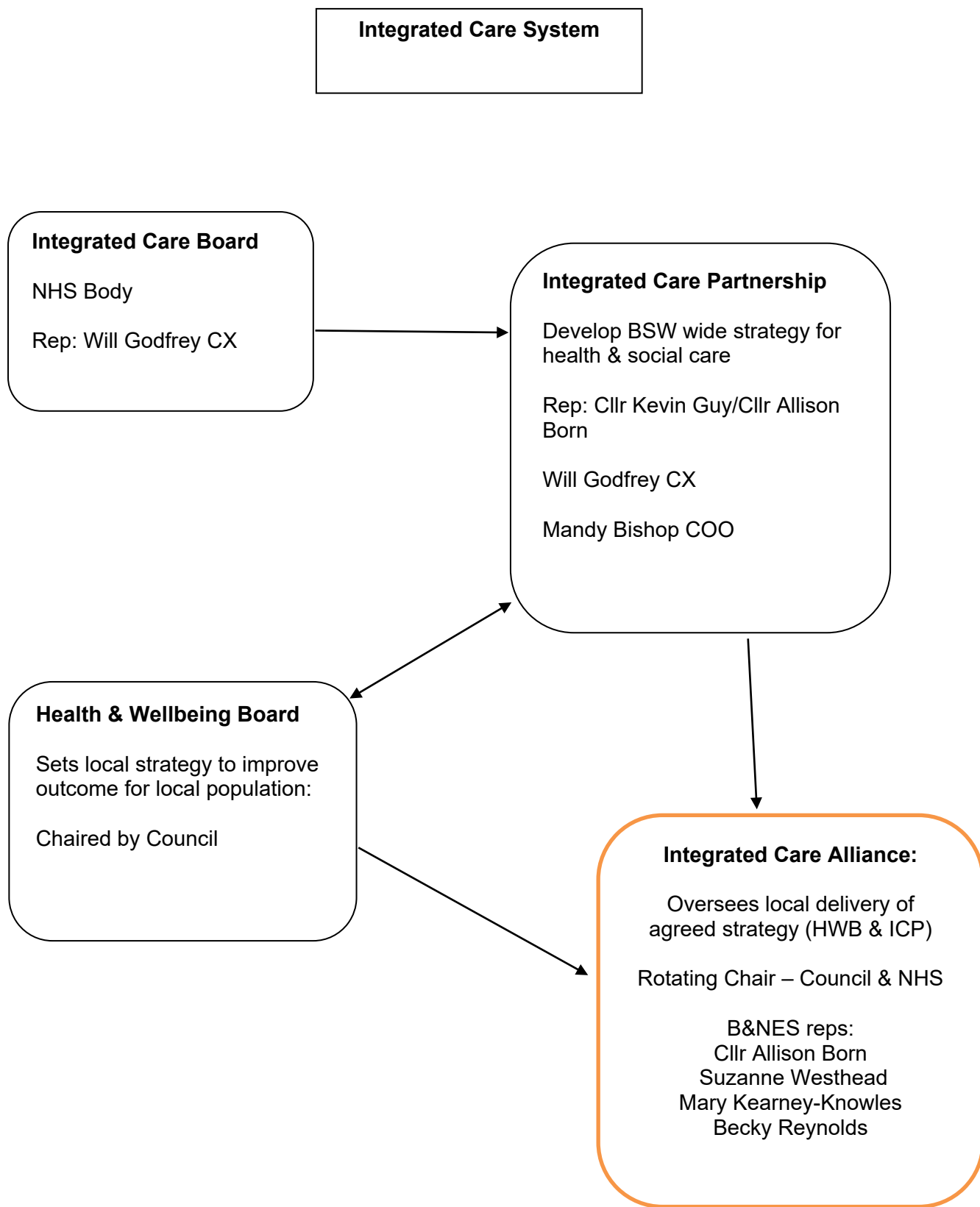
A steering group comprising the Chair and Chief Executive of the ICS and the Leaders and Chief Executives of the three local authorities have met to begin scoping the work of the ICP. It will therefore take some time before a formal meeting of the ICP takes place.

Local Sub-committee of the Integrated Care Board (Integrated Care Alliance – ICA)

To support the empowerment of local communities, the new ICS would also call for a 'placed-based board' to be established. Such a board will be established for each of the local authority areas within an ICB's geographical area. As such, there will be a specific board for Bath & North East Somerset. Schedule 2 of the Act allows for the ICB to create sub-committees and allows for those sub-committees to be made up of non-ICB members.

The purpose of the sub-committee is to set the local strategy and provide oversight to a further board that will be tasked with delivering the agreed strategy. Work is being undertaken to agree the terms of reference for the ICA.

Outline Governance Arrangements



Bath & North East Somerset Council		
MEETING/	Cabinet	
MEETING	8th September 2022	EXECUTIVE FORWARD PLAN REFERENCE:
		E3363
TITLE:	B&NES New Local Plan Launch	
WARD:	All	
AN OPEN PUBLIC ITEM/		
List of attachments to this report:		
Annex 1- The draft new Local Plan Launch Document		
Annex 2 - Local Development Scheme 2022		
Annex 3 – Draft Engagement Strategy		
Annex 4 – Statement of Community Involvement		

1.0 THE ISSUE

- 1.1 The preparation of a new Local Plan for B&NES provides the opportunity for the Council to look afresh at its planning policy framework for the district. As this is a long-term plan (20 years), and because the Local Plan is the Council's primary tool for place shaping and the basis of decision-making on development and the use of land, the Council needs to ensure the Plan is sufficiently ambitious to deliver the Council's priorities and is responsive to local community concerns. In particular, the new Local Plan will play a key role in helping to deliver the Council's priorities in responding to the climate and ecological emergencies.
- 1.2 The preparation of the Local Plan will commence with the publication of a Launch Document in September 2022. The Launch Document will outline the purpose, scope and timetable of the Local Plan and how communities and stakeholders can be involved.

2.0 RECOMMENDATION

The Cabinet is asked to agree;

- 2.1 the new Local Plan Launch Document (Annex1) for publication**
- 2.2 the revised Local Development Scheme 2022 (Annex 2),**
- 2.3 the Engagement Strategy (Annex 3) for the preparation of the new Local Plan,**

2.4 the Statement of Community Engagement (Annex 4), and

2.5 to delegate the authority to the Head of Planning, in consultation with the Cabinet Member for Planning and Licensing, to make minor amendments and correct any errors to the above four documents before publication.

3.0 THE REPORT

The Launch document

3.1 The draft launch document is attached as Annex 1. The launch document will initiate an ongoing programme of engagement with residents, communities, partners and stakeholders to develop the plan's objectives, policies and proposals to inform the preparation of an options paper in the Autumn of 2023.

Local Plan Priorities and Scope

3.2 The council's primary ambitions for the Local Plan, drawing from the Corporate Strategy, the One Shared Vision, and other key emerging strategies (such as the Economic Strategy and Health & Wellbeing Strategy), are;

- Responding to the challenge of the climate emergency and facilitating the goal of net zero carbon by 2030,
- Establishing a transformational approach to protecting and enhancing nature,
- Maximising delivery of affordable housing to respond to the district's demographic, social and economic needs,
- Creating the opportunity for the types of jobs that are needed in our communities and ensuring that there is the right type of space for businesses to grow

3.3 The Local Plan will need to address a range of sometimes conflicting aims, and these tensions will need to be worked through as the plan progresses by having a clear understanding of the desired outcomes, assessing the relevant evidence, considering the alternative options and formulating policies and selecting development sites.

3.4 Other issues in scope of the Local Plan are:

- Maintaining a 5-year housing land supply and facilitating delivery of necessary type and scale of new homes to respond to the District's social and economic needs, (students, key workers, HMOs, travellers, boat dwellers, self-build, homes for older people, supported accommodation for residents with health and social care needs)
- Embedding an approach to transport and movement which facilitates behavioural change and the 15-minute neighbourhoods concept
- Ensuring that new development is aligned with the necessary infrastructure, including community facilities and green infrastructure,

- Setting a positive strategy for the conservation and enjoyment of the historic environment
- Protecting and enhancing the beauty of our heritage and environment
- Delivering high quality development that supports vibrant, healthy, successful communities and addresses inequalities
- Increasing renewable energy generation

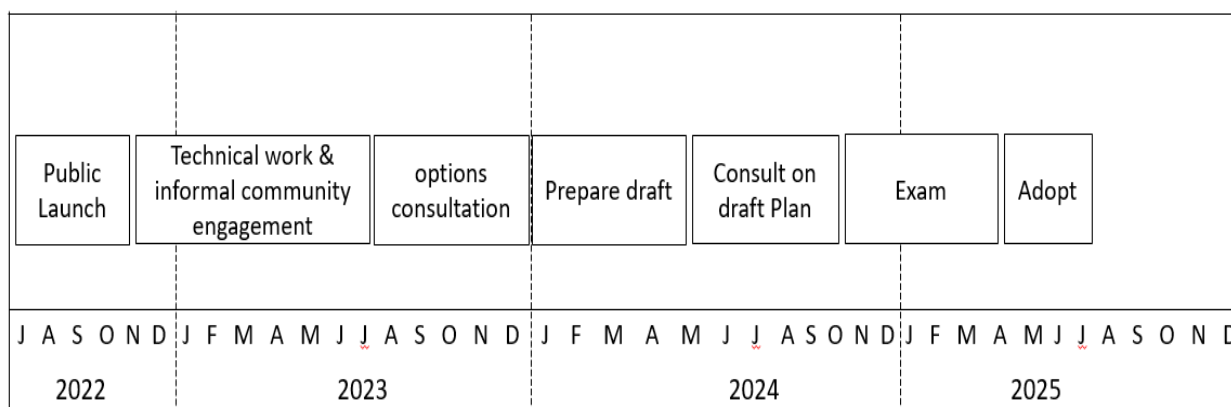
3.5 The Local Plan will also need to deliver national priorities and the Government has set challenging housing targets for local authorities to deliver. At the same time, the Council has ambitious objectives on addressing the climate and ecological emergencies and fostering good place making. Ensuring that these growth targets are accommodated in a sustainable way will be a significant challenge for B&NES and will require significant community involvement and effective internal cross-service working.

Timetable

3.6 All Local Authorities are required by Government to have an up-to-date Local Plan and the new B&NES Local Plan needs to be in place as soon as possible to ensure that the Council’s planning framework is that which helps to deliver its priorities. The Plan will need to be adopted by 2025 to reduce vulnerability to speculative planning applications. The overall programme for the preparation of the Local Plan is summarised in the diagram below.

3.7 Following the launch, the next key milestone for the Local Plan is the options consultation in the Autumn of 2023. This will entail a broad, but more formal public engagement on the key issues that need to be addressed and the spatial objectives that should drive the Plan and the range of alternative policies and sites to be considered. The Issue and Options consultation document will be informed by the ongoing informal conversations with the communities, partners and stakeholders from September 2022 to August 2023.

New Local Plan Preparation timetable



Plan Period

3.8 Whilst there is some flexibility in the length of the period that plans cover, national policy requires that plans must cover a period of at least 15 years post adoption.

This would require that the B&NES Local Plan covers the period to 2040 but it would be wise to include an element of buffer. In any case plans must be reviewed at regular intervals (at least 5 yearly) to make sure they remain up-to-date.

4.0 STATUTORY CONSIDERATIONS

- 4.2 The process for the preparation of local plans is primarily set out in the Planning & Compulsory Purchase Act 2004 (as amended) (the 2004 Act) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations, national planning policy (the National Planning Policy Framework 2019) and national guidance (National Planning Practice Guidance). Other legislation is also relevant such as the Environment Act 2022. The Council must produce a Local Plan that is sound. The Planning Acts require that planning applications must be determined in accordance with Development Plan (which includes Neighbourhood Plans) unless material considerations indicate otherwise.
- 4.3 Under the 2012 Regulations, the Launch Document will commence the initial consultation required by Regulation 18 of plan preparation, i.e. informal engagement. Section 17(6) and Section 13(2) of the 2004 Act require that Local Planning Authorities must keep under review the matters which may be expected to affect the development of their area such as;
- the principle physical, economic, social and environmental characteristics of the area;
 - the principle purposes for which land is used in the area;
 - the size, composition and distribution of the population of the area;
 - the communications, transport system and traffic;
- 4.4 Section 15 of the 2004 Act requires all local planning authorities to prepare a Local Development Scheme (LDS). The LDS sets out the programme, resources and arrangements for the production and review of statutory planning documents required by the Council. The draft LDS is included in Annex 2 for approval.
- 4.5 Section 18 of the 2004 Act requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications (see para 12.4 below).
- 4.6 Plan preparation must be informed by a Sustainability Appraisal and a Habitats Regulations Assessment.
- 4.6 Local planning authorities are under a duty to cooperate with each other under Section 33A of the 2004 Act, and with other prescribed bodies, on strategic matters that cross administrative boundaries. In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more Statements of Common Ground (SoCG), documenting the cross-boundary strategic matters being addressed and the progress in cooperating to address them. The approach to be taken in the West of England UAs is currently being considered.
- 4.7 The Government is proposing a number of reforms to the Planning System in the Levelling-up and Regeneration Bill and the timetable for the preparation of the Local Plan will enable these to be taken on board before the draft plan is prepared.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.6 The Council's planning policy framework is critical to the delivery of the new Corporate Strategy. The formulation of planning policy will require extensive cross-service working to ensure a co-ordinated approach and an efficient use of resources.
- 5.7 The preparation of Planning Policies and Supplementary Planning Documents for the District is primarily funded by the Local Development Framework budget and national and regional grants. In particular, funding of £1.34m has been made available from the WECA Investment Fund to assess opportunities for strategic growth. The scope and progress of preparation of Supplementary Planning Documents will depend on priorities and the available resources.
- 5.8 The CIL charging levy is based on the Local Plan and generates substantial income (c.£20m over last 5 years) to fund infrastructure in the district. The charging levy will be reviewed alongside the preparation of the Local Plan, as will the approach to s.106 developer contributions.

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance. A risk register will be maintained during the plan preparation. Key risks already identified so far;
- Ongoing changes to national legislation and national planning policy may cause delays in Local Plan preparation (see para 4.7 above)
 - Local and national elections may result in changes of policy direction during preparation of the local plan
 - Tensions between national, sub-regional and local objectives may be challenging to reconcile in the Local Plan
 - The scale of growth to be accommodated may result in very significant local objections to the Local Plan, particularly if Green Belt land is required to be released
 - Delivery of the necessary infrastructure/demand management measures may be challenging to implement due to the scale, cost and complexity of the measures needed
 - the West of England Combined Authority Mayor's decision to halt the preparation of the Spatial Development Strategy (SDS) entails a risk to the progression of the three West of England UA Local Plans because the Devolution Order requires the preparation of the SDS as part of the sub-regional planning framework. However, there is no time frame set for the preparation of a SDS and the UAs are entitled to progress their Local Plans in the interim. Therefore, to minimise the risk of challenge at examination on Duty to Co-operate grounds, the UAs need to set out how they will meet the requirements of the Duty to Co-operate in the preparation of their Local Plans and how they will consider strategic, cross-boundary issues early on in the process.

7 EQUALITIES

- 7.1 Preparation of the Local Plan will address a number of equality issues such as provision of affordable housing, employment opportunities, physical access to places and to buildings and the ability for some to engage in the plan preparation process. An Equality Impact Assessment will be maintained as part of the preparation of the Local Plan.
- 7.2 The formulation of the Engagement Strategy and the Statement of Community Involvement (see para 12.4 below) have been informed by an Equality Impact Assessment

8 CLIMATE CHANGE

- 8.1 An up-to-date planning policy framework is essential in delivering the Council's zero carbon ambitions. The Local Plan will need to direct development to the most sustainable locations and facilitate travel by sustainable modes. It will also need to secure sustainable construction methods and facilitate an increase in renewable energy generation.

9 OTHER OPTIONS CONSIDERED

- 9.1 The development plan is at the heart of the planning system. It is essential that local plans are in place and kept up to date. Section 19(1B) - (1E) 2004 Act sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents (taken as a whole). Therefore, the Council doesn't have the option in this context not to prepare a Local Plan.

10 CONSULTATION

- 10.1 Community and Stakeholder Engagement is integral to plan preparation as is evident in the timetable. Community engagement will need to be planned and co-ordinated with other Council initiatives and engagement exercises. Whilst comments will be invited on the Launch Document, this will not entail a substantive engagement. Instead, it will initiate a programme of informal, ongoing discussions with communities and stakeholders leading to the more substantive Issues and Options consultation in autumn 2023.
- 12.2 In light of the importance of working closely with local communities on the Plan and the need to ensure co-ordination across a range of related initiatives, a Local Plan Engagement Strategy has been prepared (see Annex 3) and will need to be kept up-to-date.
- 12.3 An area of Local Plan work that will require a particular focus is the spatial strategy for B&NES and the formulation of options for broad locations for growth. A range of locations will need to be assessed across the district, working with adjoining authorities where relevant. These growth options will need more intensive community engagement but need to be set within a conversation of local community priorities and wider assessments of individual places. As of part the launch and to complement the process of identifying land for development, a 'Call for Sites' will be issued to cover not only the traditional request for development

sites, but also other sites which help deliver the council priorities e.g. sites for nature conservation enhancement or renewable energy generation.

- 12.4 The Council is required to prepare and keep up to-date a Statement of Community Involvement (SCI) which sets out the approach to engagement with communities, residents and stakeholders. This identifies under-represented groups where a particular focus is needed to facilitate engagement. The SCI has been updated and consulted on and will be published as part of the Local Plan launch (see Annex 4).

Contact persons	<p>Simon de Beer (Head of Planning) Tel: 01225 477616</p> <p>Richard Daone (Deputy Head of Planning: Policy) Tel: 01225 477546.</p>
Background papers	<p><u>B&NES Core Strategy 2014</u></p> <p><u>B&NES Placemaking Plan 2017</u></p> <p><u>Local Plan Partial Update commencement document 2020</u></p> <p><u>Local Plan Partial Update Options consultation document 2021</u></p> <p><u>Local Plan Partial Update Reg 19 submission Plan</u></p> <p><u>Council progress report on climate emergency October 2019</u></p> <p><u>B&NES Statement of Community Involvement</u></p> <p><u>My neighbourhood - A neighbourhood planning protocol for B&NES</u></p> <p><u>Climate Emergency declaration March 2019</u></p> <p><u>B&NES Local Development Scheme 2021</u></p> <p><u>Bath & North East Somerset Local Plan Partial Review - Consultation Statement</u></p> <p><u>Housing and Economic Land Availability Assessment (HELAA)</u></p> <p><u>Local Plan Partial Update policy review 2020</u></p> <p><u>Local Plan Partial Update - Options Consultation supporting documents</u></p>
<p>Please contact the report author if you need to access this report in an alternative format</p>	

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Local Plan 2022 - 2042

Launch Document

September 2022



Foreword

This Launch Document for our new Local Plan is an important step forward to address pressing issues and to deliver on our shared priorities.

- How can we best respond to the climate and nature emergencies? And what bolder decisions do we need to take?
- Where should we allow new development to meet our need for more affordable housing and for better jobs?
- What are our priorities for improving places so that we can help transform our quality of life? To achieve a healthy and resilient future for all and enable more sustainable lifestyles?

The new Local Plan is a valuable document that gives us the teeth to help deliver our ambitions. It needs to capture fresh thinking and innovative ideas if it is to provide the best possible planning framework for managing change, delivering the places that we want to live in and protecting what we value.

We need to be firm when necessary, to make sure that we get the very best from development, yet flexible too, when we need to allow great new ideas to flourish and to respond to changing and unpredictable circumstances.

I would urge you to engage in the process of shaping the future of Bath and North East Somerset. As a statutory document, the production of a Local Plan can seem like a long process, but it has proven to be robust in delivering change and in safeguarding our valued assets.

Councillor Kevin Guy (Leader of the Council)
Councillor Tim Ball (Cabinet Member for Planning and Licensing)

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Introduction

This Launch Document is the first step towards preparing a New Local Plan for Bath and North East Somerset.

The Local Plan will establish the planning framework for the district up to 2042. It will contain a vision, strategy and policies to guide and manage how the District grows and changes over the next 20 years, and how planning applications for new development are decided. It will also help to deliver the Council's corporate priorities, including improving people's lives, tackling the climate and ecological emergencies, and preparing for the future in terms of the economy and addressing inequalities.

Throughout its preparation, we'll be asking for your thoughts and ideas on how the District can grow sustainably to help address the challenges we face, such as the climate and ecological emergencies and the housing crisis, whilst protecting and enhancing the things we value about Bath and North East Somerset.

Purpose of this Launch Document

This Launch Document marks the formal start of the preparation of the new Local Plan.

We would like your views on the approach we are taking in preparing the new Local Plan from the very start, including the content of this Launch Document. Please see details on how to respond on page 15, or at the following web address: [Insert link](#)

Background



Bath and North East Somerset (B&NES) Council's current planning policies were adopted in 2014 and 2017, and whilst some of these policies are being updated through the Local Plan Partial Update 2022, we now need a complete review of the existing Local Plan to make sure it is fit for purpose to address the challenges we are facing.

The West of England Combined Authority (WECA) mayor has a duty to prepare a Spatial Development Strategy (SDS) for the sub-region, covering B&NES, Bristol and South Gloucestershire. However, work on the SDS has been halted, so instead the three WECA authorities are progressing their Local Plans in collaboration.

Scope of the Local Plan

The Plan area will be the whole administrative area of B&NES Council. As Local Plans must have at least a 15 year plan period from adoption, the proposed plan period is **2022 - 2042**.

Once adopted, the Local Plan will be reviewed every 5 years, and updated where necessary.



The primary purpose of Local Plan 2022 – 2042 is to address the local authority’s priorities for the development and use of land in the district, and set out an overall strategy for the pattern, scale and design quality of places.

We will work with our communities and stakeholders to identify the key challenges in B&NES, and the objectives and policies we need in place to address these.

The starting point will be the Council’s One Shared Vision, as well as other key emerging strategies such as the Economic Strategy, the Cultural Strategy, and the Health and Well-being Strategy.



