

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **HOUSING AND MAJOR PROJECTS POLICY DEVELOPMENT AND SCRUTINY PANEL**

Tuesday, 29th May, 2012

**Present:-** Councillors Eleanor Jackson (Chair), Steve Hedges (Vice-Chair), Les Kew, Brian Simmons, Will Sandry, June Player and Ben Stevens (In place of Paul Fox)

**Also in attendance:** John Betty (Strategic Director, Development & Major Projects), Graham Sabourn (Associate Director for Housing), Kaoru Jacques (Planning Officer), Simon Martin (Operations Manager - Project Management), Chris Mordaunt (Housing Services Manager) and David Trigwell (Divisional Director for Planning and Transport)

**Cabinet Member for Economic Development:** Councillor Cherry Beath

#### **1 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **2 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

#### **3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Paul Fox and Councillor Tim Ball, Cabinet Member for Homes & Planning had sent their apologies to the Panel. Councillor Ben Stevens was present as a substitute for Councillor Fox for the duration of the meeting.

#### **4 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972**

There were none.

#### **5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

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

The Chair announced that she was aware that a member of the public, Mr David Redgewell, wished to make a statement to the Panel on the subject of the Bath Bus Station and Railway Land in Radstock. She confirmed that Mr Redgewell would make his statement when item 13 (Housing & Major Projects Update) was reached on the agenda.

## **7 MINUTES - 27TH MARCH 2012**

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chair.

## **8 CABINET MEMBER UPDATE**

Councillor Cherry Beath, Cabinet Member for Economic Development addressed the Panel. She informed them that a report on London Road Regeneration would be received by the Cabinet at their June meeting.

She announced that at the May Cabinet meeting a decision was taken to redevelop an area of the Guildhall to become a Co-Working Hub.

She stated that talks were on-going with Taylor Wimpey regarding the Somerdale site and that a number of consultation workshops had taken place. She added that a planning application for the site was expected to be submitted to the Council in either October or November 2012.

Councillor Les Kew asked if she was able to give the Panel update on the Welton Bibby & Baron site that Councillor Barry Macrae had mentioned at the previous meeting.

Councillor Cherry Beath replied that she was unable to go into precise details, but wished to stress that Midsomer Norton and sites such as this were important to the Council.

The Chair commented that the local Councillors were also concerned about the site and whether it would be used for residential or industrial use.

Councillor Cherry Beath replied that the site was currently a sad loss to the area. She added that she understood that at least one supermarket had shown interest in the site and acknowledged that the site could suit further residential buildings upon it.

Councillor Les Kew requested a substantial update on this site and others within the locality at the next meeting of the Panel.

The Chair agreed with this proposal.

The Associate Director for Housing gave an update to the Panel on behalf of Councillor Tim Ball, Cabinet Member for Homes & Planning. He informed them that Somer Community Housing had formally announced their proposed new structure, governance procedures and change of name to Curo Group.

He added that officers were assessing any possible implications to the Council and would report back to the Panel on this matter in due course.

Councillor Will Sandry commented that the next meeting of the Panel may be too late a date to share those concerns, if any were found.

Councillor Steve Hedges asked if the Council's membership on the Somer Community Housing Trust Board was in jeopardy.

The Associate Director for Housing replied that the new structure proposed the removal of the single B&NES member from the Board.

The Chair of the Panel, Councillor Eleanor Jackson commented that she believed this to be a key matter and suggested it be passed to all Political Group Leaders.

Councillor Les Kew commented that he was surprised that there had been no consultation on this matter.

The Associate Director for Housing replied that Somer had indeed presented some of their proposals at a previous meeting. However, he shared some of the concerns raised and that is why he had asked for the proposals to be put in writing. He added that he had only recently received them.

Councillor Les Kew called for a legal view on the matter to be given as soon as possible.

Councillor Will Sandry suggested that the Corporate Audit Committee be made aware of these proposals so that they can assess if there is any corporate risk to the Council.

The Chair of the Panel proposed the following resolution, which was seconded by Councillor Les Kew and adopted unanimously.

The Housing & Major Projects Panel asks the Corporate Audit Committee to investigate as a matter of urgency the relationship between Somer Community Housing (Curo) and the Council, considering the proposed changes in operation by Somer Community Housing (Curo), especially the proposal to remove the position of a B&NES member from their Board.

The Chair asked if a report on the Government's revival of the 'Right to Buy' could be prepared for the next Panel meeting.

The Associate Director for Housing replied that he could and would do this.

## **9 HOME HEALTH AND SAFETY POLICY 2012**

The Housing Services Manager introduced this item to the Panel. He explained that the policy sets out how Housing Services will provide assistance, including financial assistance, to help low-income, elderly, disabled and other vulnerable residents to undertake essential repairs and adaptations to their homes. He added that under the home improvement loans section there was a proposal to change the eligibility criteria to allow families with dependent children under 16 years of age to apply. A new section of policy is also proposed covering assistance to encourage empty home owners to bring their homes back into use.

Councillor Steve Hedges welcomed the report and commented that he was glad to see the inclusion of the section that addressed children under 16 years of age. He asked how the empty property process was progressing.

The Associate Director for Housing replied that they had exceeded their target for last year and had brought 44 properties back into use.

The Chair commented that she felt that this was an important document. She wished to suggest an amendment to the second bullet point to paragraph 1.7 of Appendix 1. She suggested it should read as follows 'with a limiting long term or terminal illness'.

Councillor Will Sandry asked what the financial implications would be if that amendment were to be made.

The Associate Director for Housing replied that the implications were unlikely to be substantial and that the project had some degree of headroom. He added that this would also be in keeping with the ethos of the policy.

The Chair also suggested an amendment to the wording of paragraph 6.1 of the cover report, under the Equalities section. She proposed that it should read 'Therefore resources are aimed at low income households and, normally aged 60 or over or with a limiting long term illness or disability or have dependent children of 16 years or age or less'.

The Housing Services Manager replied that he would discuss those proposals with the Cabinet Member.

## 10 COMMUNITY INFRASTRUCTURE LEVY (CIL) - IMPACT ON DEVELOPMENT

The Planning Officer gave a presentation to the Panel in relation to this item, a summary is set out below.

### What is CIL?

- ❖ A **levy** on new development to contribute towards the **infrastructure** BANES needs to support the development – a **fixed-rate “tax”** system (£/m<sup>2</sup>)
- ❖ CIL applies to development
  - comprising **100 m<sup>2</sup>** or more
  - resulting in the creation **additional dwellings**
- ❖ Based on **net increase** – existing floorspace maybe deducted from the final liability
- ❖ CIL does **not** apply to **affordable housing** and **charitable development**
- ❖ CIL largely replaces the strategic elements of s106 Planning Obligations

### What should CIL pay for?

Only spend on providing infrastructure to support new development (Reg.123 list) - not to fill a current deficiency

- Infrastructure includes

- ✓ Open space
- ✓ Recreation and sport
- ✓ Roads and transport facilities
- ✓ Education and health facilities and etc...

Local infrastructure (a meaningful proportion to local communities)

### **B&NES CIL Timetable**

Commence / Evidence gathering – July 2011

1<sup>st</sup> Consultation – Public consultation on Preliminary Draft Charging Schedule: 18<sup>th</sup> April – 8<sup>th</sup> June 2012

2<sup>nd</sup> Consultation - Public consultation on Draft Charging Schedule – Autumn 2012

Submission – January 2013

Hearings – May 2013

Adoption – September 2013

### **Evidence base - Setting CIL charges**

1. Demonstrate an infrastructure funding gap
  - ❖ need to fund infrastructure and show existing funding stream: *B&NES Infrastructure Delivery Programme*
2. Based on viability of development
  - ❖ *The Viability Assessment prepared by BNP Paribas*

Charging Authorities must “aim to strike what appears to be an appropriate balance between the impact on economic viability and meeting the infrastructure funding gap”.

### **CIL rates agreed by the Cabinet – Residential development**

Residential Zone A (Bath Centre, Bath North and East, Chew Valley West, Bath North/ West/ South, Chew Valley East, Keynsham and Norton Radstock): £100 m2

Residential Zone B (Bath Rural / Bathavon): £200 m2

e.g. One 3 bed room house: 100 m2 x £100 = £10,000

Councillor Steve Hedges thanked the officer for her presentation but commented that he found it to be quite a complicated process.