Scope of the Local Plan

The council's **primary ambitions** for the Local Plan, drawing from the Corporate Strategy, the One Shared Vision, and other key emerging strategies (such as the Economic Strategy and Health & Wellbeing Strategy) are:

Responding to the challenge of the **climate emergency** and facilitating the goal of **zero carbon by 2030**

Establishing a transformational approach to **protecting and enhancing nature**

Maximising delivery of **affordable housing** to respond to the district's demographic, social and economic needs

Creating opportunities for the types of **jobs** that are needed in our communities, and ensuring that there is the right type of space available for **businesses** to grow

Scope of the Local Plan

Other issues in the scope of the Local Plan include:

Maintaining a 5-year housing land supply and facilitating delivery of necessary type and scale of **new homes** to respond to the District's social and economic needs, including needs of gypsies, travellers and boat dwellers

Ensuring new development is aligned with the necessary **infrastructure**, including community facilities and green infrastructure

Setting an approach to **sustainable transport** and movement which facilitates behavioural change and the 15-minute neighbourhood concept

Protecting and enhancing the beauty of our **heritage and environment**

Delivering **high quality development** that supports vibrant, healthy, successful communities, and addresses inequalities

Increasing **renewable energy** generation

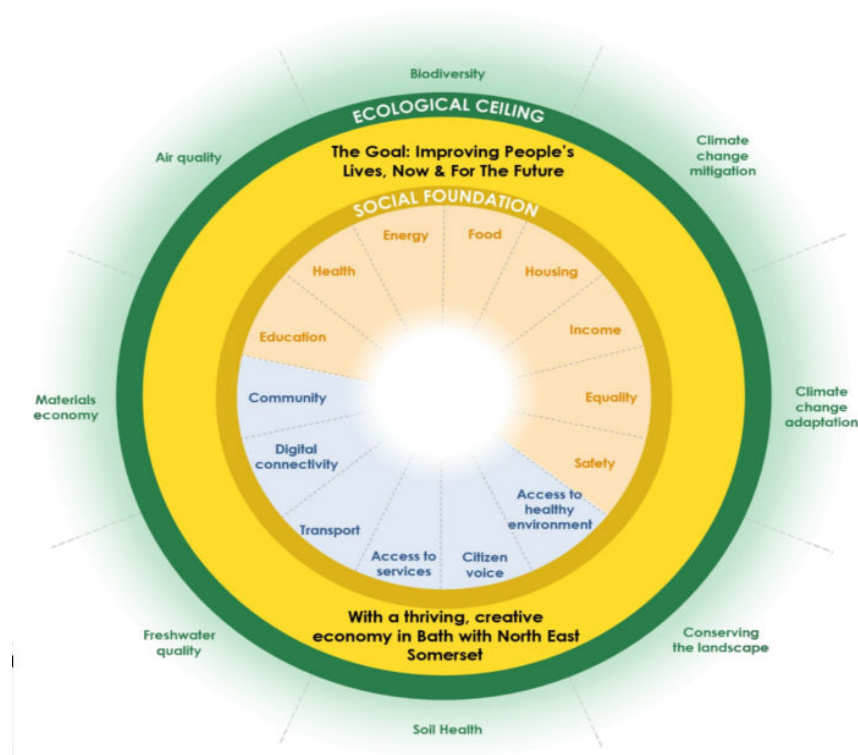
Setting a positive strategy for the **conservation and enjoyment of the historic environment**

Scope of the Local Plan

The Doughnut Economics Model

As the Local Plan will need to address a range of sometime conflicting aims, it is proposed that the “Doughnut Economics model” is used to help establish the most appropriate planning framework. This model is a tool to help make decisions about the economy that combat climate change but at the same time seek to ensure social needs are met. The model helps to show how policies and proposals will affect the environment and people. If it shows that the policy will have a harmful effect on the climate or people, it can be modified or dropped.

The diagram below shows that the model has two parts: The inner wheel focusses on social and economic issues like wealth and homes. The outer wheel focusses on environmental issues like greenhouse gas emissions and biodiversity. The key is to seek to develop polices and proposals which benefit both the environment and people ie the "doughnut"



Stages in preparing the Local Plan

The key steps and proposed timetable for the preparation of the Local Plan is set out in the Council's Local Development Scheme.

The diagram below sets out a summary of the stages carried out in the preparation, examination and adoption of the Local Plan, and the proposed programme.

Preparation of the Local Plan

Stage 1: Launch

September 2022

This **Launch Document** is published to commence the preparation of the Local Plan. Comments on the content of the Launch Document are sought from communities and stakeholders.



Stage 2: Evidence Gathering, Engagement and Options Formulation

October 2022 - September 2023

Extensive gathering and analysis of data, evidence and information on key issues will be carried out. This will include a call for sites, enabling stakeholders to submit sites they consider to be available and potentially suitable for housing or employment development, or any other type of development, such as renewable energy. Details of the types of evidence required are set out on page 12.

During this stage, **communities, stakeholders and consultees will be consulted** multiple times, firstly to identify key issues and opportunities, and then to review evidence and help to develop policy options. Details relating to the engagement to be carried out are set out in the engagement strategy, published alongside this Launch Document.



Stages in preparing the Local Plan

Stage 3. Options Document Consultation

October 2023 - December 2023

Evidence gathered and responses from engagement will help to create an **Options Document** setting out initial issues and options that will define the draft Local Plan going forward. We will consult on this document and invite feedback from the public.



Stage 4: Preparation of Draft Plan and Targeted Engagement

January 2024 - May 2024

Having taken account of responses received from the previous consultation, and further analysis of evidence, the Council will prepare a Draft Plan. Additional targeted engagement with key stakeholders will also be carried out at this stage.



Stage 5: Draft Plan Consultation

June 2024 - August 2024

A **Draft Plan** will be published, and consultation on this document will be carried out for a period of at least 6 weeks. The local planning authority may make changes to the Draft Plan following the consultation, and may decide to carry out further consultation if any resulting changes are considered to be significant.



Stages in preparing the Local Plan

Examination

Stage 6: Submission and Examination

November 2024

The final Draft Plan will be **submitted to the Government** along with the supporting evidence base, following which an independent Inspector will be allocated to assess the soundness of the Plan.



Stage 7: Hearings

January 2025

The independent Inspector will **hold an Examination into the soundness of the Plan**. The Examination hearings will include evidence from anybody who wishes to make a submission on any of the key issues or questions highlighted by the Inspector. The Inspector will consider all of the evidence and representations made through the Draft Local Plan consultation process.



Stage 8: Inspector's Report

May 2025

The Inspector will assess whether the Local Plan has been prepared in accordance with legal and procedural requirements, and whether it is sound. The Inspector will publish their recommendations in a Report. If the Inspector has not recommended adoption, the Council can adopt the Plan in line with any 'main' modifications as suggested by the Inspector.



Stages in preparing the Local Plan

Adoption

Stage 9: Adoption

September 2025

The Council will adopt the Plan at a full Council meeting.

We will undertake the preparation of the Local Plan in accordance with Regulations 18 and 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Stage in preparing the Local Plan

Engagement and Consultation

Engagement and consultation with communities and stakeholders is key to preparing a vision and strategy for the district which allows it to grow sustainably, meets the needs of our communities, and protects and enhances the things we value most. The Council will therefore work closely with communities and stakeholders in preparing the new Local Plan. We will be carrying out a range of engagement and consultation throughout the preparation of the Local Plan, in line with the Council's core policy of **'giving people a bigger say'**.

Details of our approach to engagement are set out in an Engagement Strategy, which is published alongside this Launch Document, setting out the opportunities for key stakeholders to be involved in the preparation of the Plan.

In addition to the engagement strategy, a Consultation Statement will be prepared and updated at each stage of the Plan's preparation, setting out how consultation was undertaken, the key issues raised, and how the Council has considered these issues in progressing the Local Plan.



Stages in preparing the Local Plan

Evidence Base

Preparation of the Local Plan will need to be based on robust evidence, both to define the challenges we are facing, and to test policy options. We will use existing evidence as well as commissioning new studies.

The **evidence base** will need to cover a wide range of issues such as:



Stage is preparing the Local Plan

Duty to Cooperate

B&NES Council has a duty to co-operate on strategic planning issues that cross administrative boundaries and must collaborate with other strategic authorities to identify any relevant strategic matters which need to be addressed.

Cross-boundary strategic issues relating to the Local Plan might include issues such as addressing the sub-region's housing need, strategic highway issues, and flooding. This is particularly important in the absence of a sub-regional Spatial Development Strategy.

We will liaise with the prescribed Duty to Cooperate bodies in identifying the cross-boundary strategic issues and work jointly with these bodies to address such issues through the preparation of the Local Plan. The Council will prepare and maintain a statement of common ground documenting the cross-boundary matters and progress in co-operation.

Sustainability Appraisal (SA) and Habitats Regulations Assessments (HRA)

The preparation of the Local Plan will be informed by a Sustainability Appraisal (SA), which will include an assessment of health impact, and a Habitats Regulations Assessment (HRA).

A framework for the Sustainability Appraisal will be agreed at the beginning of the project and will be used to assess and inform the plan-making process. It is intended to publish a Sustainability Appraisal Scoping Report and an interim SA on the options for consideration. The Doughnut Economic model is now being used by some authorities as a vehicle for the SA, and this will be considered for the B&NES Local Plan.



Stage is preparing the Local Plan

Equalities Impact Assessment

B&NES Council has a duty under the Equality Act 2010 to ensure that the objectives and policies within the Local Plan meet the requirements of the Act.

An Equalities Impact Assessment will be carried out at multiple stages throughout the preparation of the Local Plan, to demonstrate how this duty has been met.

Relationship with other Plans

Neighbourhood Plans

B&NES currently has 11 made (or adopted) neighbourhood plans, with several others in preparation. As work on the Local Plan progresses, and the strategic context for the neighbourhood plans changes, communities should consider reflecting the Local Plan 2022 - 2042 in the preparation of new neighbourhood plans and made plans may become increasingly out of date. Communities may wish to review them to take account of any implications arising. The Council will continue to support Town and Parish Councils and Neighbourhood Forums within B&NES in preparing and reviewing neighbourhood plans, and will discuss the implications of the new Local Plan as it progresses. Consultation with interested parties will be carried out at the beginning of the preparation process.

SPDs

Policies in the adopted Core Strategy and Placemaking Plan, and the emerging Local Plan Partial Update, are supplemented by a range of Supplementary Planning Documents (SPDs) which are listed in the Local Development Scheme. These SPDs will continue to supplement the relevant policies in the Local Plan and some may require reviewing and updating. In seeking to improve the design quality of new development and 'building beautiful' the Council will consider preparing Design Codes for the District and places within it. The existing SPDs to be reviewed or new SPDs to be prepared are identified in the Local Development Scheme.

CIL

We will review the Community Infrastructure Levy alongside the preparation of the new Local Plan.

Let us know what you think

We need to hear from you. Please let us know your thoughts on the content of this Launch Document by filling out the form at the web address below, which seeks your opinions on:

The proposed scope and content of the Local Plan 2022 - 2042

The proposed programme for the preparation and adoption of the Plan

Any general comments relating to the Plan

INSERT LINK / WEB ADDRESS TO COMMENT FORM

The consultation on this Launch Document runs from **XXX** to **XXX**.

Comments will be taken into account as part of the plan preparation process.

If you are unable to use the online form, please email your comments to **planning_policy@bathnes.gov.uk**

Or call a member of the planning policy team on **01225 477548**

Or send your written comments to:

**B&NES Council
Planning Policy
Lewis House,
Manvers Street
Bath
BA1 1JG**

Postal address TBC

Bath and North East Somerset Local Development Scheme 2022 - 2025



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1. INTRODUCTION

The Local Development Scheme

- 1.1 The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, requires all local planning authorities to prepare and maintain a Local Development Scheme (LDS). The LDS is a timetable for the production of the Local Plan, Development Plan Documents and Supplementary Planning Documents that the Council is preparing, or intends to prepare. These documents are known collectively as Local Development Documents (LDDs). It is the starting point for residents and stakeholders to find out what planning policies relate to their area and how these will be reviewed.
- 1.2 A review of the LDS is warranted by the need set out revised programmes for Local Plan preparation. This Local Development Scheme will come into effect in September 2022.

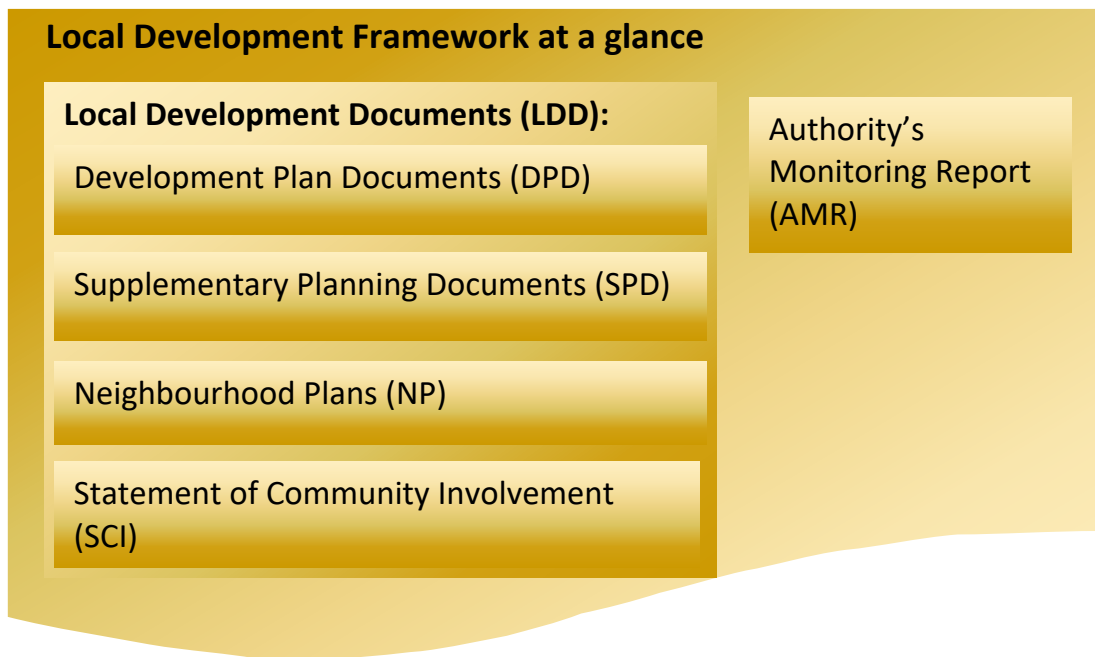
A Glossary of terms used in this document is set out at **Appendix C**

Local Development Framework

- 1.4 The Local Development Framework comprises a portfolio of locally prepared planning documents (Local Development Documents). It also includes related documents such as the Authority's Monitoring Report (AMR) and the Statement of Community Involvement (SCI).
- 1.5 Local Development Documents (LDD) include:

Development Plan Documents (DPD). These set out the Council's adopted policies and proposals and have development plan status and therefore have full weight in the determination of planning applications. They will be subject to community involvement and Sustainability Appraisal/Strategic Environmental Assessment throughout their preparation and will be subject to independent examination. They include Local Plans and Neighbourhood Plans. The Policies Map illustrates geographically the Local Plan policies.

Supplementary Planning Documents (SPD): Supplementary Planning Documents do not have statutory Development Plan status but are useful in providing more detailed guidance and support for policies and proposals in Development Plan Documents. They are quicker to prepare as they are not subject to independent examination. Whilst they supplement adopted policy and constitute a material consideration in the determination of planning applications they cannot be used to formulate planning policy or designate sites. They will however be subject to community involvement and where appropriate Sustainability Appraisal during preparation.



The Development Plan for Bath & North East Somerset

- 1.6 Section 38(6) of the Planning and Compensation Act stipulates that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. This gives considerable weight to Development Plan Documents.
- 1.7 With the adoption of the Core Strategy in July 2014 and adoption of the Placemaking Plan in July 2017 the Development Plan for Bath and North East Somerset comprises:

The B&NES Development Plan September 2022

Bath & North East Somerset Core Strategy adopted July 2014	The Core Strategy sets out the policy framework for the location and level of new housing and other development and includes four Strategic Site Allocations. It forms Part 1 of the Local Plan 2011 - 2029.
Bath & North East Somerset Placemaking Plan adopted July 2017: <ul style="list-style-type: none">- Volume 1 - District-wide Strategy and Policies- Volume 2 - Bath- Volume 3 - Keynsham- Volume 4 - Somer Valley- Volume 5 - Rural Areas- Volume 6 - Appendices	The Placemaking Plan complements the Council's Core Strategy and forms Part 2 of the Local Plan 2011 - 2029. It is a six volume document focussed on creating the conditions for better places, and on providing greater clarity to enable the right developments to be delivered. It allocates a range of sites for development for a variety of uses; facilitates the delivery of key sites with planning requirements; sets out development management policies which will be used to determine planning applications; and safeguards and enhances the quality and diversity of places in Bath and North East Somerset. Some policies in the Placemaking Plan superseded some policies in the Core Strategy under the Town & Country Planning Regulations 2012 8(5).
Bath & North East Somerset saved Local Plan (2007) Policies: <ul style="list-style-type: none">- Policy GDS.1 Site allocations and development requirements (policy framework)- Policy GDS.1/K2: South West Keynsham (site)- Policy GDS.1/NR2: Radstock Railway Land (site)- Policy GDS.1/V3: Paulton	Four part implemented sites allocations and their respective development requirements have not been replaced by the Core Strategy or the Placemaking Plan and therefore remain 'saved'. This is to ensure the remaining development of each site takes place in accordance with the site requirements. These policies are reproduced in full in Volume 6 of the Placemaking Plan (Appendix 1, Table 2)

<p>Printing Factory (site)</p> <ul style="list-style-type: none"> - Policy GDS.1/V8: Former Radford Retail System's Site, Chew Stoke (site) 	
--	--

<p>Joint Waste Core Strategy DPD (JWCS) adopted March 2011</p>	<p>The JWCS sets out the waste planning strategy for the West of England, addressing the planning aspects of the waste hierarchy promoting waste minimisation, recycling/ composting, recovery and disposal.</p>
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<p>The Policies Map (previously known as the Proposals Map)</p>	<p>This illustrates all the allocations and designations set out in the DPDs. It will be revised as each new DPD is adopted where there are allocations or designations. The existing Local Plan Policies Map will be amended to give geographical expression to the Core Strategy and the Placemaking Plan. Proposed amendments to the Policies Map will be publicised alongside the appropriate DPD.</p>
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<p>Neighbourhood Plans</p>	<p>Ten Neighbourhood Plans have been made and form part of the Development Plan; Chew Valley, Claverton, Clutton, Englishcombe, Freshford & Limpley Stoke, Publow & Pensford, Stanton Drew, Stowey Sutton, Westfield and Whitchurch Village.</p> <p>Freshford Village Hall Community Right to Build Order</p>
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- 1.8 In addition to the ten made (adopted) Neighbourhood Plans and one Community Right to Build Order in B&NES. There are a number of neighbourhood plans currently under preparation. 4 communities are currently working on their Neighbourhood Plans and 5 communities are designated as Neighbourhood Areas.
- 1.9 Emerging DPDs will carry weight as set out in the NPPF Annex 1.

Other related planning documents

- 1.10 Other key planning related documents the Council is required to produce are a Statement of Community Involvement, a Monitoring Report and a Policies Map as explained below.
- 1.11 Local planning authorities must set out in their Statement of Community Involvement (SCI) how they will engage communities on the preliminary stages of plan-making. The SCI helps to ensure that the Council is in a position to respond to the Localism agenda efficiently and coherently. This will enable communities to understand the range of opportunities to interact with and take an active role in planning in their locality.
- 1.12 The Neighbourhood Planning Protocol (NPP) incorporates the Statement of Community Involvement (SCI) which was adopted in September 2012 and revised in 2014. Following the consultation in April 2020, the revised SCI will be adopted in September 2022.
- 1.13 The SCI outlines the ways communities can get involved in planning issues. This includes:
- Community involvement in Planning Applications
 - Heritage Assets
 - Community involvement in Planning Policy
 - Neighbourhood Planning
 - Protection of Trees
- 1.14 The **Authority's Monitoring Report (AMR)** assesses whether plan production is on target and the extent to which policies in local development documents are being implemented. It monitors key data such as housing completions, growth in office space and losses in industrial space. The AMR is published annually and is based upon the period 1st April to 31st March each year. The Council is also required to publish for each financial year an **Infrastructure Funding Statement (IFS)**. The IFS sets out the types of infrastructure the Community Infrastructure Levy (CIL) will be allocated to fund, the amount of funds collected from CIL and Planning Obligations and how these funds have been spent to support infrastructure provision.

Bath & North East Somerset's Local Development Framework

Local Development Documents Current

Development Plan Documents

- Core Strategy (2014)
- Placemaking Plan (2017)
- Saved policies from the Local Plan (2007)
- Joint Waste Core Strategy (2011)
- B&NES Policies Map

Supplementary Planning Documents

See Annex A for full list

Other documents

- Authority's Monitoring Report
- Statement of Community Involvement
- Community Infrastructure Levy
- Infrastructure Delivery Plan
- Infrastructure Funding Statement

Local Development Documents Under preparation/Review

Development Plan Documents

- Local Plan (Core Strategy and Placemaking Plan) Partial Update
- Neighbourhood Plans
- New Local Plan

Supplementary Planning Documents

- Planning Obligations SPD (limited review)
- Planning Obligations SPD (full review)
- Biodiversity Net Gain SPD
- Transport and Development SPD
- Sustainable Construction Checklist SPD

Sub-Regional Plan

- Spatial Development Strategy (currently halted)

2. LOCAL DEVELOPMENT FRAMEWORK PRODUCTION 2022-2025

Progress

Development Plan Documents

- 2.1 The **Core Strategy** (adopted July 2014) sets out the long term strategic planning framework for Bath & North East Somerset and includes a spatial vision and spatial objectives looking ahead to 2029. The Core Strategy forms **Part 1 of the Local Plan 2011 - 2029** to comply with the NPPF requirement to produce a Local Plan (see below regarding the review of the Core Strategy).
- 2.2 The **Placemaking Plan** complements the Core Strategy and forms **Part 2 of the Local Plan 2011 - 2029**. The Placemaking Plan identifies development site allocations, reviews designations and makes changes to and introduces new Development Management policies. It sets out the development parameters for site allocations in the context of their surroundings. The Placemaking Plan was formally **adopted on 13 July 2017**.
- 2.3 The Council was previously preparing a **new Local Plan (2016-2036)** within the context of and to deliver **the West of England Joint Spatial Plan (JSP)**. However, following the withdrawal of the JSP, preparation of the **new Local Plan (2016-2036)** was paused.
- 2.4 Instead, the West of England Combined Authority (WECA) started to prepare a **Spatial Development Strategy** with B&NES, Bristol and South Gloucestershire. B&NES was due to undertake a full review of its Local Plan alongside the SDS and in general conformity with it. However, in May 2022, the WECA Mayor has decided to halt the preparation of the Spatial Development Strategy (SDS). Following the decision of the WECA Mayor to stop all work on the West of England Combined Authority Spatial Development Strategy, the Local Plans for Bath & North East Somerset, Bristol and South Gloucestershire will now provide the strategic planning framework for the WECA area. The issue of housing need will now be addressed through individual Local Plans for each of the Local Councils. The Councils will continue their longstanding history of joint working and cooperate with each other and with other key bodies on strategic, cross boundary matters as they prepare their Local Plans.
- 2.5 In the shorter term, following a review in 2019, a programme was established for changes to planning policies to respond to the Climate and Nature Emergency Declaration, regulatory changes such as the Environment Bill and a select number of other issues. These Priorities were included in the Council's reviewed corporate strategy. The Council's overriding purpose is to improve

people's lives and its core policies are addressing the climate and ecological emergency and giving people a bigger say. As **the Local Plan Partial Update** is an update to the existing Plan (Core Strategy and Placemaking Plan), and not a new Plan, the plan period was not altered (remains up to 2029) and the scope of the changes was confined to those areas that can be addressed without significantly changing the strategic policy framework of the adopted Plan i.e. the spatial priorities; the spatial strategy; or the strategic housing and job growth requirements in the Core Strategy & Placemaking Plan.

The scope of the Local Plan Partial Update (LPPU) was therefore, confined to:

- Updating policies in order that they better address the climate and ecological emergencies
- Replenish housing supply in order that the Core Strategy housing requirement can be met and the necessary supply of housing land maintained with an appropriate degree of flexibility
- Addressing a limited range of other urgent local issues e.g. related to the 'green recovery'
- Amending policies for clarity and to ensure they are aligned with up to date national policy

2.6 Following the public consultation on the Draft Plan under Reg19 for 6 weeks in August through to October and the submission in December 2021 for examination, the hearings to examine the soundness of the Plan were held in June and July in 2022. It is anticipated that the Local Plan Partial Update will be adopted in early 2023 following the receipt of the Inspector's report.

2.7 Along with the other West of England UAs (as referenced in paragraph 2.4 above), B&NES will now commence preparation of a **new Local Plan** for the District which will entail a full review of existing planning policies and proposals.

2.8 The LDF documents are supported by an **Infrastructure Delivery Plan** to ensure the strategic proposals are deliverable and aligned with infrastructure needs. Linked to this is the revised Planning Obligations SPD. Delivery of the Core Strategy and the Placemaking Plan are underpinned by the **Community Infrastructure Levy (CIL)** to address infrastructure funding issues and ensure growth happens in a planned way. The CIL will be updated alongside preparation of the new Local Plan.

2.9 The **Joint Waste Core Strategy** was adopted by the West of England Unitary Authorities in 2011 and, in conjunction with adjoining UAs, it will be reviewed in 2023 to ascertain whether any changes are necessary.

2.10 The **Travellers' Sites Plan** (formerly Gypsies, Travellers and Travelling Showpeople Site Allocations DPD) reached Preferred Options consultation stage

in July 2012. Further progress has been affected by a number of factors including further site assessment work needed; the requirement to work jointly with adjoining authorities (Duty to Cooperate) to ensure that all non-Green Belt options are fully explored; and changes to national policy. In addition, the 2012 accommodation needs assessment for B&NES is out of date and needs reviewing in light of the Housing and Planning Act 2016 (s124); the changes in the definition of 'traveller' in the revised 'Planning Policy for Traveller Sites' (August 2015); and the fact that a number of sites have recently been granted planning permission for traveller use. An updated evidence base will give a more accurate assessment of the need in B&NES. The requirements for gypsies, travellers, travelling showpeople and boat dwellers will be reviewed through the new Local Plan.

- 2.11 **Neighbourhood Plans** are being prepared by Neighbourhood Forums under the auspices of the Local Authority and once 'made' i.e. approved they will form part of the Development Plan. To facilitate this process, the Council prepared and adopted a **Neighbourhood Planning Protocol 'My Neighbourhood' (NPP)** which incorporates the Statement of Community Involvement (SCI) in September 2012 and updated in September 2014. The NPP is being reviewed and updated through preparation of a new SCI in order to ensure that it accords with national policy and legislation and reflects Council's current procedures. Following the consultation in April 2020, the revised SCI will be adopted in September 2022.
- 2.12 The current position on Neighbourhood Plans (NPs) within Bath and North East Somerset Council is summarised below:
- **Chew Valley, Claverton, Clutton, Englishcombe, Freshford & Limpley Stoke, Publow & Pensford, Stanton Drew, Stowey Sutton, Westfield and Whitchurch NPs** have been 'made' (or adopted).
 - **Batheaston, Keynsham and Midsomer Norton and Radstock Town Councils** are currently working on their Neighbourhood Plans.
 - **Bathampton, High Littleton & Hallatrow, Paulton and Timsbury Parish Councils** are designated Neighbourhood Planning Areas and are at early stages of the process i.e. collating the evidence base for their plans / developing planning policies; or are not progressing their plans at this stage.
- 2.13 The Community Right to Build Order for the redevelopment of Freshford Village Memorial Hall has made in June 2021.

Supplementary Planning Documents

- 2.14 The **Planning Obligations SPD** is a key document in setting out a coordinated approach to securing contributions from development. It is a 'living document' and will be reviewed from time to time to take account of new information. In order to ensure that it is aligned with up-to-date policy, especially the Core Strategy and Placemaking Plan, it has been revised together with the new **Community Infrastructure Levy (CIL)**. The CIL and revised Planning Obligations SPD came into effect on 6th April 2015. This SPD was amended in relation to the provision of green space required to mitigate the impact of individual development proposals in August 2019. A further limited review is taking place alongside the Local Plan partial update and anticipated its adoption in November. A comprehensive review of the Planning Obligations SPD and CIL will take place alongside the preparation of the new B&NES Local Plan.
- 2.15 **The Energy Efficiency Retrofitting and Sustainable Construction SPD** was adopted in January 2022. It aims to provide simple, practical guidance on retrofit and sustainable construction for all building types whilst having regard to statutory legislation. It reflects on the current guidance from Historic England and follows the Climate Emergency declared by the Council. This new SPD combines the **Sustainable Construction and Retrofitting SPD (2013)** and Appendix the **Energy Efficiency and Renewable Energy Guidance for Listed Buildings and Undesignated Historic Buildings** for use in determining applications for Listed Building and Planning Applications.
- 2.16 **The Sustainable Construction Checklist SPD** (adopted in 2018 with minor amendments in 2020) sets energy efficiency standards for certain types of development. This SPD will be updated in line with the Local Plan Partial Update policies particularly to help achieve net zero carbon development. This SPD contains the Checklist with key assessment tables which should be submitted with applications for new build residential properties and major new non - residential buildings as well as major works on existing buildings. This document also provides guidance on the information required and how to fill in the Checklist. The draft SPD was formally consulted for 6 weeks in May/June and is proposed to come into force at the same time as the Local Plan Partial Update is adopted.
- 2.17 There are a large number of buildings, structures, monuments and other features in the District which, while not statutory listed, are of architectural and historic interest or make a significant contribution to the character and appearance of an area. **The Locally Listed Heritage Assets SPD** was prepared and adopted in July 2021. It aims to raise the profile of and give recognition to buildings and structures and their settings that contribute to the special character of Bath and North East Somerset and provides information and guidance on these assets.

- 2.18 The **Houses in Multiple Occupation SPD** was adopted in 2013 alongside an Article 4 Direction removing permitted development rights for the change of use of a dwelling (C3 use class) to a small HMO (C4 use class) in Bath and reviewed in 2017. Following analysis of information collated from the extension of the HMO licencing scheme to cover the whole of Bath the SPD was reviewed and adopted in January 2022. The main changes in this revised SPD comprise:
- removal of the census output area test previously used to assess applications,
 - provision of guidance on assessing flatted developments using the sandwich test, and;
 - provision of additional guidance relating to updates to policy H2 set out within the Local Plan Partial Update.
- 2.19 **Biodiversity Net Gain:** The Environment Act 2021 aims to improve air and water quality, tackle waste, improve biodiversity and make other environmental improvements. All new development will be required to deliver a 10% increase in biodiversity and this will become mandatory in late 2023. Biodiversity Net Gain (BNG) is the achievement of measurable gains for biodiversity through new development and occurs when a development leaves biodiversity in a better state than before development. The National Planning Policy Framework requires planning policies and decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Prior to the mandatory BNG requirements coming into effect the Council's Local Plan Partial Update BNG policy NE3a will reflect the proposed mandatory measures, use of the DEFRA metrics and emerging national guidance. The Council's BNG Guidance Note (which will inform a future **Biodiversity Net Gain SPD**) and the **Planning Obligations SPD** will set out the process required to deliver BNG and the method for calculating the change in biodiversity.
- 2.20 **The Transport and Developments SPD** provides additional details and guidance on how we expect proposals for new development to plan for the transport needs of users. It outlines the Council's approach and expectations for developments in relation Walking and Cycling, Parking Standards, Ultra Low Emission Vehicles (ULEV) and Travel Plans. The draft SPD was formally consulted for 6 weeks in May/June and is proposed to be adopted in November 2022.
- 2.21 **Landscape:** The District is vulnerable to impacts on landscape and visual character and the existing rural landscape character assessment has been reviewed and updated to: reflect current guidance; to incorporate the Bathscape Landscape Character Assessment; to bring it into line with adjacent local authority landscape Character Assessments; and to add a landscape strategy which will guide landscape change and development. It will be re-published in late 2022.

Other related planning documents

- 2.22 In order to progress delivery of **the Somer Valley Enterprise Zone** the Council will be preparing a **Local Development Order (LDO)** which will need to be approved by the LPA and will outline the uses that will be permitted on the site. The LDO will also set out the principles to which development must adhere and these will reflect the requirements of the site allocation policy in the Adopted Development Plan.
- 2.23 The Council has prepared a **Community Infrastructure Levy (CIL)**. The CIL came into effect on 6th April 2015. It enabled the Council to raise funds from new development in order to fund the timely delivery of infrastructure. The CIL includes a charging schedule and a spending regime based on development proposals in the LDF. Its preparation entailed viability assessments so as not to inhibit development and input from stakeholders. The CIL will need to be updated alongside the preparation of a new Local Plan and to reflect changes to national policy.
- 2.24 **The Infrastructure Delivery Plan**, which will need to be kept up-to-date, identifies infrastructure provision that is required to support growth and which CIL can help fund. The Localism Act requires the allocation of a proportion of CIL revenues raised back to neighbourhoods where development takes place. In accordance with the Community Infrastructure Levy Regulations any authority that receives a contribution from development through the levy or section 106 planning obligations must prepare an infrastructure funding statement. **The Infrastructure Funding Statement** will be published annually in December.
- 2.25 **Historic Environment:** There are 35 conservation areas in the District and 15 of the areas outside Bath have conservation area character appraisals but some of these are in need of updating. Keynsham Conservation Area also has a management plan and a number of other more recent appraisals address management opportunities.
- 2.26 The risks of not having a character appraisal for Bath Conservation Area was highlighted by the Inspector at the Core Strategy examination. This has begun to be addressed by preparing a framework for a character appraisal for Bath and dividing the conservation area into 16 character areas. Characterisation of 11 character areas has been completed in draft.
- 2.27 Generally, skills exist in-house for undertaking conservation area character appraisals, however internal resources are limited and further work on appraisals is not being progressed at present.

- 2.28 Progress on the delivery of conservation area appraisals is therefore dependent on resource availability and some funding. Funding could allow consultant engagement to draft appraisals and is also needed for the graphic design of the documents which are not printed but are available on line and can be printed individually in certain circumstances on request.

Natural Environment and strategies

- 2.29 The Environment Act 2021 aims to improve air and water quality, tackle waste, improve biodiversity and make other environmental improvements and it has been introduced to support the delivery of the 25 Year Environment Plan published in January 2018. It also sets out the Government's approach to some of the key issues being raised by the public around climate change, loss of biodiversity and environmental risks to public health. There will be new opportunities to and obligations on the Council.
- 2.30 The West of England Nature Partnership (WENP) exists to deliver more for nature's recovery in the West of England by working in partnership on the natural environment. Established in 2012, WENP is the designated Local Nature Partnership (LNP) for the West of England (Bristol City, South Gloucestershire, North Somerset and Bath & North East Somerset). The WENP priority is to facilitate investment in and delivery of projects that will deliver the West of England Nature Recovery Network.
- 2.31 The WENP has recognised that to reverse the declines in biodiversity and realise nature's recovery at scale, we need to work together and at a landscape-scale to embed the Lawton principles of 'Bigger, Better, More and Joined Up' into our policies and strategies. This means protecting and enhancing our existing natural habitats, but also making them bigger, creating new areas of species-rich habitat, and, critically, ensuring they join up to create functional and resilient ecological networks that enable nature and people to thrive. To facilitate this, WENP has been working to develop a regional Nature Recovery Network for the West of England, aligning with shared principles developed across the South West (by the South West Local Nature Partnerships) to ensure coherence and strengthened networks across the wider region. The Nature Recovery Network is seen as a joined up network of marine, water and terrestrial habitats where nature and people can thrive.
- 2.32 B&NES has created a Green Infrastructure and Nature Recovery Team in 2022 to better deliver the strategies, evidence base and policies required for the new Local Plan. Currently resources have not been allocated for the GI Strategy Review and these are being bid for.

Ecology

2.33 The Government's 25 Year Environment Plan (2018) commits to development of a Nature Recovery Network to protect and restore wildlife, allied to this the NPPF sets out the requirement to minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks. The WENP West of England Ecological Network will be the WoE Nature Recovery Network with targets identified, and will be used by B&NES to identify and priorities areas for habitat creation and restoration, including the identification of local nature recovery targets. The Environment Act 2021 requirements for Biodiversity Net Gain, are significant, and will enable the planning process to deliver habitat enhancements with secured long-term management and monitoring. In addition, the act requires the development of Local Nature Recovery Strategies which should identify priorities for investment in Nature Recovery. The council will need to consider the evidence and requirements to support these strategies and to set out its approach, primarily through the preparation of the Local Plan and other policy guidance as necessary.

Green Infrastructure Strategy

2.34 The NPPF recognises the importance of conserving and enhancing our natural, built and historic environment including green infrastructure. NPPG defines GI as 'a network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.' The Government's 25 Year Environment Plan published in 2018 references the need to create more and effective green infrastructure and policy choices to be informed by the natural capital approach.

2.35 The Joint West of England GI Strategy (JGIS) provides evidence for identifying the approach to be taken by the Council, primarily delivered through and reflected in the policy framework established in the Local Plan, but also a reviewed Green Infrastructure Strategy, Green Space Strategy and other relevant strategies.

2.36 The Council's Green Infrastructure (GI Strategy was approved in 2013. It is intended that the B&NES GI Strategy be reviewed, subject to resources being allocated, in order to align it with the WoE JGIS and to provide a framework focussing on the key objectives and principles of GI and its delivery. Delivery would then be supported by a number of related, but separate Action Plans.

Landscape

2.37 One of the core principles of the NPPF is that planning should recognise the intrinsic character and beauty of the countryside. Landscape Character Assessment is the tool that informs judgements on the value of landscapes and should be undertaken at a scale appropriate to local and neighbourhood plan-making. The Rural Landscapes of B&NES, is a Landscape Character Assessment that was carried out in 2003 and is a SPD. An urban character assessment of Bath was carried out in 2005

(Bath Citywide Character Assessment SPD) as a precursor to more detailed Conservation Appraisals across Bath which are being undertaken as resources allow. The landscape character of the setting of the Bath World Heritage Site was assessed in 2017 through the Bathscape Landscape Character Assessment.

- 2.38 The City of Bath World Heritage Site Setting SPD was published in 2013. Its purpose is to provide information and tools needed for the effective protection and appropriate management of the setting of the World Heritage Site.

Tree and Woodland Plan

- 2.39 A Tree and Woodland Delivery Plan was produced in 2021 with a focus on Council land in urban areas and the contribution that can make to delivering the Council commitment to plant 100,000 trees by 2023.
- 2.40 The Council is committed to delivery of the West of England Tree and Woodland Strategy (Forest of Avon Plan). Subject to resources becoming available it intends to produce a District-wide Tree and Woodland Strategy which will enable more effective B&NES-focused delivery of the WoE Tree and Woodland Strategy. It will ensure the principle of “Right tree / woodland, right place” is achieved, with Council’s 2020 Woodland Opportunity Mapping and Tree and Woodland sensitivity assessment at its heart.

LDD Content and Key Milestones

- 2.41 The **LDS Summary timetable** sets out an overview of the programme and key milestones for the production of Bath & North East Somerset Local Development Framework and provides a schedule of the LDDs to be prepared during the next 3 years. It is located after the risk assessment table following para 4.9 and is followed by an individual profiles for each LDD.

3. THE EVIDENCE BASE

- 3.1 Section 13 of the Planning and Compulsory Purchase Act 2004 requires that the local planning authority must keep under review the matters which may be expected to affect the development of their area or the planning of its development. The strategies, policies and proposals in the Local Development Documents must be founded on a robust evidence base. A considerable amount of data is available at national and sub-regional level.
- 3.2 A number of bespoke studies have been prepared to inform the preparation of the Local Development Framework and other Council strategies. There are also opportunities for the Council to improve its data collection and management strategies. B&NES is working with other West of England UAs to ensure an up-to-date evidence base to inform planning policies. The evidence base covers a range of subjects including those listed below:
- Economic Development Needs Assessment
 - Housing Needs
 - Housing and Economic Land Availability Assessment or HELAA)
 - Infrastructure Delivery Plan
 - Recreation, Cultural and Services
 - Retail
 - Sustainability – Sustainable construction, energy efficiency and renewable energy
 - Flood Risk
 - Transport
 - Urban Design including building heights
 - Landscape
 - Heritage
 - Biodiversity and Nature
 - Waste
 - Green Infrastructure Strategy
 - Green Spaces Strategy

All studies supported the Development Plans can be found from the Council's website below.

Placemaking Plan evidence base:

https://beta.bathnes.gov.uk/sites/default/files/2020-02/pmp_core_docs_list.pdf

Core Strategy evidence base:

https://beta.bathnes.gov.uk/sites/default/files/2020-02/core_strategy_history_and_timeline.pdf

Local Plan Partial Update evidence base:

<https://beta.bathnes.gov.uk/lppu-core-documents>

4. PRODUCTION ARRANGEMENTS FOR THE LOCAL DEVELOPMENT FRAMEWORK

Sustainability Appraisal and Strategic Environmental Assessment

- 4.1 The development of DPDs and SPDs in the Bath & North East Somerset Local Development Framework will be informed by Sustainability Appraisal. Sustainability Appraisal is an iterative process through which the economic, social and environmental effects of a plan under preparation are assessed. It incorporates the requirements of Strategic Environmental Assessment (SEA) as required by EU SEA Directive 2001/42 on the Assessment of certain Plans and Programmes on the Environment. The appraisal process will draw heavily on the evidence base.
- 4.2 In order to protect the integrity of European sites, Local Authorities are obliged to carry out Appropriate Assessment (AA) as a part of the planning process under the Habitats Directive. AA has been and will continue to be carried out in conjunction with the SA as recommended by the Guidance.

Review and Monitoring

- 4.3 Review and monitoring are crucial to the successful delivery of the spatial vision and objectives of the LDF and will be undertaken on a continuous proactive basis. The **Authority's Monitoring Report** is prepared for each financial year. It has a dual purpose which is to:
- monitor progress of preparation of planning documents against agreed milestones in the LDS
 - assess the implementation of DPD policies against targets which will influence policy review and other decisions

Resources and Arrangements for Production

- 4.4 The Planning Service co-ordinates the preparation of Local Development Documents in liaison with other relevant Services across the Council. The document profiles (page 20 onwards) outline the responsibilities for document preparation.

Joint Working

- 4.5 Bath & North East Somerset Council works jointly with Bristol, North Somerset and South Gloucestershire Unitary Authorities (UAs) and the West of England Combined Authority (WECA) on sub-regional (West of England) and strategic, cross boundary issues. Section 110 of the Localism Act sets out a **'duty to co-operate'**. In addition to the other West of England UAs referred to above the Council engages actively with the neighbouring authorities of Mendip District Council, Somerset County Council and Wiltshire Council on strategic, cross boundary issues. The **'duty to co-operate'** applies to all local planning authorities and a number of other public bodies including:
- Environment Agency
 - Historic England
 - Natural England
 - Civil Aviation Authority
 - Homes and Communities Agency
 - Primary Care Trusts
 - Office of the Rail Regulator
 - Highways Agency
 - Integrated Transport Authorities
 - Highways Authorities
- 4.6 These bodies are required to cooperate with Councils on issues of common concern to develop sound Development Plans. The NPPF requires that in preparing DPDs strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address them.
- 4.7 The authorities are also working with business leaders as part of the Local Enterprise Partnership (LEP) for the West of England. The LEP does not have a direct role in spatial planning but there is a need for co-ordination in activities. Similarly the Council is committed to working collaboratively with the West of England Nature Partnership (WENP) which accords with advice in the NPPF.

Member Arrangements and the LDF

- 4.8 A bespoke Local Development Framework Steering Group guides the production of the Council planning policies and advises the Cabinet Member for Planning and Licensing. Decisions on the adoption of DPDs are made by Full Council in accordance with the Council constitution and other LDDs are agreed as appropriate. Climate Emergency and Sustainability Policy Development and Scrutiny Panel also monitors and review the activity of the Cabinet and also assist them in developing policy.

Risk Assessment

- 4.9 It is often difficult to anticipate all potential risks which could affect the Local Development Framework programme. There are a number of factors that could affect the Council's ability to deliver the Local Development Framework in accordance with the programme outlined for each of the LDD Profiles. Actions to manage these risks have been identified.