The Planning Officer acknowledged that it would take time for people to understand the differences in the process.

The Divisional Director for Planning and Transport added that he felt it was a much simpler process for the developers to understand and should act as a benefit to the Council as it will show with a high degree of certainty what the Council expects.

Councillor Les Kew commented that taxation should really be on the landowner. He asked if a new house was to be built that required no additional infrastructure, would CIL still apply.

The Planning Officer replied that a CIL charge would still apply. She added that the income would be placed into a central Council pot.

Councillor Les Kew stated that the thought of an additional £10,000 on a new home scared him.

The Divisional Director for Planning and Transport replied that this figure was very similar in broad terms to Section 106. He added that he had seen a figure of £15,000 per household on some previous Section 106 agreements and that the real issue is that the costs should be passed down to the landowner.

Councillor Brian Simmons asked with regard to Regulation 123, what % of CIL income will go back into the relevant Council services.

The Planning Officer replied that the Council would make a decision on that in due course.

Councillor June Player asked why the CIL was being introduced.

The Divisional Director for Planning and Transport replied that the Government had assessed this matter for some time as to whether an alternative to Section 106 could be found. He added that the CIL will be the mechanism for providing infrastructure to new developments and although the Council does not have to implement it, he believed they would miss a great opportunity if they did not.

Councillor June Player asked how much CIL would cost to implement.

The Divisional Director for Planning and Transport replied that whilst there had of course been officer time, departmental resources and the use of some consultants as part of the process the outcome with regard to cost v return was very simple. The returns will be far greater. He added that the CIL regulations also permits authorities to use CIL receipts to finance administrative expenses in connection with CIL, this includes the costs of setting up and running a CIL.

Councillor Will Sandry asked if the CIL applied to any Council development.

The Planning Officer replied any development proposed by the Council is still subject to CIL accordingly. Only affordable housing and charitable development are exempt from the levy.

Councillor Will Sandry suggested that a lower figure should be applied to the Charging Schedule with regard to Student Accommodation on campus to encourage further development as the Council were looking to reduce the number of HMO's.

The Planning Officer replied that the currently proposed rates are £60 m2 for on Campus and £100 m2 for off campus as recommended by the consultants BNP Paribas. She added that they had undertaken financial viability testing on various rent levels.

The Chair commented that she had attended a number of events relating to this matter and found the presentation to be very informative.

## **11 EMERGING HOUSING AGENDA**

The Chair announced that this item would now be incorporated within item 12 (Development Agenda – Potential Funding Strategies).

## **12 DEVELOPMENT AGENDA - POTENTIAL FUNDING STRATEGIES**

The Development & Major Projects Director gave a presentation to the Panel in relation to this item, a summary is set out below.

He informed the Panel a report on this matter would be presented to the September meeting of the Cabinet.

### **Our Vision for Bath and North East Somerset**

- Vision – placing people at the forefront of the agenda
- Vision built upon strengths:
  - Beauty and Unmatched Heritage – only city in UK with World Heritage Status
  - World Renowned Brand – internationally recognised
  - Good Regional Access
  - Excellence in Sports – Bath Rugby, Team GB at University of Bath
  - Innovative and Entrepreneurial Spirit
- Flourishing economy
  - Our economy is built upon high value businesses
  - We have strengths in Creative Industries and we are home to many international companies including Future Publishing
  - We have strengths in ICT and Microelectronics businesses – Bath company, Picochip was recently sold for \$60million
  - We have a growing the economy, and by 2026 we expect to have grown it by £1.6billion GVA to £3.3billion GVA
  - We are delivering new jobs – 8,500 by 2026
- One of our priorities is to provide new homes that supports our growing economy

### **Delivery mechanism for Core Strategy**

- The Strategy outlines our requirement for over 11,500 new homes
- We have identified locations that meet our vision:
  - Sites that are sustainable
  - Tackles out-commuting