Area of Risk	Likelihood/Impact	Mitigation Measures
Programme slippage	<p>Medium/High</p> <p>Failure to meet the key milestones for LDDs in the LDS is detrimental to the reputation of the local planning authority. Absence of up to date Development Plan likely to lead to unplanned developments across the district. The deadlines for preparing the Local Development Framework are very challenging given the greater emphasis on community consultation.</p> <p>High</p> <p>Political process lead to delays</p>	<p>Ensure that progress is carefully monitored and that priority is given to achieving the key milestones set out in the LDS.</p> <p>Allow for contingency in the programmes.</p> <p>Use efficient project management.</p> <p>Ensure elected members are properly briefed throughout the plan preparation process including through the LDF Steering Group.</p>
Adequate staff resources	<p>Medium/Medium</p> <p>Should cuts to local government funding impact on the Planning Services, the potential loss of experienced staff would impact on the preparation of LDDs and heightens the risk of programme slippage.</p>	<p>Ensure that sufficient staff resources with the necessary experience and expertise are available for the production of LDDs.</p> <p>Consider seconding staff from other Services in the Council and/or joint working with neighbouring authorities.</p> <p>Subject to the availability of financial resources, employ temporary staff or consultants.</p>
Financial resources	<p>Medium/High</p> <p>It is important that there are sufficient financial resources available to prepare LDDs, including for consultants (where necessary), to secure and maintain robust evidence base, community</p>	<p>Ensure the LDS influences budgetary decisions to ensure sufficient resources are in place including a suitable level of contingency. However cuts to local government funding are</p>

	consultation and engagement, and for the Examination process in the case of DPDs.	outside the Council's direct control.
Competing work priorities	Medium/High The Policy Team is involved in a wide range of spatial policy work. Planning applications for major unplanned developments are resource-heavy. There is a risk that the Team's work is diverted from plan making by other unforeseen work pressures such as involvement in planning appeal inquiries, regeneration projects and responding to consultation on emerging Government policies.	Ensure that progress on the Local Development Framework remains a high priority and at certain times other work will have to take a much lower priority. Consideration may then need to be given to outsourcing work to prevent delays in progress.
Evidence base	Low/Medium Lack of an up to date evidence base will affect the soundness of a DPD. Preparing the LDD also requires evidence base prepared by other key services. Delay in evidence preparation will have an impact on the LDD timetable and affect the soundness if not prepared as planned.	Maintain a proportionate and up to date evidence base prepared by the Planning Policy Team as well as other key services. Ensure all policies and proposals can be fully justified with evidence.
Level of public interest in plan making	Medium/High Historically the level of public interest in LDDs has been high during previous consultations and engagement exercises. An unanticipated high level of responses could result in a delay in the programme.	Ensure that resources are in place at appropriate times to ensure representations are dealt with promptly and efficiently.
Neighbourhood Planning	Medium/High An additional stress on staff resources is the requirements to provide professional and technical advice to support Parish and Town Councils in progressing Neighbourhood Plans.	Maintain close liaison with Parish and Town Councils to monitor the scale of work required. Consider to what extent neighbourhood planning aspirations can be delivered through LDDs to reduce costs

LDS SUMMARY TIMETABLE

BATH & NORTH EAST SOMERSET LOCAL DEVELOPMENT SCHEME 2022-2025																																												
DOCUMENT	2022					2023					2024					2025																												
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec											
The Development Plans																																												
B&NES Local Plan Partial Update & Policies Map			H						I	A																																		
B&NES New Local Plan (2022-2042)						C														O																								
Joint Waste Core Strategy DPD											R																																	
Sub-Regional work																																												
WECA Spatial Development Strategy											<i>To be reviewed by the WECA</i>																																	
Supplementary Planning Documents																																												
Transport and Development SPD			D						A																																			
Planning Obligations SPD (Limited Review)			D						A																																			
Planning Obligations SPD (New Local Plan)																																												
Sustainable Construct Checklist SPD			D						A																																			
Biodiversity Net Gain SPD																																												
Other Policy Documents																																												
Statement of Community Involvement																																												
Neighbourhood Development Plans																																												
Authority Monitoring Report																																												
Infrastructure Delivery Programme review																																												
Somer Valley EZ LDO																																												
Infrastructure Funding Statement																																												
Green Infrastructure Strategy Update																																												
CIL Charging Schedule																																												

Local Plans/SPDs etc

- | | | |
|-----------------------------|-----------------------|----------------------------|
| C Commencement | S Submit | A Adoption/Approval |
| O Options | H Hearings | R Review |
| D Draft Consultation | I Insp. Report | • Ongoing |

LOCAL DEVELOPMENT DOCUMENT PROFILES

5. LOCAL DEVELOPMENT DOCUMENT PROFILES

PART 1: DEVELOPMENT PLAN DOCUMENTS

LOCAL PLAN Partial Update (2011-2029)	
Role and Content	The scope of the partial update is confined to those areas that can be addressed without changing the spatial priorities or strategy of the Core Strategy & Placemaking Plan. Scope is defined by the shorter-term issues that need to be addressed including replenishing the housing land supply and updating particular policies to address changes in circumstances since the Plan was adopted in 2014.
Status	Development Plan Document
Geographic Coverage	District wide
TIMETABLE & MILESTONES	
Commencement	April 2020
Draft Plan consultation (Reg 18)	Jan – Feb 2021
Publication Draft (Reg 19) and draft SA report for consultation	Aug -Oct 2021
Submission to Secretary of State (Reg 22) with final SA Report	Dec 2021
Hearings	June/July 2022
Inspector’s Report	Dec 2022
Adoption	Dec 2022/Jan 2023
ARRANGEMENTS FOR PRODUCTION	
Resources required and management arrangements	Planning Policy Team, LDF Budget & LDF Governance arrangements
Key Evidence:	SHMA, HELAA, student accommodation requirements, infrastructure & viability studies, Flood Risk Assessments, Environmental Assessments, Sustainability Appraisals.
Community/ stakeholder involvement	In accordance with Regulations 18 and 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement
POST-PRODUCTION	
Monitoring & Review	The implementation of the objectives and policies of the Local Plan will be monitored as part of the AMR as set out in the submission Local Plan.

LOCAL DEVELOPMENT DOCUMENT PROFILES

New Local Plan (2022-42)	
Role and Content	<p>The Plan area will be the whole administrative area of B&NES Council. The primary purpose of Local Plan 2022 – 2042 is to address the local authority’s priorities for the development and use of land in the district, and set out an overall strategy for the pattern, scale and design quality of places.</p> <p>The Council work with our communities and stakeholders to identify the key challenges in B&NES, and the objectives and policies we need in place to address these.</p> <p>The starting point will be the Council’s One Shared Vision, as well as other key emerging strategies such as the Economic Strategy, the Cultural Strategy, and the Health and Well-being Strategy.</p>
Status	Development Plan Document
Geographic Coverage	District wide
TIMETABLE & MILESTONES	
Commencement	September 2022
Draft Plan consultation (Reg 18)	October – December 2023
Publication Draft (Reg 19) and draft SA report for consultation	June – August 2024
Submission to Secretary of State (Reg 22) with final SA Report	Dec 2024
Examination Hearings Period	March 2025
Inspector’s Report	August 2025
Adoption	September 2025
ARRANGEMENTS FOR PRODUCTION	
Resources required and management arrangements	Cross Service Officer Steering Group, Planning Policy Team, LDF Budget & LDF Governance arrangements
Key Evidence:	SHMA, HELAA, student accommodation requirements, infrastructure & viability studies, Flood Risk Assessments, Environmental Assessments, Renewable Energy Study, sustainable construction, nature recovery, Green Infrastructure and Sustainability Appraisals. (see section.3)
Community/ stakeholder involvement	In accordance with Regulations 18 and 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement
POST-PRODUCTION	
Monitoring & Review	The implementation of the objectives and policies of the Local Plan will be monitored as part of the AMR as set out in the submission Local Plan.

LOCAL DEVELOPMENT DOCUMENT PROFILES

PART 2: SUPPLEMENTARY PLANNING DOCUMENTS (SPD)

Currently work is programmed for five SPDs during the LDS period. These are listed below and the broad programme for preparation is shown on the summary diagram on page 20.

- Transport and Development SPD.
- Planning Obligations SPD (limited review alongside the Local Plan Partial Update)
- Planning Obligation SPD (alongside the new Local Plan)
- Sustainable Construction Checklist SPD review
- Biodiversity Net Gain SPD

Other SPDs, including the Rural Landscapes of B&NES SPD, may also be reviewed or prepared during the LDS period and once established the programmes will be appropriately publicised.

LOCAL DEVELOPMENT DOCUMENT PROFILES

PART 3: OTHER LOCAL DEVELOPMENT DOCUMENTS

POLICIES MAP	
Role and Content	The Policies Map identifies site-specific proposals, designations, and locations and areas to which specific policies in other DPDs apply on an Ordnance Survey base map and will include inset maps. This map evolves with each Development Plan Document.
Status	Development Plan Document
Conformity	Conformity with other Development Plan Documents (DPDs).
Geographic Coverage	District-wide
TIMETABLE & MILESTONES	
The production of the Policies Map is dependent on the timetable of DPDs which require the geographical expression of location of site-specific proposals and area based policies and will be updated as DPDs are adopted.	
ARRANGEMENTS FOR PRODUCTION	
Resources required and management arrangements	Prepared by Planning Services with Corporate GIS and technical support. Preparation of printed versions and interactive electronic versions will be outsourced as required. Key stages to be agreed at Cabinet and Council.
Community and stakeholder involvement	In accordance with Regulations 18 and 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 and the Neighbourhood Planning Protocol.
POST-PRODUCTION	
Monitoring & Review	An amendment to the Policies Map is contingent on the outcome of the monitoring and review of DPDs.

LOCAL DEVELOPMENT DOCUMENT PROFILES

Statement of Community Involvement	
Role and Content	The SCI sets out how the community, stakeholders and interested parties are involved in the production of plans and proposals for the District and the determination of planning applications. The SCI reflects the localism agenda and sets out the engagement processes, guidance for the establishment of Neighbourhood Fora, preparation of Neighbourhood Plans and Neighbourhood Development Orders.
Status	LDD
Chain of conformity	Must at least meet the minimum requirements set out in the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. The SCI has regard to the Council's corporate communication strategy.
Geographic Coverage	Whole District
TIMETABLE & MILESTONES	
Review the SCI	May – June 2022
ARRANGEMENTS FOR PRODUCTION	
Resources required and management arrangements	Prepared by Planning service in conjunction with Policy & Partnerships Team and in consultation with Member portfolio holder. Agreed by the Cabinet.
Community and stakeholder involvement	Fundamental revisions to the SCI will entail community engagement.
POST-PRODUCTION	
Monitoring & Review	To be reviewed on an ongoing basis in response to problems or successes consulting on LDDs or planning applications and as part of the AMR and changes in government legislation

Current Supplementary Planning Documents and Guidance

<https://beta.bathnes.gov.uk/index-supplementary-planning-documents-spds>

Accessibility standards for affordable housing (guidance note)
Agricultural Building Design Guidelines for the Mendip Hills AONB (published 2001, revised 2013).
Archaeology in Bath & North East Somerset SPG (May 2004) and Archaeology in Bath SPG (May 2004)
Bath City-wide Character Appraisal (August 2005)
Bath Conservation Area Design and Conservation - Commercial signage and tables and chairs on the highway (July 2016)
Bath Shopfronts: Guidelines for Design and Conservation (1993)
Bath Western Riverside SPD (March 2008)
Energy efficiency, retrofitting, and sustainable construction (Jan 2022)
Energy Efficiency Retrofitting & Renewables Permitted Development Check List & Guidance Note
Existing Dwellings in the Green Belt SPD (October 2008)
Guidelines for Horse-related Development for the Mendip Hills AONB (published 2004, revised 2012)
Houses in Multiple Occupation in Bath SPD with Article 4 Direction for HMO in Bath (June 2013)
Locally Listed Heritage Assets SPD
Planning Obligations SPD (April 2015)
Priston Village Design Statement Supplementary Planning Document (2018)
Retrofitting & Sustainable Construction SPD (February 2013)
Rural Landscapes of Bath & North East Somerset: A Landscape Character Assessment (February 2003)

[Streetscape Manual SPD](#) (April 2005)

[Sustainable Construction & Retrofitting Supplementary Planning Document \(2013\)](#)

[Sustainable Construction Checklist Supplementary Planning Document \(2018\)](#)

[Sustainable Construction Checklist SPD: Heat networks guidance note \(2018\)](#)

[Walcot Street Works](#) (1997), [Cherishing Outdoor Places](#) (1994), and [External Building Materials Local Design Guide](#)

[West of England Sustainable Drainage Developer Guide \(March 2015\)](#)

[City of Bath World Heritage Site Setting SPD](#) (August 2013)

Conservation Area Appraisals

The Council has a number of conservation areas, the following of which are SPD or a material consideration

- [Chew Magna Conservation Area Statement](#) (2003)
- [Claverton Conservation Area Appraisal](#) (2007)
- [Combe Hay Conservation Area Appraisal](#) (July 2014)
- [Hinton Blewett Conservation Area Appraisal](#) (July 2014)
- [Freshford and Sharpstone Conservation Area Appraisal](#) (2007)
- Hinton Blewett Character Appraisal (2014)
- [Keynsham Conservation Area Appraisal and Management Plan](#) (December 2016)
- [Midsomer Norton and Welton Character Appraisal 2018](#)
- [Paulton Conservation Area Statement](#) (2003)
- [Pensford Conservation Area Appraisal](#) (2008)
- Queen Charlto Character Appraisal 2018
- [Radstock Conservation Area Appraisal](#) (1999)
- Saltford Character Appraisal 2018

- [South Stoke Conservation Area Appraisal](#) (March 2014)
- [Wellow Conservation Area Appraisal](#) (2007)
- [Woollard Conservation Area Appraisal](#) (2008)

Village Design Statements

- [Bathford Village Design Statement](#) (2005)
- [Chew Magna Village Design Statement](#) (2006)
- [Hallatrow & High Littleton Design Statement](#) (2003)
- [Larkhall Character Statement and Development Principles](#) (1998)
- [Paulton Village Design Statement](#) (2003)
- [Peasedown St. John Village Statement](#) (2001)

GLOSSARY OF TERMS

- AMR** The **Authority's Monitoring Report** will assess the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented. Previously known as an Annual Monitoring Report.
- CIL** Community Infrastructure Levy
- CS** **Core Strategy:** sets out the long-term spatial vision for the local planning authority area, the spatial objectives and a strategic policy framework to deliver that vision. The Core Strategy will have the status of a *Development Plan Document* and will form Part 1 of the new style Local Plan.
- DP** **Development Plan:** as set out in Section 38(6) of the Act, an authority's development plan consists of the relevant *Development Plan Documents* contained within its *Local Development Framework*.
- DPD** **Development Plan Document:** spatial planning documents that are subject to independent examination will form the *Development Plan*. They can include a *Core Strategy*, *Site Specific Allocations of land*, and *Area Action Plans* (where needed). Other Development Plan Documents, including generic Development Control Policies, can be produced. They will all be shown geographically on an *adopted Policies Map*.
- FRA** **Flood Risk Assessment:** an assessment of the risk of flooding from all flooding sources, identifying flood mitigation measures to reduce the impact of flooding to the site and surrounding area and recommendations on actions to be taken before and during a flood.
- IFS** Infrastructure Funding Statement
- LDF** **Local Development Framework:** the name for the portfolio of *Local Development Documents*. It consists of *Development Plan Documents*, *Supplementary Planning Documents*, a *Statement of Community Involvement*, the *Local Development Scheme* and *Annual Monitoring Reports*. Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area.
- LDD** **Local Development Document:** the collective term for Development Plan Documents, Supplementary Planning Documents and the Neighbourhood Planning Protocol.
- LDS** **Local Development Scheme:** sets out the programme for preparing *Local Development Documents*.

LEP **Local Enterprise Partnerships:** locally-owned partnerships between local authorities and businesses and play a central role in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs.

NPP **Neighbourhood Planning Protocol:** sets out mechanisms for:

- Neighbourhood Fora
- Neighbourhood Referenda
- Neighbourhood Development Orders
- Community Right to Build

This includes a review of the Council's Statement of Community Involvement.

NPPF **National Planning Policy Framework** sets out the Government's planning policies for England and how these are expected to be implemented. It replaces all previous planning policy guidance notes and planning policy statements.

PMP **Placemaking Plan:** a Development Plan Document being prepared to complement the strategic framework in the Core Strategy by setting out detailed development principles for identified sites and other policies for managing development across Bath & North East Somerset. It will form Part 2 of the new style Local Plan.

Policies Map: previously referred to as the **Proposals Map** and illustrates geographically the policies and proposals in the Development Plan Documents (DPD) on an Ordnance Survey map. Inset Maps show policies and proposals for specific parts of the district. It will need to be revised each time a new DPD is adopted.

Saved policies or plans: existing adopted development plans are saved for three years from the date of commencement of *the Act*. Any policies in old style development plans adopted after commencement of the Act will become saved policies for three years from their adoption or approval.

SA **Sustainability Appraisal:** tool for appraising policies to ensure they reflect sustainable development objectives. Sustainability Appraisals are required in the Act to be undertaken for all local development documents.

SDS Spatial Development Strategy

SEA **Strategic environmental assessment:** a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

SPD **Supplementary Planning Document:** provide supplementary information in respect of the policies in *Development Plan Documents*. They do not form part of the Development Plan and are not subject to independent Examination.

WECA West of England Combined Authority

This document can be made available in a range of community languages, large print, Braille, on tape, electronic and accessible formats from the Planning Policy Team Tel (01225 477548) Fax (01225 477617), Minicom (01225 477535).

Printed on recycled paper

ANNEX 3

Draft Engagement and Communication Strategy B&NES Local Plan 2022 – 2042

August 2022

**Bath & North East
Somerset Council**

Improving People's Lives

Contents

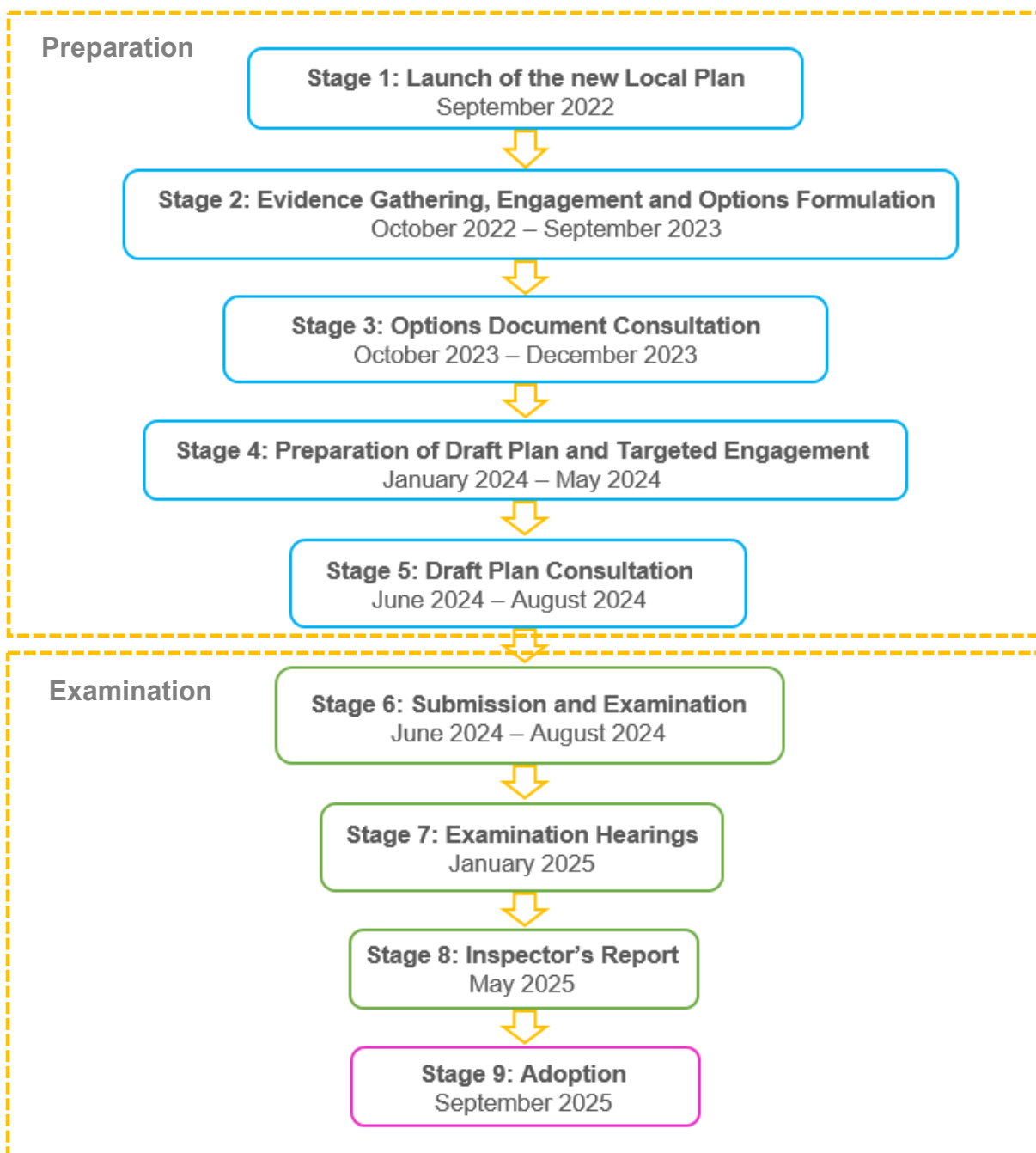
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1 Introduction

- 1.1 Bath and North East Somerset Council is beginning the preparation of a new Local Plan for the District. The involvement of communities and stakeholders is key to preparing a strategy for the District which allows it to grow sustainably, meets the needs of our communities, and protects and enhances the things we value most.
- 1.2 The Council will therefore work closely with communities and stakeholders in preparing the new Local Plan, carrying out a range of engagement and consultation throughout its preparation, in line with the Council's core policy of **'giving people a bigger say'**.
- 1.3 This document sets out the Council's approach to consulting and engaging the community and stakeholders on the new Local Plan. It is important that we involve communities and those affected by the Plan at an early stage in the process, when it is possible to make a difference. The Council seeks to take an inclusive and proactive approach to engagement, providing the opportunity for all to engage in the plan-making process.
- 1.4 The Local Plan goes through various stages of preparation, and it is important to clearly set out how and when people can become involved. A summary of these stages is set out in section 2.
- 1.5 The principles set out in this document are consistent with the Council's Statement of Community Involvement, which has recently been updated. We welcome feedback from communities and stakeholders on the content of the Statement of Community Involvement and this Draft Engagement and Communication Strategy.

2 Stages in the preparation of the Local Plan

- 2.1 The process of producing a Local Plan involves various stages, each of which entail consultation with stakeholders and communities. The stages and timetable for the preparation of the Local Plan is set out in the Council’s Local Development Scheme ([insert link](#)), and is summarised in the diagram below.
- 2.2 The Engagement Strategy set out in this document provides details on how the Council will engage communities and stakeholders at each of the stages.



3 Engagement and Consultation

- 3.1 There are a variety of ways in which communities and stakeholders can become involved in the preparation of the Local Plan. The minimum requirements for consultation and engagement are set out in the Council's Statement of Community Involvement. However, the Council is seeking to be much more proactive in engaging with local communities and stakeholders in the preparation of the new Local Plan.
- 3.2 The tables below set out a comprehensive engagement strategy for the Local Plan designed to reach out to as many people and groups as possible. The tables contain information relating to:
- The methods of consultation and engagement proposed at each stage of the Plan making process;
 - The stakeholders and communities to be engaged;
 - The scope of the engagement and consultation; and
 - The desired outputs for each stage of the process.
- 3.3 The engagement is proposed to be carried out on a place-based basis, splitting the District into local areas, with technical work and engagement in each area led by a member of the planning policy team. The areas will comprise:
- Bath and Environs
 - Keynsham and Saltford
 - Hicks Gate
 - Whitchurch
 - Somer Valley
 - Rural Communities
- 3.4 The place-based engagement will comprise engagement with a variety of different groups in each area, particularly via the Council's Area Forums, including full community engagement sessions, more targeted round table sessions with smaller groups of residents, targeted engagement with key stakeholders and landowners, and targeted engagement with underrepresented groups. The Council will be preparing Strategic Place Assessments for each of the local areas, and engagement with stakeholders and communities will be key to feeding into this process.
- 3.5 **At Stage 1 (Launch of the new Local Plan)**, the proposed engagement and consultation aims to ensure that all interested parties and relevant bodies are aware of the launch of the new Local Plan, its context, scope, and the ways in which they can be involved in its preparation. The Council seek an

understanding of initial views, through consultation on the Launch Document and Engagement Strategy. Various methods of engagement and consultation shall be used at stage 1, comprising mail outs, press releases, webinars, presentations, consultation questionnaires and meetings.

- 3.6 The proposed engagement at **Stage 2** of the Local Plan preparation (**Evidence Gathering, Engagement and Options Formulation**) is split into three sections. Initially, between November 2022 and January 2023, the Council seeks to build a clear understanding of the key issues facing all stakeholders and communities, and begin to understand the opportunities that exist across the District to address these issues (**Stage 2A** in the tables below). We'll also work with stakeholders and communities to establish the evidence base required to better understand these issues. Methods of engagement at this stage will comprise full community engagement sessions, targeted round table sessions with smaller groups of residents, targeted meetings and online engagement with key stakeholders and landowners, and targeted meetings and online engagement with the specific target groups set out in the Council's Statement of Community Involvement.
- 3.7 Following this, in February and March 2023, the Council will circulate a communication / newsletter to all stakeholders and communities (**Stage 2B** in the tables below), providing:
- An update on progress with the preparation of the Local Plan
 - Outcomes from previous engagement sessions
 - A link to any available evidence produced to date
 - Details regarding future engagement sessions
- 3.8 Then, in June / July 2023, the Council will engage further with stakeholders and communities, to share evidence collated to date, discuss the options emerging for policies and allocations in local areas, and to seek input into these options (**Stage 2C** in the tables below).
- 3.9 At **Stage 3 (Options Consultation)**, a District-wide consultation on policy options will be carried out, in order to understand the views of stakeholders and communities, with various webinars held during the consultation period to ensure understanding of the content of the Options Document, and how parties can provide comments. Consultation on the Options Document will be carried out in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.10 Representations from communities and stakeholders will inform the content of the Local Plan as it moves towards a Draft Plan. At **Stage 4 (Preparation of Draft Plan)**, some targeted engagement with smaller groups of residents and

stakeholders will be carried out, to feedback responses from the options consultation and discuss preferred options.

- 3.11 At **Stage 5 (Draft Plan Consultation)** a Draft Plan will be published, and consultation on this document will be carried out for a period of at least 6 weeks in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Engagement / Consultation	When?	Who?	Method	Scope
Stage 1: Launch				
Comms	September 2022	District-wide	Mail out (email and postal) Social media Press releases Posters in One Stop Shops / Libraries	Inform interested parties about the context of the new Local Plan, its launch, the accompanying proposed engagement strategy, and details on how to get involved in its preparation. Set the new Local Plan within context of the One Shared Vision, the new Corporate Strategy, the Economic, Cultural & Wellbeing Strategies and JLTP5. Comms to be clear, meaningful, and useful.
Launch Webinar	September 2022	District-wide	Webinar followed by online Q&A session	Inform interested parties about the context of the Local Plan, the Launch Document / Engagement Strategy consultation, and how to get involved. Answer any initial questions interested parties have about the Launch Document and Engagement Strategy. Provide information on how to comment on the content of the Launch Document and Engagement Strategy.
Consultation on Launch Document and Engagement Strategy	September 2022	District-wide	Online publication of Launch Document, Engagement Strategy, SCI and LDS. Hard copies in One Stop Shops and libraries. Web questionnaire for responses.	Publish Launch Document and Engagement Strategy. Publish updated Statement of Community Involvement and Local Development Scheme alongside Engagement Strategy. Seek comments from interested parties on each document. Interactive web questionnaire to provide simple way to respond to consultation, with the option of written comments where users are unable to comment online.

			Email / written comments where parties cannot use web questionnaire.	
Parish / Town Council engagement	September 2022	All Parish and Town Councils, and Council / Area Forums including Bath Area Forum	Online presentation and Q&A	<p>Inform parishes about context of the new Local Plan, Launch Document consultation, and engagement strategy / SCI.</p> <p>Answer any initial questions Parishes have about the Launch Document and Engagement Strategy.</p> <p>Ask parishes to agree whether we work with each parish directly, or a broader parish working group.</p> <p>Initial discussions relating to potential updates to Neighbourhood Plans.</p>
Informal engagement with Statutory Consultees and other consultation bodies	September 2022	Statutory Consultees and other consultation bodies	Statutory Notices sent by email / post	<p>Inform statutory consultees and other consultation bodies about context of the new Local Plan, Launch Document consultation, and engagement strategy.</p> <p>Identify any SoCG required.</p>
Duty to Cooperate Letter	September 2022	Prescribed Duty to Cooperate Bodies and neighbouring authorities	Letter sent by email / post	<p>Inform Duty to Cooperate Bodies and neighbouring authorities about the Launch of the new Local Plan, its context, and how to comment on the Launch Document and Engagement Strategy.</p> <p>Identify initial strategic planning issues that cross administrative boundaries, which will need to be addressed.</p> <p>Identify any SoCG required.</p>
Call for sites	September 2022	Landowners / agents	Email notification and web questionnaire	Request submission of potential sites for housing, economic land, renewable energy, Biodiversity Net Gain, and other uses.

Targeted landowner engagement	September 2022	Landowners	Post / email / meetings	Request submission of potential sites for housing, economic land, renewable energy, Biodiversity Net Gain, and other uses.
Engagement with Members	September 2022	LDF Steering Group and Ward Councillors	Online presentation followed by Q&A session	<p>Inform Members about context of the new Local Plan, Launch Document consultation, and engagement strategy / SCI.</p> <p>Answer any initial questions Parishes have about the Launch Document and Engagement Strategy.</p> <p>Agree Members' role in engaging with local communities.</p>

Stage 1 Key Outputs

- Ensure all interested parties and relevant bodies are aware of the launch of the new Local Plan, its context, scope, and the ways in which they can be involved in its preparation.
- Understanding initial views of interested parties and relevant bodies, following consultation on the Launch Document and Engagement Strategy.
- Clarity on the next steps of Local Plan preparation and basis for further work, including timescales for engagement and consultation moving forward.
- Understanding of available sites, following call for sites and initial targeted landowner engagement.
- Understanding of how Parishes would like to be engaged, i.e. individually or part of Parish working groups.
- Establish specific target groups for engagement, using SCI as starting point.
- Preparation of Consultation Statement to record outcomes of engagement and consultation.

Engagement / Consultation	When?	Who?	Method	Scope
Stage 2A: Understanding Key Issues and Opportunities (Reg18)				
Parish / Town Council engagement	November 2022 – January 2023	Individual Parish and Town councils, and Council / Area Forums including Bath Area Forum, or broader Parish working groups	Presentation at meetings and discussion	<p>Seek understanding of key issues facing local areas, and opportunities in the local area. Key issues for discussion comprise:</p> <ul style="list-style-type: none"> • Context of the Local Plan • Local priorities • Key issues and opportunities in local areas • Approach to Neighbourhood Plans • Evidence required to better understand issues raised. • Desire and capacity of parishes to feed into the new Local Plan, eg through local area assessments, site searches etc
Full community engagement sessions (place-based)	November 2022 – January 2023	Place-based community sessions open to all residents in each area	In-person: consultation boards and discussion	<p>Seek understanding of key issues facing local areas, and opportunities in the local area. Key issues for discussion comprise:</p> <ul style="list-style-type: none"> • Context of the Local Plan • Local Plan objectives • Local area priorities • Key issues and opportunities in local areas • Evidence required to better understand issues raised.
Targeted community engagement sessions (place-based)	November 2022 – January 2023	Place-based community groups - approx. 10	In-person: round table discussion	As above.

		representatives in each area		
Key stakeholder engagement	November 2022 – January 2023	Targeted key stakeholders i.e. educational establishments, businesses, health facilities	Online meetings	<p>Seek understanding of key issues facing stakeholders, and opportunities in the local area. Key issues for discussion comprise:</p> <ul style="list-style-type: none"> • Stakeholder priorities • Local Plan objectives • Key issues Local Plan needs to address • Evidence required to better understand issues raised
Informal engagement with Statutory Consultees, other consultation bodies, Duty to Cooperate Bodies, and neighbouring authorities	November 2022 – January 2023	Statutory Consultees, other consultation bodies, Duty to Cooperate Bodies, and neighbouring authorities	Online meetings	<p>Seek understanding of key issues facing stakeholders, and opportunities in the local area. Key issues for discussion comprise:</p> <ul style="list-style-type: none"> • Consultee priorities • Local Plan objectives • Key issues Local Plan needs to address • Evidence required to better understand issues raised <p>Begin Duty to Cooperate conversations with Prescribed Bodies and prepare first drafts of Statements of Common Ground.</p>
Targeted engagement with SCI target groups	November 2022 – January 2023	SCI Target Groups	Online / in-person meetings	Bespoke engagement with SCI Target groups set out in updated SCI (including young people, Faith, Ethnic and Language groups, Disabled People, Gypsies and Travellers, small business owners, People living in rural areas).

				<p>Seek understanding of key issues facing target groups, and how the Local Plan might address these issues. Key issues for discussion:</p> <ul style="list-style-type: none"> • Local Plan objectives • Key issues Local Plan needs to address • Evidence required to better understand issues raised • Preferred approach to consultation at options / draft plan stage
Targeted landowner engagement (place-based)	November 2022 – January 2023	Landowners	Online / in-person meetings	Seek understanding of availability and deliverability of land across the District.

Stage 2A Key Outputs

- Agreed local visions / key local issues and opportunities
- Agreed priorities with stakeholders
- Established working relationships
- Understanding of evidence base required to better understand issues raised through engagement
- Shared evidence base with all relevant parties
- Clarity on the next steps of Local Plan preparation and basis for further work
- First set of SoCG with prescribed bodies and adjoining authorities
- New consultee database
- Preparation of Consultation Statement to record outcomes of engagement and consultation

Engagement / Consultation	When?	Who?	Method	Scope
Stage 2B: Evidence Sharing Communication (Reg 18)				
Evidence Sharing Communication	February – March 2023	All communities and stakeholders	Online newsletter / communication with all communities and stakeholders	<p>Provide all communities and stakeholders with an update on progress relating to the preparation of the Local Plan.</p> <p>Provide a summary of outcomes from previous engagement sessions (potentially through publication of a draft Consultation Statement).</p> <p>Provide a link to any available evidence produced to date.</p> <p>Provide details regarding future engagement sessions.</p>
Stage 2B Key Outputs			Method	Scope
<ul style="list-style-type: none"> • Understanding of progress by communities and stakeholders • Agreed outcomes from previous engagement sessions • Access to evidence available to date with all participants • Understanding details regarding future engagement 			Stage 2B: Evidence Sharing Communication (Reg 18)	
		Council / Area Forums including Bath Area Forum or broader Parish working groups	Presentations at meetings and discussion	<p>Share evidence collated so far with Parishes, including transport and place assessment work.</p> <p>Seek feedback on evidence base.</p> <p>Seek update on potential for Neighbourhood Plan updates.</p>

				<p>Start to discuss potential site and policy options.</p> <p>Provide information on next steps in Plan preparation, and further opportunities to engage with the process.</p>
Full community engagement session (place-based)	June / July 2023	Place-based community sessions open to all residents in each area	In-person: consultation boards and discussion	<p>Share evidence collated so far, including transport and place assessment work.</p> <p>Seek feedback on evidence base.</p> <p>Start to discuss potential site and policy options.</p> <p>Provide information on next steps in Plan preparation, and further opportunities to engage with the process.</p>
Targeted community engagement session (place-based)	June / July 2023	Place-based community groups - approx. 10 representatives in each area	In person: round table discussion	As above.
Key stakeholder engagement	June / July 2023	Targeted key stakeholders i.e. educational establishments, businesses, health facilities	Online meetings	As above.
Informal engagement with Statutory Consultees, other consultation bodies, Duty to Cooperate Bodies, and neighbouring authorities	June / July 2023	Statutory Consultees and other consultation bodies	Online meetings	<p>As above.</p> <p>Continue Duty to Cooperate conversations with Prescribed Bodies and prepare drafts of Statements of Common Ground.</p>

Targeted engagement with SCI target groups	June / July 2023	SCI Target Groups	Online / in-person meetings	<p>Share evidence collated so far, including transport and place assessment work.</p> <p>Seek feedback on evidence base.</p> <p>Start to discuss potential site and policy options.</p> <p>Provide information on next steps in Plan preparation, and further opportunities to engage with the process.</p>
Targeted landowner engagement (place-based)	June / July 2023	Landowners / Agents	Online / in-person meetings	As above.

Engagement / Consultation	When?	Who?	Method	Scope
Stage 2: Options Consultation (Dec18)				

Stage 2C Key Outputs

- Community and stakeholder understanding of evidence base collated to date
- Agreement on potential options as a basis for preparation of the Options Document
- Clarity on the next steps of Local Plan preparation and basis for further work
- Continue to prepare SoCG with prescribed bodies and adjoining authorities
- Preparation of Consultation Statement to record outcomes of engagement and consultation

consultation on Options Document

Reg18 webinar	October 2023	District-wide	Webinar	Inform interested parties about content of Options Document, and how to submit representations.
Stage 4: Pre-Draft Consultation Engagement				
Targeted community engagement session (place-based)	January 2024	Place-based community groups - approx. 10 representatives in each area	In person: round table discussion	Feedback responses from reg18 consultation and discuss preferred options.
Stage 5: Draft Consultation (Reg19)				
Reg19 Draft Local Plan Consultation	June 2024	District-wide	Online Web Form	Consultation on Draft Local Plan
Reg19 Webinar	June 2024	District-wide	Webinar	Inform interested parties about content of Draft Local Plan, and how to submit representations.
Stage 6: Submission				
Stage 7: Hearings				
Hearings	March 2025	All interested parties	Hearings	Opportunity for those who submitted representations on the draft document to speak at hearings.

4 Our Engagement and Communication Website

4.1 The Council will set up a webpage which will be live throughout the preparation of the new Local Plan, providing regular updates regarding progress on its preparation. The webpage will be updated regularly, and will comprise the following:

- A webform to which residents and stakeholders can add their contact details, to sign up to our mailing list.
- A live 'Call for Sites' webpage providing a space for landowners and interested parties to upload details on potential development sites. This will also include key dates by which potential development sites should be submitted by.
- A 'newsletter section', where progress updates are provided.
- A live 'evidence page', to which evidence documents are uploaded as and when they become available.
- A programme showing key dates in the preparation of the Local Plan.
- An engagement page, which will be updated to include dates and details of engagement sessions.

5 Engaging with target groups

- 5.1 The Council's Statement of Community Involvement sets out target groups with whom the Council will seek to engage directly throughout the preparation of the Local Plan, as summarised below:

Target groups the Council will seek to engage

Young people

Children and young people have not traditionally been involved in planning issues.

Involvement will be encouraged through initiatives linked to local universities, colleges, schools and youth groups. To effectively engage young people we will need to provide information which is accessible, relevant and engaging. Interactive workshops and the use of models and diagrams would be appropriate.

We will seek to secure the support of youth workers, teachers and play workers to assist us in developing and delivering appropriate activities.

Black, Asian & Minority Ethnic (BAME) people

Further work needs to be done to ensure that people from a wide range of ethnic backgrounds are engaged and informed in the planning process. Many organisations representing BAME communities will be routinely consulted. Information might also be disseminated through community newsletters or at community events and made available in different languages.

Faith communities

We also want to ensure that people from a wide range of faith backgrounds are engaged in the planning process. Work undertaken by other initiatives within the Council will be used to guide us in the best ways to engage faith communities. This may include disseminating information through places of worship.

Disabled people

We will seek ideas and feedback from disabled individuals as well as local and national organisations representing disabled people to ensure that community consultation is inclusive and their views are obtained. We will ensure that all community involvement events are fully accessible, and will always respond to any accessibility requests in a positive way by providing Easy Read documents where appropriate.

Gypsies and travellers

We will involve gypsy and traveller groups, particularly as part of the policy evidence gathering process. We will consult members of the gypsy and traveller communities, particularly where issues are of direct relevance.

People living in rural areas

Residents in rural areas may not have easy access to council offices and may have less access to community events depending on where these are held. We aim to build on established Parish Council networks in order to disseminate information and attain feedback at the most local level possible. We will also make links with the creation of Neighbourhood Plans, working with bodies who are helping to support the development of these Plans. The development of e-consultation within the Council will ensure that consultation reaches a wider audience. Information, posters and leaflets will be provided for display on village notice boards and in community libraries and mobile libraries.

Small business owners

Small businesses have an important role in the local economy. However, there is evidence that small business owners often do not have the time or resources to spare to become involved in planning issues. To overcome this, organisations representing small businesses will be consulted. The Economic Development Partnership currently links to the LSP and contains business representation, whilst Business West is directly represented on the LSP – links to the LSP will therefore be important. In addition, direct links will be made with local Chambers and with the local representatives of the Federation of Small Businesses.

6 Alignment with other Council engagement and consultation events

6.1 The preparation of the Local Plan will be aligned with the preparation of other relevant strategies for the District, and where possible, engagement and consultation events will also be aligned.

6.2 The planning policy team will meet with other services within the Council on a regular basis through an officer steering group, to ensure alignment.

6.3 The services involved in the steering groups will comprise:

- Planning Policy
- Development Management
- Project Management
- Transport Development
- Public Health and Prevention
- Regeneration
- Business and Employment
- Housing
- Green Transformation
- Waste
- Parks and Green Spaces
- Cultural Strategy
- Community Engagement
- Education
- Adult and Children's Services
- Leisure
- Data Analysis

7 Duty to Co-operate

- 7.1 B&NES Council has a duty to co-operate on strategic planning issues that cross administrative boundaries and must collaborate with other strategic authorities to identify any relevant strategic matters which need to be addressed.
- 7.2 Cross-boundary strategic issues relating to the Local Plan might include issues such as addressing the sub-region's housing need, strategic highway issues, and flooding.
- 7.3 We will liaise with the prescribed Duty to Cooperate bodies in identifying the cross-boundary strategic issues and work jointly with these bodies to address such issues through the preparation of the Local Plan. The Council will prepare and maintain a statement of common ground documenting the cross-boundary matters and progress in co-operation.
- 7.4 A full list of 'duty to cooperate bodies' is set out in Part 2 of the Local Plan Regulations 2012. Bath and North East Somerset Council's main duty to cooperate bodies are listed in [appendix 1](#).

Bath and North East Somerset Council

Statement of Community Involvement for Planning 2022

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1. Introduction

Bath and North East Somerset Council want to see more people get involved in the planning process. Whether you live or work in the area or have an interest in the area we want to hear from you and we want to make that process of involvement as easy as possible.

It is important that we involve the wider community at an early stage in the decision-making processes, when it is possible to make a difference. There are a range of tried and tested ways in which you can get involved in planning issues.

This Statement of Community Involvement is an update of the Neighbourhood Planning Protocol for Bath & North East Somerset (adopted in 2012 and updated in 2014) and outlines all of the ways you can get involved in planning issues in your neighbourhood. This includes:

- Community involvement in Planning Applications
- Heritage Assets protection
- Community involvement in Planning Policy
- Neighbourhood Planning
- Protection of Tress
- Other tips and tools for communities

In February 2020 the Council adopted it's [Corporate Strategy 2020-2024](#). A key priority within the Corporate Strategy is a focus on **'Giving People a Bigger Say'** and involving local people in the decision-making process. Alongside the Corporate Strategy a [Community Engagement Charter](#) has also been developed to ensure that the Council provides an extensive and meaningful programme of engagement.

In addition, the [Parish Charter 2018](#) is currently being reviewed and will form part of the Corporate Strategy. The Parish Charter sets out a framework in which the Council and Parish and Town Councils will work together to serve residents of Bath and North East Somerset.

This document sits alongside the Community Engagement Charter, setting out the statutory requirements and legislative framework that are specific to Planning functions. The document has been prepared to provide advice and clarity to the community and developers with interest in Bath & North East Somerset.

The Draft Statement of Community Involvement was published for comment between 6 April to 1 June 2020. The Council has considered all comments received before finalising and adopting the document. This SCI will supersede the Neighbourhood Planning Protocol published in 2012 and updated in 2014.

2. Community involvement in Planning Applications

This section of the Statement of Community Involvement explains the council's policy for notifying residents and consulting statutory consultees in the consideration of planning applications. This section also outlines the benefits of applicant undertaking pre-application consultation and obtaining pre-application advice.

Pre-application advice and consultation

We strongly encourage applicants to discuss their proposals with local people adjoining the development site, the relevant Town or Parish Council, their Ward Member and the Council Officers, at an early stage before they submit their planning application.

The benefit of applicants to undertaking community engagement at pre-application advice stage is to help identify issues which can be resolved before a formal application is submitted in order to make the determination process smoother. In particular, community engagement can:

- Identify any issues that may be considered in any formal application
- Inform Members and the public of a development proposal at an early stage in the process
- Enable the developer to shape an application which addresses community issues

Early discussion of a proposal with Council Officers in the form of a pre-application advice can:

- Verify the information required to be submitted with the application
- Reduce the likelihood of submitting invalid applications
- Help the applicant to understand how planning policies and other requirements may affect their proposal
- Help applicants understand, and plan for, any planning obligations that the council may seek
- Raise the quality of development
- Identify the need for specialist involvement
- Receive an informal Officer opinion on the suitability of the proposal.

All pre-application advice will be treated as confidential, unless it is subject to a Freedom of Information request, whereupon the Council will be obliged to release the information. The pre-application advice service is chargeable, which assists the department in covering the costs of the service. [Details of the Pre-application Service and fees can be found here.](#)

Development Team

Pre-application advice in relation to major developments is particularly recommended and can take place through the Council's multi-disciplinary Development Team service. A productive dialogue at this stage can resolve issues and help ensure that the application submitted is well presented and includes the appropriate information to enable the proposal to be assessed and understood by the

Local Authority, consultees, communities and stakeholders. [More information on the Development Team process can be found here](#)

Pre-application consultation for major sites

The Council actively encourages applicants of major sites to engage the community in pre-application consultation. To ensure that a developer undertakes pre-application community involvement that is suitable for the size and type of development proposed, guidelines have been produced see **Figure 1**.

When undertaking consultation applicants should ensure that involvement is inclusive and that efforts are made to include all sections of the community. Details of any pre-application public consultation undertaken by developers should be outlined alongside the planning application in the form of a consultation statement. The pre-application consultation will be organised, managed and funded by the potential developer. It must be noted that the Council cannot refuse a planning application because pre-application consultation has not taken place. However, failure to carry out suitable consultation activities could result in objections being made which lead to the delay or refusal of the subsequent planning application.

Planning Applications

The planning application process has three key stages:

1. Planning application – application is submitted to the Council who will consult on the planning application.
2. Decision making – a decision is made by either a planning committee or delegated to the Head of Planning
3. Appeals – the applicant has a right to appeal to the Planning Inspectorate to review the decision of the Council to refuse permission, to challenge the imposition of a planning condition or to appeal for the ‘non-determination’ of the application.

FIGURE 1: Community involvement in planning applications

Approach	Level 1 Applications where there are issues of scale and controversy or which are contrary to local development framework policy or development of the size requiring pre-application engagement under the provisions of the Localism Act	Level 2 Applications broadly in accordance with the local development framework but raising a controversial issue or detail.	Level 3 Applications of a scale or on a site for which authorities require wider community involvement. Also, applications that fall within sites that are 'sensitive' to development pressures.
Public Meetings	✓		
Public Exhibition	✓	✓	
Surgeries	✓	✓	
Development briefs	✓		
Workshops	✓		
Workshops and other interactive events	✓	✓	
Citizen Panel	✓	✓	✓
Consultation Panel	✓		
Town/parish councils	✓	✓	✓
Media	✓		
Website	✓	✓	✓
Ward Councillors	✓	✓	✓
Local Architectural or design panel	✓	✓	
Letter/Leaflet	✓	✓	✓
Involvement of community interest and amenity groups	✓	✓	✓

Planning Performance Agreements (PPA)

B&NES Council is committed to dealing with all applications in a timely and effective way and many proposals can benefit from a Planning Performance Agreement (PPA), irrespective of their size or type. A PPA is a negotiated agreement signed at each stage of an application a key part of which will often be engagement between developers and the Council. The level of community engagement will be dependent upon the type of development proposal and will be identified in the PPA, if necessary. A PPA agrees a level of service only. It does not secure a specific outcome or ensure the likelihood of permission being granted.