- Supports local retail
- Protects and contributes to existing communities
- Reuse of brownfield sites
- No urban extension
- 35% affordable units

## Opportunities

- Historically housing has been delivered on a small scale to date
- **We must enable delivery on larger sites**
- Bath Riverside is off the ground:
  - The Council invested £12.4m into the project
  - Working with our partners, we were able to help secure additional funds from:
    - Somer Housing - £10.3m
    - HCA - £8m
  - 48 affordable homes have already been delivered
- A number of large sites have been granted planning permission
  - K2B, Keynsham – 285 dwellings
- There are a number of projects coming forward including
  - Somerdale – 600 homes
  - Alcan, Radstock
- There are a number of major development sites coming forward:
  - MoD sites at Ensleigh, Foxhill and Warminster Road
  - K2A, Keynsham

## Development Agenda – Sites

Bath:

Enterprise Area (Bath Quays Sth / Bath Quays Nth / Manvers Street), Bath Riverside, MoD Ensleigh, MoD Foxhill, MoD Warminster Rd

Keynsham:

Town Hall, Somerdale, K2A & B, Riverside

Somer Valley:

NRR, Alcan, Welton Bibby Baron, Old Mills

## Enterprise Area and Corridor of Wealth

*Within 5 years:*

**113 new businesses**

**3,500 new jobs**

**72,000 m<sup>2</sup> commercial floorspace**

*25 years - £292 million business rates*

## Challenges to address

Strategic flood mitigation



Land remediation  
Transportation infrastructure  
Detailed masterplan

### **MoD sites**

1,200 new homes

### **Timetable**

**Vacate sites - March 2013**

**Market sites - Autumn 2012**

**Sold on the open market - March 2013**

'Concept Statements'

- The **aspirations** for each individual site.
- The **key planning priorities** and requirements for new development.
- The **process** setting out how developers (once the sites have been sold) should engage with local communities.

### **Planning and Financing the Future**

Delivery model brings together all available tools at the Council's disposal

### **Modelling**

**Financial predictions**

**Focus on investment**

### **Working in Partnership**

Understanding the industry

- Demonstrable occupier market
- Predictable timescales
- Certainty of process- Regulation
- Viability
- Exit strategy
  - Occupiers
  - Investors
  - Buyers

The Chair thanked him for the presentation.

Councillor Brian Simmons asked if he had seen the River Corridor report.

The Development & Major Projects Director replied that he had and found it to be aspirational with some good short term opportunities.

Councillor Brian Simmons asked if there was any movement on the Bath Quays South site.

The Development & Major Projects Director replied that there was more interest generally in Bath at the current time than he could recall over the last seven years. He added that the three distinct communities of the Council should look to work together as integration was the key to future success.

## 13 HOUSING & MAJOR PROJECTS UPDATE

The Chair invited Mr David Redgewell to address the Panel.

He wished to first of all thank John Betty for all of his help whilst he had been in the position of the Development & Major Projects Director.

He stated that it was imperative to provide a comprehensive interchange at Bath Spa Station to act as a local hub for rail, regional bus, and taxi services. As part of the development, a canopy for a covered walk-way should be erected between the adjacent bus & rail station.

Such a project can act as an example for further public transport interchanges that we are hoping to see instated at: Bristol Temple Meads, Trowbridge, Bridgwater, Weston-Super-Mare, and Filton Abbey Wood.

He added that railway land in Radstock must be protected from road/housing development. There is much support for the rapid re-instatement of the Radstock-Frome spur for passenger transit, with a meeting planned for 19:30, 14th June, Methodist Church Hall, Radstock, to develop the prospect. The region's MPs have recognised the great potential for regional connectivity in this project that Halcrow's narrow focus on the corridor to Bath & Bristol overlooked.

The road planned to cut across railway land (Victoria Hall - Charlton's Corner) must not be built. To truncate the permanent way in this manner will set-back a re-instated station from the town centre, and also deny the possibility of the former Somerset & Dorset Joint Railway being reconnected from Midsomer Norton in the South West - There is a strong desire in the S&DR Heritage Trust and New S&DJR group, among many transport planners & campaigners, to have the full Bath - Bournemouth route restored.