[Further information on Planning Performance Agreements is available here.](#)

Once a planning application is submitted

The statutory publicity requirements for planning applications are set out in legislation <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>. Each application has an

initial statutory consultation period of 21 days. The **Figure 2** sets out how applications are publicised.

FIGURE 2: How planning applications are publicised

Method	Description of how this will be used
Weekly list of applications	<p>A weekly list of planning applications received by the Council is available on the Council website</p> <p>We send all Councillors, Parish and Town Councils a copy of the weekly list</p>
Council website	<p>Also known as The Planning Register where all applications are published. The site is fully searchable by address, area, application type etc.</p> <p>You can also sign up to receive notifications on the progress of a particular planning application, or to hear about new applications in a particular area</p>
Neighbour notification letter	We notify adjoining owners or occupiers of applications by letter
Display a site notice	<p>A site notice briefly describing the planning application, is displayed in a prominent place on or near the site. Site notices are used when a planning application:</p> <ul style="list-style-type: none"> relates to Listed Building consent, variation of condition(s) or discharge of condition(s); affects the setting of a Listed Building; affects a Conservation Area; where the proposed development is a departure from the Development Plan (i.e. it is not in agreement with Local Development Framework); is subject to an Environmental Impact Assessment; affects a public right of way; where the development constitutes a major development; where no neighbour notification letters are sent <p>The use of site notices is in accordance with the <i>Development Management Procedure Order (2015)</i> (as amended), except where asterix</p>
Consult statutory organisations	In accordance with the nature of the proposed development the Council must consult statutory consultees. Statutory consultees are listed in Appendix A
Consult Town or Parish Councils	Town and Parish Councils will be consulted on all planning applications made within their administrative boundary. Consultation with adjoining Parish and Town Councils may occur where the proposal is considered to be significant
Consult other consultees *	Special interest groups or community groups are consulted where there are planning applications of particular interest, at the discretion of the Case Officer. Specialist teams within the Council will also be consulted on Planning Applications e.g. Historic Environment, Trees & Woodland who will in turn consult other consultees as appropriate
Local Advertisement	Some planning applications are advertised in a local paper in accordance with the <i>Development Management Procedure Order (2015)</i> (as amended).
Contact us *	Members of the public who do not have access to a computer can contact Planning with general enquiries about current planning applications

* Beyond Statutory minimum requirement

How to comment on an application

Anyone can comment on a planning application; however we cannot accept confidential or anonymous comments and your name will be published on the [Planning Register](#). For more information on what Planning does with personal information please [see the Council's privacy policy](#) and [the Planning specific privacy policy](#).

Comments for current applications can be [submitted online via our website](#), by email to development_management@bathnes.gov.uk or by post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Please quote the planning application reference number in all correspondence.

[Further information on how to comment on planning applications is available on our website](#)

Comments submitted in writing will not receive an acknowledgement or response but your points will be considered.

Determining a planning application

Following the end of the consultation period, we will consider any comments received and make a decision on the planning application having regard to the development plan policies and other material planning considerations. Most applications are dealt with under delegated powers where a decision is made by a planning officer. However, some applications are referred to the Planning Committee for determination by elected members. The determination of applications is subject to the provisions of the adopted scheme of delegation.

Should an application be determined at committee by giving notice to the Democratic Services Officer, any person may indicate their wish to make a statement to the Committee.

[Further information on how to make a statement at a planning committee is available online](#)

Appeals

The applicant has a right to appeal where they disagree with the Council's decision to refuse planning permission, where they do not agree with a condition imposed on a planning permission or where a decision is not made within the statutory time period known as a non-determination appeal. Once the council has been notified of an appeal by the Planning Inspectorate, we will notify all interested parties, including those who submitted comments on the application. We will provide a copy of all the comments received in respect of the application to the Planning Inspectorate. Interested parties will be advised of how they can be involved in the appeal process. If an appeal is to be considered at an informal hearing or public inquiry, the Council will also notify all interested parties of the venue and time of the hearing in accordance with the Planning Inspectorate's requirements.

3. Heritage Assets

Heritage Assets in Bath and North East Somerset Council

We are fortunate in having a rich variety of designated and undesignated heritage assets. Designated heritage assets include the City of Bath World Heritage Site, as well as features such as listed buildings and conservation areas.

National policy states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. The more important the heritage asset, the greater the weight. World Heritage Sites are considered to be of the highest significance among heritage assets, along with (amongst others) Grade 1 and II* listed buildings, grade 1 and II* registered parks and gardens and battlefields, all of which exist in B&NES, and therefore any significant harm to any of these should be wholly exceptional.

The significance of locally important, undesignated heritage assets is specifically noted in the Local Planning Authority's policies and they are included in the Historic Environment Record. The impact of development proposals on undesignated heritage assets are a material consideration in the determination of planning applications.

Heritage Assets are a finite resource. They can provide a foundation for the regeneration of an area and reinforce a sense of community, a shared sense of place and identity. Heritage assets are enjoyed and valued by present communities and should be preserved for future communities to enjoy and value. Listed buildings are protected for their special architectural or historic interest. Works of alteration that affect their architectural or historic interest and character requires listed building consent. Listed building consent is also required for works of alterations to curtilage listed buildings.

However the Local Planning Authority seeks to assist and help manage sensitive, thoughtful and informed change within the historic environment as a whole to meet the needs of present day communities whilst preserving it for future generations.

The application process for listed buildings is similar to planning applications. However, there are additional requirements to consider. The primary consideration is the duty placed on the Council under S16 of the Planning (listed buildings and conservation areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Applicants must justify why their proposals do not harm the special architectural or historic significance of the listed building. Important issues that will be considered in these applications include:

- Impact upon external and internal features
- Impact upon historic fabric
- Integrity of original design, plan form and materials.
- Impact of extensions on the character of the building in terms of scale, style, design and materials
- proposals contained within planning applications that impact on the setting of heritage assets.
- Impact on the setting of the listed building or the setting of other listed buildings for example where buildings form part of an architectural composition.

It is good practice for conservation areas to be accompanied by detailed appraisals that identify their key characteristics and significance and they constitute important policy documents that can significantly inform the determination of planning applications. However they require significant resources and many conservation areas do not yet have conservation area appraisals. Communities are in a unique position to assist in the process of writing conservation area appraisals and the Local Planning Authority encourages community engagement and partnership. The preparation of recent appraisals has included varying degrees of community involvement and has proved highly successful.

The Council will engage with communities on new initiatives such as the use of Local Listed Building Consent Orders and local listing. Further information on these processes will be provided on the council's website as they evolve.

Heritage Assets and Neighbourhood Planning

Surveys and studies to identify important heritage assets in the production of a Neighbourhood Plan are strongly encouraged. The impact of Neighbourhood Plan proposals on the historic environment will be a key consideration. Neighbourhood planning can also help to identify buildings of local historic interest.

Historic England have produced information on the importance and role of the historic environment in the neighbourhood planning process:

<https://historicengland.org.uk/advice/planning/improve-your-neighbourhood/>

Conservation area designation and character appraisals

Once a conservation area is formally designated a thorough character appraisal has to be done to guide decisions about planning applications. Such studies are expensive and have usually been done entirely by specialists. As a result, many conservation areas do not yet have full appraisals in place. Recent practice now includes varying degrees of community involvement in their preparation. B&NES Council has produced a number of conservation area character appraisals working with local communities.

4. Community involvement in Planning Policy

Local Authorities are required to produce local planning policies which conform with national planning policy.

There are two different types of local policy documents that the Council will consult on:

Development Plan Documents

These are policy documents whose preparation is controlled through statutory processes and which are subject to independent examination of their 'soundness' by a Planning Inspector appointed by the Secretary of State.

Supplementary Planning Documents

These policy documents add detail to policies contained within Development Plan Documents. They must also follow a statutory process but are not subject to formal examination. They can be prepared more quickly and must be adopted by the Council.

The Local Development Scheme sets out the programme for planning policy documents preparation and provides a starting point for members of the public and stakeholders to find out which documents are being produced, the timetable for their production and consultation opportunities.

[Click here to view the Local Development Scheme](#)

Who will we engage with?

Appendix A lists the local and national consultees that the Council will engage with. If you are interested in local planning policy please get in touch and we can add you to our mailing list and tell you about opportunities to get in involved.

[You can register online to join our mailing list.](#)

We have identified a range of seldom-heard groups we need to make extra effort to engage, as illustrated in **Figure 3**. Consultation with and participation from with these groups will be targeted depending on the nature of the local policy.

FIGURE 3: Seldom-heard groups we need to involve in the preparation of planning policy documents

Young people

Children and young people have not traditionally been involved in planning issues.

Involvement will be encouraged through initiatives linked to local universities, colleges, schools and youth groups or other voluntary and community organisations. To effectively engage young people we will need to provide information which is accessible, relevant and engaging. Interactive workshops and the use of models and diagrams would be appropriate.

We will seek to secure the support of youth workers, teachers and play workers to assist us in developing and delivering appropriate activities.

Ethnic Minority people

Further work needs to be done to ensure that people from a wide range of ethnic backgrounds are engaged and informed in the planning process. Voluntary and community organisations representing ethnic minorities will be routinely consulted. Information might also be disseminated through community newsletters or at community events and made available in different languages.

Faith communities

We also want to ensure that people from a wide range of faith backgrounds are engaged in the planning process. Work undertaken by other initiatives within the Council will be used to guide us in the best ways to engage faith communities. This may include disseminating information through places of worship.

Disabled people

We will seek ideas and feedback from disabled individuals as well as local and national organisations representing disabled people to ensure that community consultation is inclusive and their views are obtained. We will ensure that all community involvement events are fully accessible, and will always respond to any accessibility requests in a positive way by providing Easy Read documents where appropriate.

Gypsies and travellers and boat dwellers

We will involve gypsy and traveller groups and boat dwellers, particularly as part of the policy evidence gathering process. We will consult members of the gypsy and traveller and boat dwelling communities, particularly where issues are of direct relevance.

People living in rural areas

Residents in rural areas may not have easy access to council offices and may have less access to community events depending on where these are held. We aim to build on established Parish Council networks in order to disseminate information and attain feedback at the most local level possible. We will also make links with the creation of Neighbourhood Plans and help to support the development of these Plans.

The development of e-consultation within the Council will ensure that consultation reaches a wider audience.

Information, posters and leaflets will be provided for display on village notice boards and in community libraries and mobile libraries for those who may not have access to the internet.

Small business owners

Small businesses have an important role in the local economy. However, there is evidence that small business owners often do not have the time or resources to spare to become involved in planning issues. To overcome this, organisations representing small businesses will be consulted.

Residents

We acknowledge that we need to ensure that all residents in the district have opportunities to be involved in planning issues. Information about a variety of opportunities to be involved in the preparation of planning policy will need to be disseminated widely, and advertised in good time. Residents Associations will also be utilised as a way of disseminating information where they are established. It is noted that unlike residents in the rest of the district, residents of Bath are not represented by either Town or Parish Councils, and that extra effort is needed to reach these residents.

How we will engage you

As well as meeting the statutory consultation requirements during the later stages of plan production, the Council will also undertake early engagement at the beginning of the plan preparation process. This is perhaps when involvement of communities and interested groups can have the greatest opportunity to influence and shape a plan. A broad range of methods, such as focus groups, targeted consultations and information gathering meetings may be used and these will be tailored to the specific document and the stage of preparation.

We will do this in three ways:

- Information - We will always make our consultation documents available online via our website. Documents will also be made available to view in our libraries and One Stop Shops. Details of the opening hours and locations will be made available to consultees prior to the start of a consultation.
- Consultation - As a minimum, we will consult the organisations and individuals identified as statutory and 'general consultee' bodies (listed in Appendix A) on planning documents at the relevant statutory consultation stages, along with anyone who has asked to be notified of the consultations. This will be by email, where we hold email addresses as this is more efficient and makes better use of resources; however we will send a letter by post where we do not have an email address.
- Participation - We encourage consultees to make comments electronically, either using the online survey or returning a completed response form. It is important that your comments are received during the consultation period, which may be extended if they fall over bank holidays. We encourage participation with our emerging proposals/plans, **Appendix B** presents a toolbox of methods which the Council can use as appropriate to encourage community involvement in the creation of planning policy and go beyond the statutory minimum requirements.

We always aim to improve the way that we communicate and are committed to making sure that all consultations are accessible and that documents produced are available in a variety of formats on request. The Council has a provider for Interpreting and Translating services, requests for documents will be considered on a case-by-case basis.

When we will engage

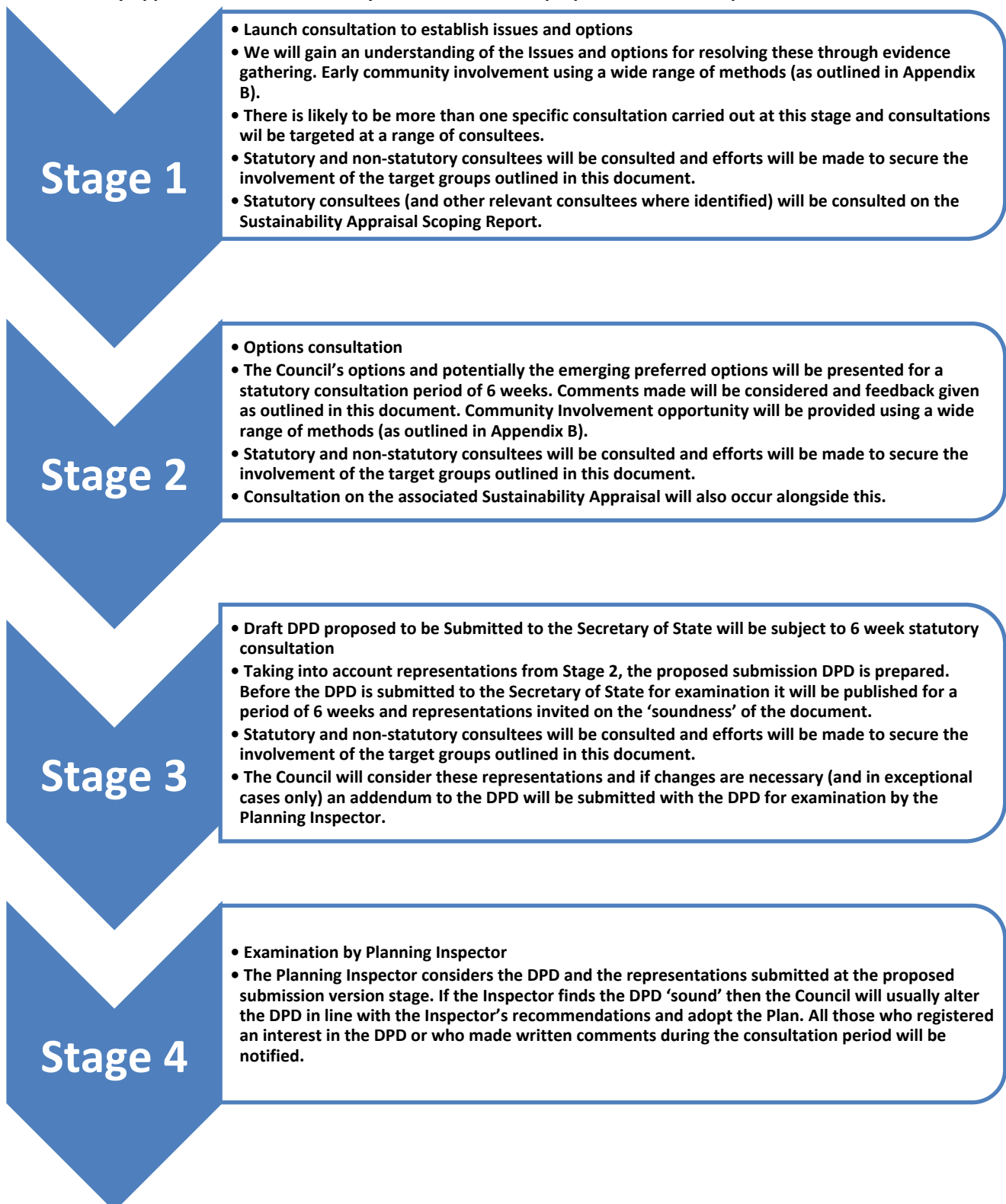
The regulations¹ set out the various stages in the preparation process for each different type of planning document and when we must formally publish the document for comment and for how long. These requirements will be met. We consider that there should be significant effort to engage

¹ The minimum requirements set out in Town and Country Planning (Local Planning) England Regulations 2012 Part 6. Sections 18-22 relate to consultation on Local Plans. Minimum requirements for SPDs in the Town and Country Planning (Local Planning) (England) Regulations 2012 are Part 5 11-14.

people at the early stages of preparing planning documents, where there is greatest opportunity to influence policies and strategies.

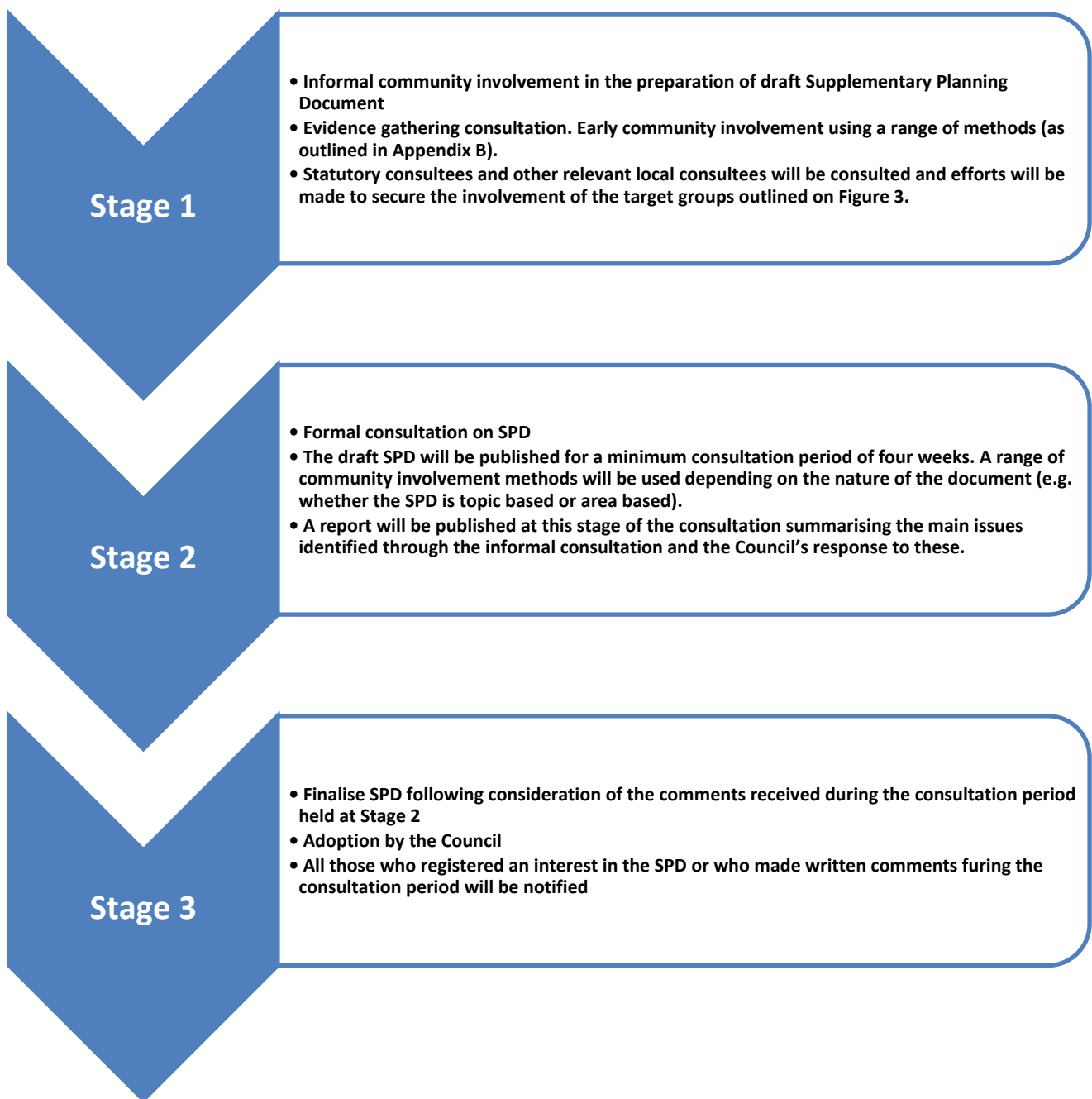
Figures 4 & 5 set out the key stages in the preparation of the various planning documents and how we will engage residents and interested parties.

FIGURE 4: Key opportunities for community involvement in the preparation of Development Plan Documents*



***The minimum requirements for consultation are set out in the Town and Country Planning (Local Planning) England Regulations 2012 Part 6. Sections 18-22 relate to consultation on local plans.**

FIGURE 5: Key opportunities for community involvement in the preparation of Supplementary Planning Documents*



*The minimum legal consultation requirements for SPDs in the Town and Country Planning (Local Planning) (England) Regulations 2012 Part 5 11-14.

What will happen to your views and comments

When undertaking community involvement on planning issues it is crucial that the purpose and parameters of particular consultations are clear. We are aware of the importance of providing feedback and the need to show the community how their views have been taken into account.

Anyone can comment on consultations on Local Development Documents; however we cannot accept confidential or anonymous comments and your name (but not any other details) will be published alongside the comments. For more information on what Planning does with personal information please [see the Council's privacy policy](#) and [the Planning specific privacy policy](#).

Following the end of consultation period comments submitted will be made publicly available, if appropriate.

A **consultation report**, for each key stage in the preparation local policy document will also be produced, which sets out who was consulted, how they were consulted, a summary of the main issues raised in comments received and how these have been addressed. The consultation report will also incorporate a Statement of compliance with the SCI. These reports will be made available on our website.

The Council is committed to providing an equal service for the whole community of the District and use the process of Equality Impact Assessments (EqIA's) to ensure this happens.

The EqIA will be updated as the plan-making process moves forward. It will sit alongside other key documents that support the Local Plan including the Sustainability Appraisal (incorporating the requirement for Strategic Environmental Assessment), Habitat Regulations Assessment and the Health Impact Assessment, as well as a refreshed/updated evidence base.

5. Neighbourhood Planning

What is Neighbourhood Planning?

Neighbourhood planning allows people to come together as a community through a local Parish/Town Council or Forum to prepare a Neighbourhood Development Plan, a Neighbourhood Development Order or Community Right to Build Order.

Neighbourhood Development Plans can be very simple or go into considerable detail. Local communities would, by creating a Neighbourhood Development Order, be able to give full or outline planning permission in areas where they most want to see new homes and businesses. Neighbourhood planning requires support from the Council.

The Neighbourhood Planning (General) Regulations 2012² set out the requirements for publicity and consultation in relation to the production of Neighbourhood Plans and Orders.

Community involvement in Neighbourhood Planning

While a community is developing their draft Neighbourhood Development Plan, the qualifying body is responsible for engaging with the community, usually through a steering group made up of community volunteers who work together to produce the plan. If you live or work within a neighbourhood plan area, you can get involved and influence the content of the plan. **Figure 6** sets out the key stages in the preparation of a Neighbourhood Development Plan or Order and who is responsible for the community involvement.

How we support Neighbourhood Planning

The council actively supports neighbourhood planning and has a statutory duty to provide advice and assistance to town and parish councils and other designated Neighbourhood Forums as they prepare neighbourhood plans. Support to groups preparing Neighbourhood Plans includes:

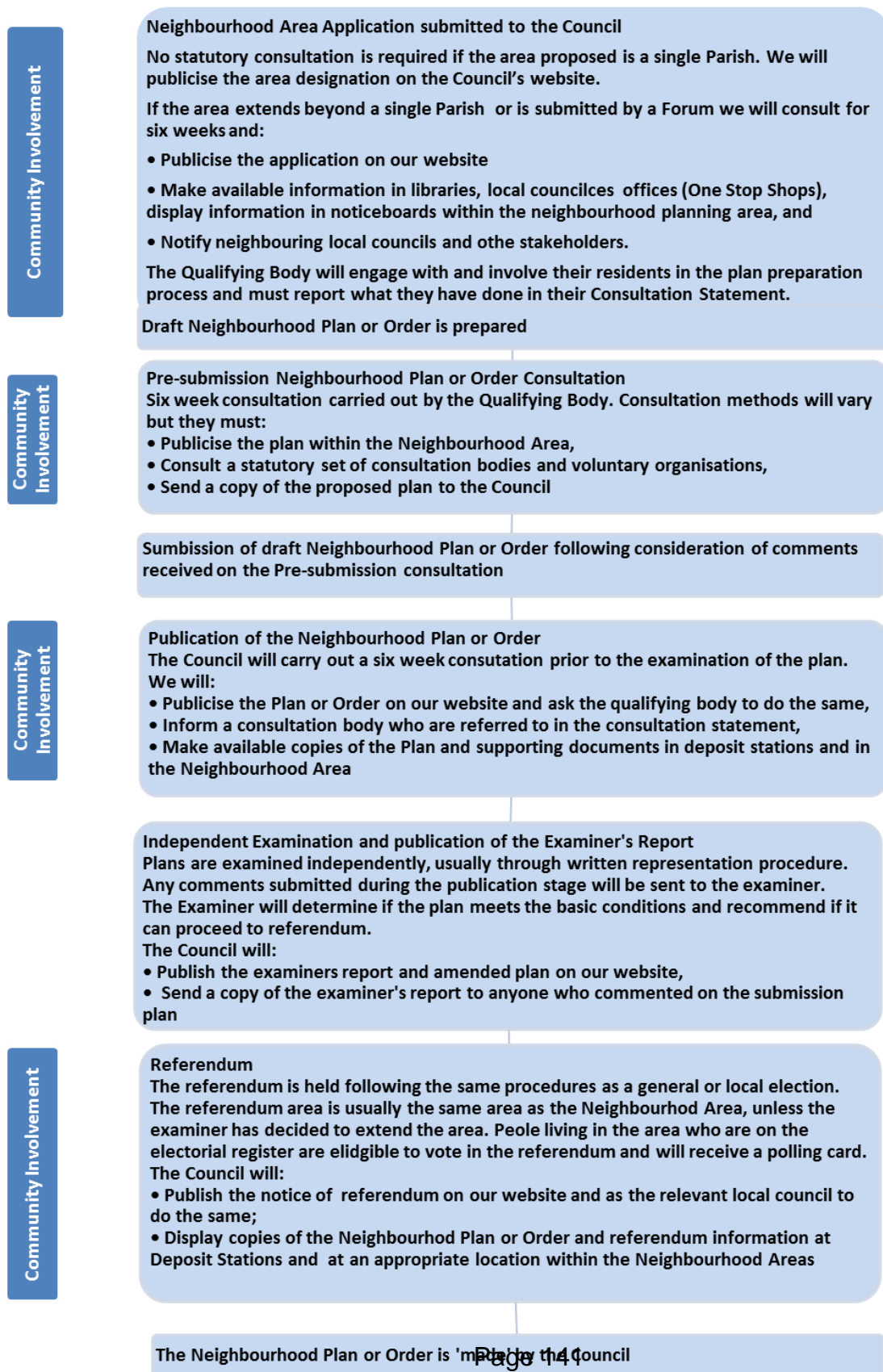
- Attend an initial meeting with the town or parish council to discuss the process for preparing a neighbourhood plan or order
- Attend Steering Group meetings where the council's specific input is required and requested
- Make relevant elements of the Local Plan evidence base available
- Provide comments on emerging neighbourhood plan policies, or draft orders; and
- Provide advice on who to consult in relation to Neighbourhood Plans and additional requirements for Neighbourhood Development Orders
- Information on planning designations and planning policies
- Guidance in designing community consultation activities on planning issues
- Online mapping and geographical information is available to Parishes and Neighbourhood Planning Groups

² <http://www.legislation.gov.uk/ukxi/2012/637/contents/made>

Please give ample notice for us to respond to your requests in the most helpful way.

In addition to the support offered above, we will carry out the necessary steps in the formal process of developing and eventually adopting the Neighbourhood Plan (see **Figure 6** below).

FIGURE 6: key stages in the preparation of a Neighbourhood Development Plan or Order and who is responsible for the community involvement



Updating a Neighbourhood Plan

Whilst Local Plans have to be reviewed every 5 years to remain up to date, there is no statutory requirement to review or update a neighbourhood plan. However, policies in a neighbourhood plan may become out of date, less effective or need to respond to a change in circumstances.

There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:

- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or the permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
- Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
- Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

Requirements for the Neighbourhood Planning Group to carry out consultation and the need for an examination or referendum will depend on the type of modification being proposed. The council will be able to advise on the scope of the review and the requirements for the Neighbourhood Plan update. Support, as outlined in the section, above will be provided to groups wishing to carry out an update of their plan.

6. Protection of Trees

The importance of our trees is embedded in the Council's policy documents such as the Bath and North East Somerset Placemaking Plan, Core Strategy, Green Infrastructure Strategy, Landscape Character Assessment and the City of Bath World Heritage Site Setting SPD.

Trees in the district are protected if they are growing within a conservation area as designated under the Planning (listed buildings and conservation areas) Act 1990 and can be protected by Tree Preservation Orders (TPO).

Trees can also be protected by virtue of landscape conditions attached to planning consents and, more unusually, by section 106 agreements attached to planning consents. Landscape conditions are not suitable for long term tree protection because they last for a finite period of time, normally 5 years following completion of a development.

What is a Tree Preservation Order?

It is a legal document made by a local planning authority which in general makes it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree without the planning authority's permission.

A Tree Preservation Order is made when trees are considered to be under threat and when an assessment determines that they are important trees.

A tree can be considered under threat for development or when a notification has been received for tree works in a conservation area for instance.

[More information regarding Tree Preservation Orders and Trees in conservation areas can be accessed online.](#)

What happens once a Tree Preservation Order is made?

Once the TPO is made it is served on the persons interested in the land affected by the order. Parish and Town Councils are also provided copies and a copy is made available for public inspection. People affected by the order can object or make representations. The Council must decide whether the TPO should be confirmed or not within 6 months from the date the order was made. This is likely to be decided by the planning committee if an objection is made.

How are trees assessed for a Tree Preservation Order?

The Council will assess a tree, groups of trees or woodland to determine whether they are worthy of a TPO using the following criteria:

- visibility to the general public
- overall health, vigour and appearance
- suitability of their location and anticipated future management

Special factors will also be considered such as contribution to the character of a conservation area, World Heritage Site setting or overall green infrastructure; their rarity; their ecological contribution and whether they have historical significance such as in the case of ancient or veteran trees.

Not all trees can be protected by a TPO which may be for a number of reasons such as;

- the trees are unsuitable for their location, for instance they are close to a house and would require regular and significant work as a result.
- the trees have developed significant structural weaknesses or poor shape.
- the trees are not visible to the public and have no other exceptional attributes to support a TPO.

If a tree is protected by either a TPO or conservation area then an application or notification respectively must be sent to the Council for tree surgery or felling unless an exemption applies (please see later for further information).

Publicity

The Council publicises all details provided with Tree Protection Order applications and notifications to undertake work to protected trees in the following ways:

- All applications, notices and accompanying details and documents are recorded on the public planning database and on the Council website. A decision will not be made within 21 days of the registration of an application or notification unless there are exceptional circumstances for doing so.
- Town and Parish Councils are notified of applications and notices within their area.
- Applications and notices are placed on the weekly lists – available to Ward Members and the public.
- Applicants are advised to contact tree owners if the applications or notices relate to neighbouring trees and seek their consent if the work extends beyond the boundary.
- Tree owners will be notified if they are not the applicant.

Exemptions

There are instances where work is exempt from the normal tree application or notification process. The Council's permission is not required for cutting down or carrying out work on trees which are dead or have become dangerous. Anyone who proposes to carry out work under this exemption is advised to give 5 working days' notice before carrying out the work, except in an emergency. Anyone who is not sure if their tree falls within this exemption should seek advice from an arboriculturalist since the burden of proof to show that the work was exempt rests with them.

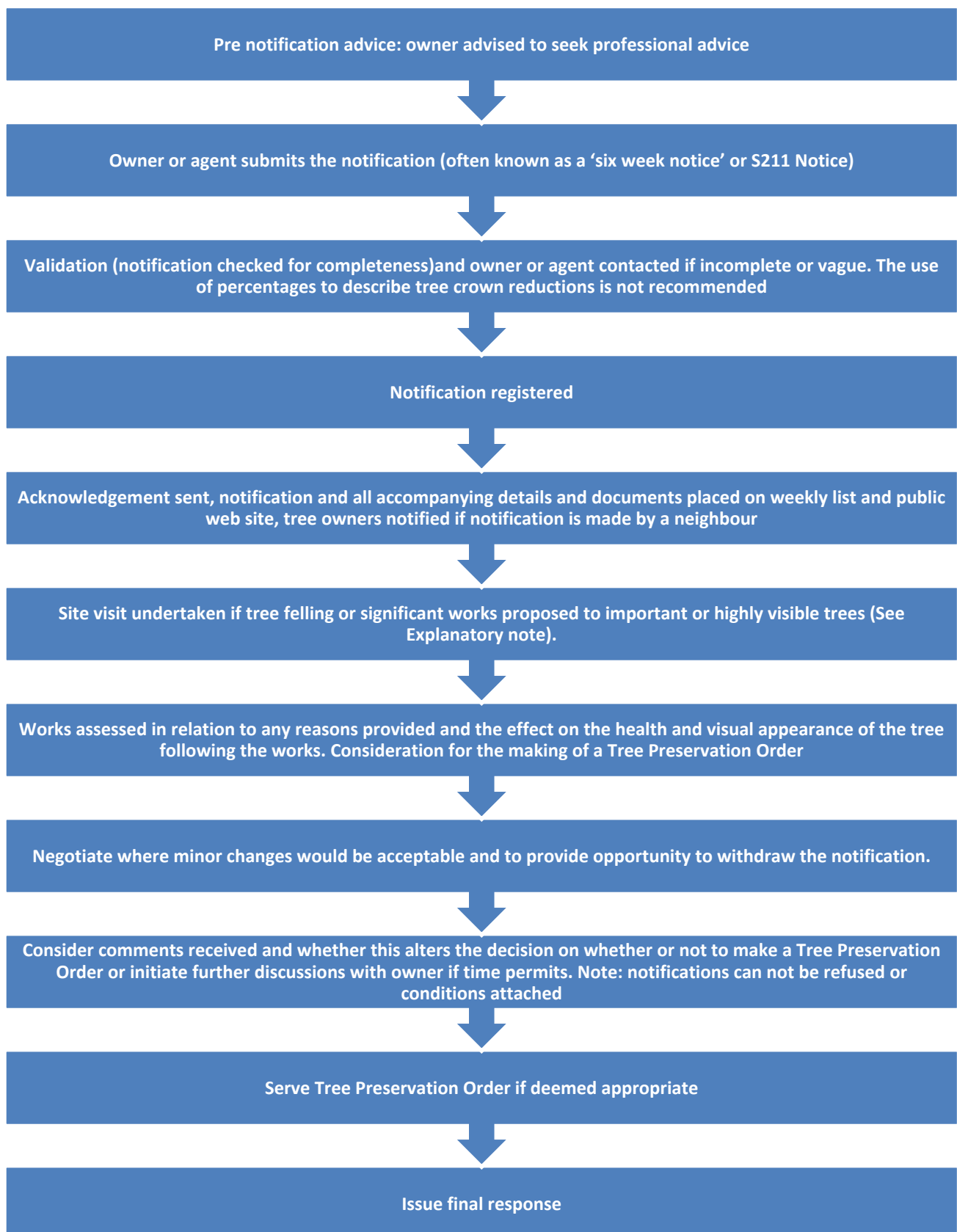
5 day notices are not always publicised.

If insufficient supporting evidence is provided for the work proposed within a 5 day notice then the Council will request an application (in respect of a tree covered by a Tree Preservation Order) or 6 weeks notification (in respect of trees within a conservation area).

FIGURE 7: How is an application for tree works for trees protected by a Tree Preservation Order decided by the Council?



FIGURE 8: How is a tree works notification for trees protected by a conservation area processed?



Explanatory notes

Important – in terms of biodiversity; historical or cultural (where apparent)

Highly Visible – Tree clearly visible to the general public from major vantage points; for instance, main roads or heavily-used footpaths or where the tree is overlooked by many properties.

Site Visit - A site visit may reveal that major works, which might not normally be considered to follow best practice, has been proposed and that the work would have a significant impact on the visual amenity or health of a tree which is highly visible to the general public. In these cases, if the Council is unlikely to intervene, for instance because sound supporting information has been provided, then immediate neighbours will be notified by letter or site notice.

Find out more

Arboricultural Association

A registered charity which champions the sustainable management of trees for the benefit of Society. It provides help and advice to arborists and tree owners: <https://www.trees.org.uk/>

Forestry Commission

The government department responsible for protecting, expanding and promoting the sustainable management of woodlands. It administers felling licences and provides information on pests and diseases: <https://www.gov.uk/government/organisations/forestry-commission>

National Legislation

Government advice explaining the legislation governing Tree Preservation Orders and tree protection in conservation areas can be found at: <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Forest Research

Forest Research is the principal organisation for forestry and tree related research: <https://www.forestresearch.gov.uk>

Ancient Tree Forum

Champions ancient trees and their associated wildlife and heritage : <http://www.ancienttreeforum.co.uk/>

Appendix A: Consultees

As defined in the Town and Country Planning Regulations (2012) as amended and the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended):

Specific Consultation Bodies

- The Coal Authority
- Environment Agency
- Historic England
- Highways England
- Home and Communities Agency
- Local Bodies (a relevant authority any part of whose area is in or adjoins the local planning authority's area) including Town & Parish Councils, Avon & Somerset Police, Avon Fire
- Marine Management Organisation
- Natural England
- Network Rail
- NHS Primary Care Trust
- Utilities Providers

General Consultation Bodies

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area
- Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area
- Bodies which represent the interests of different religious groups in the local planning authority's area
- Bodies which represent the interests of disabled persons in the local planning authority's area
- Bodies which represent the interests of persons carrying on business in the local planning authority's area

Appendix B: Toolbox of consultation methods

Community Involvement Toolkit		
Method	Usefulness/Considerations	Target groups
Consultation		
Local Development Documents available for Public Inspection (Council website, OneStopShops and all public libraries in the district).	Statutory requirement. It should be clear how and when people should respond. All council offices are accessible to people with disabilities and there are members of staff available to assist members of the public and answer queries during office hours. The statutory consultation period should be advertised widely and in good time	Local people – including residents, employees & businesses.
Formal and informal dialogue with statutory consultees (see Appendix A for a list of Statutory Consultees)	Statutory requirement to formally inform statutory consultees of document publication and formal consultation periods.	Statutory consultees
Town & Village meetings and forums	Meetings must be well-organised and need to be chaired effectively. Useful to gain a better understanding of the issues as they are seen from a local perspective and directly engage with local people.	Parish Councils People living in rural area & rural businesses and other organisations.
Public exhibitions and road shows	Prior publicity is required to make this method worthwhile. Exhibitions should be held in accessible locations and may need to be held over a number of days and at different times to ensure that all member of the community can attend. Exhibitions should be part of a wider exhibition or in an area which is frequently used for such purposes. High quality promotional material and display stands are required to make the exhibition eye catching.	Can be used to build the capacity and awareness of local residents or local organisations. Can be tailored to reach the 'target groups we need to engage' that are identified in this SCI.
Meetings & Workshops organised to involve the community	Can be used to identify and gain a fuller understanding of key issues. Efforts must be made to ensure these are well attended, purposeful and organised in good time.	Wide audience. Can be tailored to reach the 'target groups we need to engage' that are identified in this SCI.
Surveys (e.g. e-consultation and questionnaires)	Good method for involving and seeking views of a large number of people.	Wide audience. Can be tailored to reach the 'target groups we need to engage' identified
Participation		
Workshops	Engages local communities in an interactive and proactive way to identify priorities and help create action plans. This approach can help generate ideas and secure greater ownership of proposals. It is also useful for identifying and discussing controversial issues. Feedback and continuing dialogue necessary. Must be managed and delivered well. Need to build trust and communication to make this successful. Involves officer involvement and/or external facilitators required. Workshops must have target audience	Can be used to build the capacity and awareness of local residents or local organisations

Steering/ Advisory/ Working groups	Key stakeholders, statutory consultees and elected representatives can be involved in discussing key planning issues. Useful for facilitating discussions on controversial topics or discussing themes. Role of the group should be clear. There should be a transparent approach to member selection	Statutory consultees Non-statutory consultees Elected representatives
Linking with existing community involvement initiatives	Linking into meetings and events organised by existing community groups would also be beneficial. This approach can help avoid consultation fatigue. Low cost as avoids duplication of consultation.	Wide audience.
Discussions with individuals and groups not involved with existing community initiatives (through outreach & prearranged meetings with specific groups e.g. gypsies and travellers, young people in schools and colleges)	Use of personal interaction to overcome barriers to participation can be effective. Although it is difficult to reach large number of people using this method. This method relies on building relationships over the longer-term. Members of the local community should be trained and supported to facilitate dialogue with their own communities. This is useful for building skills and capacity building within communities. The reliance on individuals to carry this method forward can be problematic if they move on. Facilitating members of local communities to play an active role in this can lead to capacity building	Local residents and businesses not represented by any other organisation
Internal Corporate Discussion with elected representatives	Ensures effective participation of elected representative and cross-council officer involvement. Encourages integrated working and provides a system to feedback to constituents and council employees. The role of councillors within these discussions is crucial. They are often the first to hear of local concerns, and they need to be aware of key policies and initiatives. The Planning Policy team will contact Ward Councillors directly when developing Local Development Documents to keep them informed of progress. We will also signpost aspects of the policies which will directly impact on their Ward (e.g. area specific allocations).	Elected representatives
Collaborative Projects	Work with local community groups and amenity groups to bring forward linked or joint projects	Voluntary and Community groups and civic groups within B&NES.
Informal dialogue with local consultees	Dialogue with relevant local groups can bring clarity over proposals, and a useful third party perspective and source of local information	Voluntary and Community-Civic Societies & Amenity-Groups; Lobby & Pressure Groups; Neighbourhood and Residents' Groups; Sports, Activity and Social Societies.

Bath & North East Somerset Council		
MEETING	Cabinet	
MEETING	8th September 2022	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3392
TITLE:	Development Update: Land to rear of 89 – 123, Englishcombe Lane, Southdown, Bath.	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: Initial Business Case		

1 THE ISSUE

- 1.1 In 2018 the Council submitted a planning application to develop 37 homes, including 14 affordable homes, on land to the rear of 89 – 123, Englishcombe Lane, Southdown, Bath. Planning committee approved the application subject to conditions. Due to concerns, principally around potential risk to the on-site ecology, the administration decided not to pursue the application.
- 1.2 Officers were tasked with investigating whether a smaller scheme could be developed that provides local community housing whilst being sympathetic and supportive to the existing site ecology. Following concept design, option appraisal and initial business case this report proposes such a scheme for further detailed development work.

2 RECOMMENDATION

The Cabinet is asked to agree to;

- 2.1 Commission further development work to advance the preferred option to planning stage, that is a development of 9 bungalows and 7 apartments for residents with learning difficulties.
- 2.2 Fully approve £320k capital funding from the Provisional Capital Programme for Affordable Housing to support this development work.
- 2.3 Delegate any future decision to submit a planning application to the Cabinet Member for Adult Services & Council House Building in consultation with Director for Sustainable Communities and Cabinet members.

3 THE REPORT

Background

- 3.1 In April 2018 the Council submitted a planning application to develop 37 homes, including 14 affordable homes, on land to the rear of 89 – 123, Englishcombe Lane, Southdown, Bath. Planning committee approved the application subject to conditions including the completion of a s106 agreement. However, due to concerns, principally around potential risk to the on-site ecology, it was decided not to pursue the application.
- 3.2 The site is allocated for residential development and the Council has demonstrably high local housing need and a demanding housing delivery requirement. Doing nothing is therefore not a realistic option. As such officers were tasked with investigating whether a smaller scale alternative and ecologically acceptable development was feasible.
- 3.3 A strategic review of the local care and support market was undertaken by the Specialist Commissioning team last year. It identified a significant under supply of supported living provision in the district which in turn results in an over reliance on meeting people's needs through out of area residential care placements. Indeed, there are currently 130 people in residential care and 82 of these are out of area – the largest cost to the budget. In addition, there are 52 people with learning disabilities and/or autism on the Council's housing demand matrix who need a move or need supported housing.
- 3.4 Following discussions with Adult Services options were developed to target the unmet accommodation needs of residents with Learning Difficulties and/or Autism. The site, which is quiet and spacious, is ideally suited to meeting the needs of this client group who benefit from a calming environment. Such a scheme would allow the Council to provide this vulnerable client group with high-quality accommodation plugging an existing service gap whilst also reducing the need for expensive out of area placements. The latter element also provides the potential for residential placement budget savings.

Development Principles

- 3.5 Five scheme options were investigated. These all included a set of common design principles and constraints which seek to preserve the quality of the site and address the ecological concerns of the previous scheme, including:
 - Sensitive use of the site topography to provide high quality and supportive environment for the identified client group, including use of landscape design guidance for autism.
 - All paving to be permeable to avoid water run-off and use of swale and rain gardens to deal with hard surface run-off.
 - Protection of the ecologically significant Tufa flush including provision of protected 10m buffer zone.
 - Dark corridor (10m) for migrating horseshoe bats on eastern & southern areas of site and protection of badger sets.

- 1m buffer zone along the length of protected hedgerows for reptiles and dormice.
- Very energy efficient low carbon housing (AECB¹ standard or above) with potential for modern methods of construction to be utilised.
- Avoidance of the mud-lobe on south-eastern corner.

Preferred Option & Service Benefits of Proposal

3.6 Preferred option is a form of hub and spoke model providing 9 bungalows and 7 apartments for residents with learning difficulties and/or autism. There is space for additional limited staff facilities if required. Scheme provides Adults Services with different housing types and compared with the other options the impact on site is more modest with only a single block that reaches two storeys.