Planning permission for housing has not been requested, let alone granted, and Paul Crossley said publicly, "There will be no road without houses, and vice versa."

A representative of the local taxi drivers was present and asked to give a brief statement to the Panel.

He stated that the traffic lights directly outside the train station do not allow the public to easily see or access them.

The Chair offered to contact the relevant officer(s) and asked him to write an email to her with all the points he wished to raise.

The Development & Major Projects Director introduced this item to the Panel. He wished to highlight the following points from within the report.

### **Housing Delivery**

- Specific priorities are emerging in respect of the needs of older people, including extra-care sheltered, and addressing the accommodation needs of the gypsy and traveller communities.

- The Core Strategy identifies a requirement for 11,500 homes between 2006-2026. About 3,000 of these can be secured as affordable housing. The vast majority of development (about 90%) will take place on brownfield sites. To date 2600 units have been delivered (an average of c430 per annum) with a further 8900 (an average of 635 per annum) required by 2026 to achieve our targets. This requires a 47% increase in annual delivery rates to achieve our targets.

## **Homes & Communities Agency Investment Framework 2011-15**

Getting the housing market moving includes several initiatives, including:

- £210m FirstBuy scheme – announced in March 2011 budget to help 10,000 first-time buyers
- Bringing forward publicly held land to provide up to 100,000 new homes
- New Build Indemnity Scheme helping 100,000 homebuyers with up to 95% mortgages
- £420m Get Britain Building Fund to bring forward or restart stalled housing development sites, requiring delivery from June 2012 and completion of eligible dwellings by December 2014.

The Associate Director for Housing introduced the section on Housing Services. He explained that the Service had 27 performance indicators in 2011/12 and that the end of year performance, with a few exceptions, had been good. The missed targets, with the exception of indicator 13, are process targets. These were missed for a number of reasons including staff shortages (P10); unusual demand (P9); lack of demand (P13). The service is currently identifying the reasons for missing P5 & P16. In addition an action plan is being developed to ensure these targets are fully met during 2012/13.

The Chair asked how likely it was that the Council would face increased demand on their levels of homelessness in the near future.

The Associate Director for Housing replied that it was very likely.

The Chair asked if any update could be given on the Norton Radstock Economic Forum as it appeared to have been quiet for some time.

The Development & Major Projects Director replied that he was aware that some work had been on-going and would be happy to update either via email or at a later meeting of the Panel.

### **London Road**

- A decision on the preferred bidder for 3 & 4 Longacre has been made. Property services have notified the successful and unsuccessful bidders and are expected to instruct solicitors within the next few weeks.
- The future of Caroline House is still being discussed between PfP and the Council and an update will follow in due course London Road budget to

deliver physical regeneration £750k for 2012/13 has been provisionally approved by Council, subject to a detailed project plan being developed and taken through the standard capital approvals process (PID Group / Capital Strategy Group / Cabinet). A paper to agree the budget will be taken to the 13th June 2012 Cabinet meeting.

- A new community group 'The Gateway Group' has been formed to make recommendations to the Sponsoring Cabinet Member of projects to be tested and assessed against agreed criterion. If and when approved, projects will be delivered by a delivery team headed by Development & Major Projects.

The Operations Manager introduced the section on Major Projects and Development. He said that the station works at Southgate were progressing well and were likely to be open to the public in the autumn of 2012. He added that taxis do and will continue to get priority at the lights outside of the station.

He informed the Panel that the temporary crossing for Victoria Bridge was now open.

Councillor Will Sandry wished to thank the officers concerned on behalf of the community for their efforts in hastening the opening alongside those associated with Crest.

#### **14 PANEL WORKPLAN**

The Chair introduced this item to the Panel.

The Associate Director for Housing suggested the deferral of one of the Housing reports until the September meeting of the Panel.

After a brief discussion the Panel agreed that the Housing Adaptations report would be deferred until September.

Councillor Will Sandry requested that following the consultation exercise on Article 4 / HMO Licensing the Panel receives a report on the matter prior to it being debated at a Cabinet meeting.

The Panel agreed with this proposal.

The meeting ended at 8.15 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**