3.7 The proposal delivers a low density, sensitive and small-scale scheme that uses the ecological value of the site as an asset and opportunity to create a peaceful housing environment for people with specialist housing needs. The scheme would be able to provide supported housing with care to around 16 tenants depending on level of need and staffing required on site at the time. The scheme provides the following headline benefits:

- Realises the aspirations of people with a learning disability and/or autism to live as independently as possible in their own homes but with care and support as needed.
- Provides an opportunity for some of the housing to meet the bespoke needs of individuals especially those with sensory needs and requiring accessible accommodation. The site provides a peaceful and low stimulus environment which will suit many individuals with sensory needs.
- Reduces the necessity for people to move out of area to access housing, care, and support, enabling people to remain in the district, close to family, community and friends and care teams.
- Provides an opportunity for those: inappropriately housed in residential accommodation (often out of area) to return to the district if they wish; ability for clients to step down in more independent living; or those who are living in family or other inappropriate accommodation and ready to move into further independence.
- Opportunity to integrate and test latest assistive technology.
- Provides opportunity for revenue savings from the Councils Specialist Commissioning revenue budget. Revenue savings can be achieved in part by repatriating people from out of area residential care settings back into supported living within their local communities.

¹ Association for Environment Conscious Building – independent not-for profit organisation promoting sustainable building standards.
 Printed on recycled paper

- The scheme would support some the Council’s most complex individuals who are most at risk of being placed out of area. This will include some of those transitioning into adults from children’s services.

Delivery Mechanism

3.8 Scheme delivery will be kept inhouse as far as practical. The Construction and Projects team will directly appoint the technical design team, including planning adviser and other site appropriate specialists such as hydrologist, ecologist and arboriculturist. Early engagement of a modular contractor through mini tender is also being considered to ensure the benefits of modular construction can effectively leveraged.

Operating Model

3.9 At this stage officers have only sought to establish whether the initial business case would support the proposed scheme development. If the scheme were to be progressed a decision would need to be made at a later stage on the operating model. Broadly the options include direct housing management & support delivery; direct management & commissioned support; commissioned management & support. In all options the Council would retain an ongoing interest in the scheme.

3.10 Whilst commissioned management & support is likely to be the preferred model there are a number of factors that would need to be considered before settling on this option, including client needs; existing skill sets; financial implications, such as implications on housing benefit recovery etc. As such this report offers no recommendations at this stage.

Timescales

3.11 The table below shows high level indicative scheme timescales.

Stage	Date
Cabinet agreement to proceed	Sept 22
Procurement & appointment of project team	Nov 22
Prepare scheme, pre-apps, site investigations, planning submission	Apr 23
Planning determination	Jul 23
Agreement to proceed, tender package & appointment	Nov 23
Initiation and start on site	Jan 24
Completion & handover to Adult Services: (dependent on construction method)	Jan 25

4 STATUTORY CONSIDERATIONS

4.1 The delivery of specialist housing is supported by the following:

- Local Authorities (Land) Act 1963 which allows Councils to develop land for the benefit or improvement of their area.
- Local Government Act 2000 (section 2) which allows Councils to act to promote or improve the economic, social or environmental wellbeing of their area.
- Localism Act 2011 (sections 1) which provides the local authority's general power of competence.
- The Council is registered with the Regulator of Social Housing as a Local Authority Registered Provider of Social Housing.

4.2 There are further statutory considerations in relation to the provision of welfare and support to clients with learning difficulties and/or autism, including:

- The Care Act 2014 (part 1) provides Local Authorities with a general duty to promote an individual's well-being.
- Children and Families Act 2014 (section 25) promoting integration and wellbeing

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The scheme has the potential to be self-financing, both in repayment of borrowing to support capital outlay and in operation as shown in a summary of the Initial Business Case in Appendix 1.

5.2 To undertake the technical design stage work to support the submission of a planning application we need to approve £320k of capital funding from the Provisional Capital Programme for Affordable Housing.

6 RISK

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

6.2 The key risks at this stage include: initial business case assumptions; securing planning permission; market delivery risk (notably around building cost inflation); Homes England funding assumptions; reputational/adverse publicity; and operational viability (staffing, skill sets).

6.3 As the scheme develops comprehensive risk management procedures and project and quality assurance through supervision of the design development and construction phases will seek to reduce risk, particularly around building costs.

7 EQUALITIES

7.1 A formal equalities impact assessment has not been undertaken on the proposal. However, the delivery of high-quality adapted housing for vulnerable client groups has a positive impact on equality. It provides housing options for those residents would be unable to cope or compete on the open-market and

may otherwise be forced to leave the area or reside in unsuitable housing conditions.

8 CLIMATE CHANGE

- 8.1 Housing is a key contributor to climate change. All housing will be designed to meet the highest practical energy efficiency standards (AECB or above) for energy efficiency, thus contributing to meeting the Council's Climate Emergency targets.
- 8.2 Initial advice suggests that the 'Building with Nature' green infrastructure standard would be an appropriate standard to achieve on this site and it is the intention to deliver to that standard.

9 OTHER OPTIONS CONSIDERED

- 9.1 A number of other options were considered and dismissed as detailed below:

Option 1

- Scheme based upon two storey blocks providing 1bed apartments, shared ground floor communal living facility and a designated area for staff sleep in support. Based upon existing learning difficulties scheme models in the district. Schemes provides 28 apartments. This is the highest density option and officers expressed some concerns around scale of scheme; lack of housing variety; and site massing.

Option 2

- Scheme providing 10 bungalows with space for staff facilities. The low-rise nature of the scheme reduces development impact whilst the bungalows provide a positive environment for clients, particularly those with complex needs. It is the lowest density option and consequently the unit costs are high. Significantly there is lack of housing variety for Adult Services clients.

Option 3

- Scheme providing a combination of apartment block (hub) and houses (spoke). This option aims to address the lack of service flexibility provided by the above options. The development provides 6 bungalows and 11 houses. There is space for additional limited staff facilities if required. Whilst this option has merits some issues were expressed with the "house" based accommodation - in client terms similar to bungalows.

Option 4

- Scheme providing 20 multi-functional general needs housing units. However, given the general nature of the accommodation this would only be suitable for low-support learning difficulty clients. Given the general needs nature of this option site utilisation and infrastructure would be greater (eg wider roads, proportionately more car parking etc.) than other options.

Do Nothing

- Not considered feasible given the site is allocated for residential development within the Council's adopted development plan and the Council has demonstrably high local housing need and a demanding housing delivery requirement.

10 CONSULTATION

- 10.1 Internal officer consultation, including with s151 Officer and Monitoring Officer. In addition, there have been two community engagement events purposed to ensure that neighbouring residents are fully informed of current thinking and progress. These events highlighted areas of specific concern to residents such as ecology and hydrology and a commitment was given to share findings of technical reports once concluded.

Contact person	Graham Sabourn, 01255 477949.
Background papers	None.
Please contact the report author if you need to access this report in an alternative format	

APPENDIX 1 – INTIAL BUSINESS CASE

Table 1: Capital Business Case Details

Costs:	
Land / Capital receipt replacement	£1,250,000
Build costs	£3,373,000
Prelim, overheads & profits	£610,000
Design & project fees	£340,000
Risk - 10%	£432,000
Total:	£6,005,000

Funded by:	
Service saving supported borrowing	£3,758,000
Rent supported borrowing	£1,204,000
Homes England grant funding	£1,040,000
Corporate supported borrowing (Project Initiation)	£3,000
Total:	£6,005,000

Capital Table Notes:

- All development cost information provided by Atkins's cost engineers.
- Rent supported borrowing calculated using residual of social rent residual following 30% deduction for management, maintenance, void & bad debts (MMVBD) and borrowing rate/term of 3.5%/40years.
- Home England funding uses typical grant rates.
- Work undertaken by the Adults Team has identified a potential annual saving of between 10-12% (£176k - £209k) on package care costs if 16 care packages were to be delivered/commissioned directly. This has potential to support capital borrowing of between £3.8m-£4.5m based on 3.5%/40years.
- The property is part of the capital receipts target which reduce overall borrowing to the capital programme. The budgeted figure for 2022-23 was £1,250K and represents an opportunity cost of progressing with the scheme.
- Service supported borrowing not available until savings/income materialise. For 22/23 will use Affordable Housing Provisional Allocation, with repayment on completion.
- The site has £742k of capital charges set against past development work. These are funded by capital receipts and not included in the above table which focuses on future costs.

Table 2: Revenue Business Case Details

Income:

Rent	£80,544
Current support package costs	£1,756,000
<i>Total:</i>	<i>£1,836,544</i>

Costs:

MMVBD	£24,163
Rent supported borrowing	£56,381
Proposed support packages	£1,580,000
Service saving supported borrowing	£176,000
<i>Total:</i>	<i>£1,836,544</i>

Revenue Table Notes:

- Rent based on social rent
- MMVBD (management, maintenance, voids & bad debts) @30%
- Proposed support package saving shown at 10%

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Bath & North East Somerset Council		
MEETING	Cabinet	
MEETING	8th September 2022	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3394
TITLE:	Liveable Neighbourhoods Update Report	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
None		

1 THE ISSUE

- 1.1 The Bath and North East Somerset Liveable Neighbourhoods programme aims to rethink how street space is used, to prioritise people, make it safer to move around actively, and enable more people to make journeys on foot, by bike or wheeling. Over time, this will reduce car journeys, and so cut road congestion for those with no alternative but to travel by car.
- 1.2 In line with the adopted Low Traffic Neighbourhood Strategy, the specific interventions in each neighbourhood will be decided following public consultation and co-design with communities. To enable the project to maintain its current timetable and deliver maximum benefit and value to the community as soon as possible, it is considered necessary to request to delegate to the Lead Member for Sustainable Transport in consultation with the Directors of Place Management and Sustainable Communities, Cabinet members and ward councillors, the decision to implement specific interventions in each location following public consultation.

2 RECOMMENDATION

The Cabinet is asked to;

- 2.1 To note the progress made in the co-design and co-development of the 15 Phase 1 Liveable Neighbourhood areas.**
- 2.2 Delegate to the Lead Member for Sustainable Transport in consultation with Directors of Place Management and Sustainable Communities, Cabinet members and ward councillors, the decision to implement specific interventions in each location following public consultation**

3 THE REPORT

- 3.1 Residents were first consulted about Liveable Neighbourhoods in Autumn 2020. The results of this consultation were taken to Cabinet in December 2020 with applications for potential areas invited in Spring 2021. Feedback from residents at Autumn 2020 consultation included the following comments in support of liveable neighbourhoods:

“Quiet streets are the only answer to congestion and traffic problems in residential areas we need to bring communities back together”.

“I drive a car around Bath but would support making longer journeys in order to make residential streets better for pedestrians and cyclists”

“To improve neighbourhood, it is also necessary to consider and reduce vehicle speed with real traffic calming”

“We strongly support this survey and its principles and sincerely hope we can reduce pollution in our city by limiting heavy traffic”

“We need a step change in how we think about transport and how it impacts our lives. Having lived in Larkhall all my life I have seen a drastic reduction in the quality of space and movement locally due to increased through traffic.”

“Restricting traffic on school roads must be a priority”

“Welcome LTNs to improve resident’s wellbeing and reduce car traffic overall. We need a cultural change and that will be difficult for some, these are sensible and relatively straightforward solutions to massive complex problems, and we have to try them before it's too late.”

“Strongly support the key principles and the aspiration. we have got to get to a position where the areas we live in are less polluted and safer for walking and cycling.”

“We have to reduce the amount of traffic on the roads there is far too much through traffic far too many delivery vans incentivised to drive too quickly and far too many people taking unnecessary short journeys in their cars often on the school run in short far too much road traffic of all types and not enough opportunity for safe walking and cycling.”

- 3.2 48 communities then applied to become a Liveable Neighbourhood, via their ward councillors between February and May 2021. In June 2021, 15 areas were prioritised as places where development of Liveable Neighbourhoods could start.
- 3.3 A further round of community engagement took place in December 2021 during which residents in these areas were asked for their feedback on what was good about their local area, what transport-related issues they experienced, and what improvements would make the most impact.
- 3.4 Following this public engagement feedback, some schemes were identified as suitable to deliver simpler changes and quick wins for communities. Identifying an area as a pilot scheme meant that design work could be undertaken prior to the next phase of consultation work which enabled some scheme elements to be implemented in advance of others. The areas selected as pilot schemes were:

- Whitchurch Village & Queen Charlton Lane
- Southlands (Weston, Bath):
- Church St & Prior Park Road, Bath
- Royal Victoria Park & Cork Street, Bath

3.5 Working with ward members, the pilot scheme locations were identified as places where residents had expressed high levels of support for vehicle restrictions to tackle anti-social driving, speeding and through traffic. Where the measure was validated by the community at co-design workshops, draft designs were fast tracked ahead of other liveable neighbourhoods' work.

3.6 Co-design workshops with residents for all 15 Phase 1 areas then took place between May and July 2022. The co-design process is a fundamental element in delivering Liveable Neighbourhoods successfully. It enables a collaborative approach between local communities and the project team alongside actively involving stakeholders in the design process. The workshops took place as follows: -

- 17 May 2022 - Temple Cloud (Mendip)
- 23 May 2022 - Mount Road (Southdown, Bath)
- 31 May 2022 - Entry Hill (Widcombe and Lyncombe, Bath)
- 1 June 2022 - Morris Lane and Bannerdown (Batheaston, Bathavon North)
- 14 June 2022 - Oldfield Lane and First, Second and Third Avenue (Oldfield Park, Bath)
- 8 June 2022 - Church Street and Prior Park Road (Widcombe and Lyncombe, Bath)
- 15 June 2022 - Egerton Road and Cotswold Road (Moorlands, Bath)
- 21 June 2022 - Whitchurch Village and Queen Charlton Village (Publow with Whitchurch and Saltford)
- 22 June 2022 - Southlands, Weston, Bath
- 28 June 2022 - Chelsea Road, Foxcombe Road (Newbridge, Bath)
- 29 June 2022 - Lyme Road and Charmouth Road (Newbridge, Bath)
- 12 July 2022 - London Road, Snow Hill, Kensington Gardens and adjacent roads, (Walcot, Bath) Phase 1
- 13 July 2022 - New Sydney Place and Sydney Road (Bathwick, Bath)
- 26 July 2022 - Area bounded by Sydney Place, Great Pulteney Street, St Johns Road and Bathwick Street (Bathwick, Bath)
- 27 July 2022 - Circus, Lower Lansdown, Marlborough Buildings, Royal Victoria Park and Cork Street area (Kingsmead and Lansdown, Bath)

3.7 At the workshops issues and specific solutions were discussed in more detail by residents with the output being a longlist of ideas presented on maps of the area. The ideas were then linked back to comments captured during the December 2021 public engagement. Reports from each co-design workshop are being [uploaded to the website](#) as they are produced.

3.8 The co-design workshops have been well received by those attending and feedback received includes:

- *"I think this experience was very valuable. It was great to get the community's input."*
- *"A lot of good ideas were brought up and covered well so I think this will have a positive impact."*

- *“People often have very idealistic ideas about how they want their community to be. I think this event helped us drill down into them to reach more realistic goals.*
- *“To attain the sort of change we need in our communities; we will need to see a lot of engagement with the public and information gathering. These sorts of events are a good step in that direction.”*
- *“It was good to see so many engaged residents at the event and nice that the different groups had a lot of overlap in their concerns.”*

3.9 Sustrans have been engaged to provide support for the Liveable Neighbourhoods programme with additional engagement activities:

- Youth engagement – drop-in sessions held in a selection of the liveable neighbourhood areas targeting a range of age groups.
- Resident engagement – a combination of lighter touch, pop-up and community led drop-in sessions were held at a selection of venues across Bath. These events engaged with older residents, vulnerable adults, those experiencing mental health issues, substance issues and homelessness.
- Support for a city-wide stakeholder event – acted as facilitator for group discussions in 3 virtual workshops at this digital event.

3.10 Between mid-August and mid-September 2022 attendees of the co-design workshops were invited back to in person engagement events to view the co-design workshop reports and shortlist the measures they would like to see included in a draft design. The engagement events are taking place as follows: -

- 16th August (pilot scheme) - Church Street and Prior Park Road area
- 17th August (pilot scheme) - Whitchurch Village and Queen Charlton area
- 18th August (pilot scheme) - Southlands area (Weston)
- 23rd August (pilot scheme) - Tennyson Road area
- 24th August - Temple Cloud, Mendip
- 25th August - Mount Road area, Southdown
- 30th August - Entry Hill, Bath (also RPZ)
- 31st August - Oldfield Lane and the Avenues
- 31st August - Egerton Road and Cotswold Road area
- 1st September - Chelsea Road Area (also RPZ)
- 1st September - Lyme Road and Charmouth Road (also RPZ)
- 6th September - Morris Lane and Bannerdown Road area
- 7th September - London Road and Snow Hill area (also RPZ)
- 8th September - New Sydney Place and Sydney Road
- 13th September - Pulteney Estate
- 14th September - East Kingsmead and Lower Lansdown area

3.11 During this time, [public consultation on the pilot schemes](#) (through-traffic restriction proposals) is also taking place. The feedback received will be considered and published.

3.12 In addition to the public engagement work, there are ongoing meetings and dialogue with residents’ associations, ward councillors, parish councils and community group representatives.

Next steps

- 3.13 Following the community exhibitions, and consultation on the pilot through-traffic restrictions, it will be necessary to decide which interventions to take forward in each area. To enable the project to maintain its current timetable and deliver maximum benefit and value to the community as soon as possible, it is considered necessary to request to delegate to the Lead Member for Sustainable Transport and Directors of Place Management and Sustainable Communities, in consultation with Cabinet members and ward councillors, the decision to implement specific interventions in each location following public consultation.
- 3.14 Through-traffic restriction pilots – following the current consultation, and reviewing the feedback from communities, a more detailed design will be drawn up. Subject to decision, the restriction will be temporarily installed from Autumn 2022 under an Experimental Traffic Regulation Order (ETRO). This trial will run for 12 months. During this time, residents and the wider public can experience the changes and see how it affects traffic movements. The council will ask for views on the restriction during a 12-month formal consultation. Residents and the public will be informed of the details before a trial starts, including the final design, installation date and how the public can formally have their say. All comments will be considered before deciding whether to permanently adopt any restriction.
- 3.15 Other areas – following the current exhibitions a decision will be taken with communities and ward councillors on which interventions should be prioritised and then they will be timetabled for implementation. Any schemes which affect traffic flow or the street scape will require more detailed design that will then be subject to a further public consultation before a decision is taken to implement.
- 3.16 As the decision for each area will likely come at a different time, depending on the pace and scope of the co-design process, this report requests that the formal decision to proceed with any particular intervention is delegated to the Lead Member for Climate and Sustainable Travel to enable a flexible approach to delivery. The Lead Member will take her decision in consultation with ward councillors and Cabinet members, as well as the Directors of Sustainable Communities and Place Management.

4 STATUTORY CONSIDERATIONS

- 4.1 Depending on the final scheme design in each area, interventions that change the street and traffic flow may be implemented via an ETRO or a Traffic Regulation Order (TRO).
- 4.2 ETROs can be implemented seven days after a notice is published. The process allows consultation to be undertaken during the trial of the scheme, allowing further feedback and objections to be collected whilst the measures are in place. The decision to remove the ETRO or make the changes permanent should be made within 18-months of initial implementation. If the ETRO is to be made permanent, a TRO notice will need to be made.
- 4.3 Alternatively, a TRO may be used to implement changes. The statutory consultation for a TRO includes a minimum of 21 days for objections prior to it being made, but once implemented the changes are then permanent.

4.4 It is anticipated that Liveable Neighbourhoods interventions will be made by ETRO so that further consultation and assessment of their impact can be made before deciding whether they are made permanent.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The funding to implement the Liveable Neighbourhoods programme and associated Residents Parking Zone improvements is made up of two parts:

- (1) £6m allocation secured through the City Region Sustainable Transport Settlement, of which WECA Grant is £5m and £1m is match funding from B&NES
- (2) The £1m match funding will come from £2.2m supported borrowing allocation in the Council's Capital Programme in February 2022 budget setting, along with other funding being identified including Community Infrastructure Levy. £1.345m has been approved to date, with £800k spent or committed to date for the initial project establishment and pilot schemes.

5.2 The funding allocated is sufficient to complete the design of all 15 Phase 1 Liveable Neighbourhoods and a large part of delivery (depending on the interventions chosen in each area).

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

6.2 The key risks are identified in the table below:

Risk	Mitigation
Cost of the delivery of the scheme exceeds the available budget for the initial programme	Total budget is held by the Director of Sustainable Communities and subject to West of England Combined Authority financial assurance to achieve value for money. Where proposed schemes exceed the available funding, the council will redesign the intervention or use other funding streams efficiently to deliver the same overall outcome for the community. If necessary, decisions may need to be taken to prioritise interventions to meet available budget.
Liveable neighbourhood interventions displace traffic and have a knock on negative impact on other parts of the transport network	All proposed schemes will be subject to pre- and post- implementation traffic monitoring to evaluate impact on the network. Where possible, temporary interventions will be put in place first to establish impact before any decision is taken to make schemes permanent.
Engagement / Co Design / Consultation process does not capture the views of the whole community, specifically the risk that the most vulnerable are excluded	See sections 3 and 7 for details of the efforts being taken to engage widely with affected communities.

7 EQUALITIES

- 7.1 Equalities impacts are assessed as part of the individual scheme development process.
- 7.2 A joint equalities impact assessment has been developed for the Liveable Neighbourhoods and Residents Parking Zone programmes. This was published in January 2022 and is under regular review.
- 7.3 Efforts have been made to ensure that the co-design process and exhibitions are accessible to all. For example, exhibition materials have been produced using an accessible palette of colours and with easy to read font, co-design reports have been run through the Microsoft Accessibility Checker prior to issue. We recognise that disabilities come in many forms and that not all disabilities are visible. Members of the project team are available at the exhibitions and co-design events to answer questions as well as guide attendees through the exhibition boards and feedback form.
- 7.4 We are mindful that not everyone is comfortable or able to attend mainstream events like co-design workshops or exhibitions. We have worked closely with Sustrans, the members of the Independent Equalities Advisory Group and other organisations to engage with children, young adults, older adults and the seldom heard voices in our communities on a one-to-one basis and gather their feedback on the designs.

8 CLIMATE CHANGE

- 8.1 A Climate Emergency was declared in March 2019 with an [Ecological Emergency](#) declared in July 2019 pledging to achieve Carbon Neutrality in Bath and North East Somerset (B&NES) by 2030. Liveable Neighbourhoods are part of a package of measures to mitigate the climate crisis through the adoption of more sustainable and healthy transport options.

9 OTHER OPTIONS CONSIDERED

- 9.1 The Liveable Neighbourhoods programme is part of a range of transport improvements signed off by Cabinet in the [Journey to Net Zero transport strategy](#) for Bath and North East Somerset. The Low Traffic Neighbourhood strategy sets out how Liveable Neighbourhoods will be co-designed with communities and that means that a range of options are being considered in each area to fit local need, including not making any changes if that is what is decided following public consultation.

10 CONSULTATION

- 10.1 Consultation on this report has been undertaken with the Directors of Sustainable Communities and Place Management in addition to the portfolio holders.
- 10.2 This report has been agreed by the S151 Officer and Monitoring Officer

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Background papers	None
Please contact the report author if you need to access this report in an alternative format	