

Bath & North East Somerset Council		
DECISION MAKER:	Cllr Bob Goodman, Cabinet Member for Development and Neighbourhoods	
DECISION DATE:	On or after 31 March 2018	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3047
TITLE:	Bath neighbourhood portion of the Community Infrastructure Levy (CIL): recommendations from Bath City Forum	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appx 1 Recommended project applications for neighbourhood portion of CIL for Bath</p> <p>Appx 2 Neighbourhood portion of CIL for Bath Working Group Minutes 08.01.18</p> <p>Appx 3 Neighbourhood portion of CIL for Bath Working Group Minutes 23.11.17</p> <p>Minutes of Bath City Forum 17.01.18</p> <p>Minutes of Bath City Forum 27.11.17</p>		

1 THE ISSUE

- 1.1 This report sets out recommendations from the Bath City Forum relating to an initial allocation of funding to four projects from Bath's "neighbourhood portion" of the Community Infrastructure Levy.

2 RECOMMENDATION

The Cabinet Member for Development and Neighbourhoods is asked:

- 2.1 To agree a £70,000 allocation from the Bath CIL neighbourhood portion for application BA-008, a contribution to the road junction situated at Marlborough Buildings and Julian Road.
- 2.2 To agree a £7,500 allocation from the Bath CIL neighbourhood portion for application BA-026, a contribution to the Bath Festival of Nature 2018.
- 2.3 To agree a £25,000 allocation from the Bath CIL neighbourhood allocation for application BA-025, a contribution for restoration works at the Free Fields Site in Foxhill.

- 2.4 To agree a £3,500 allocation from the Bath CIL neighbourhood portion for application BA-027, a contribution to the Bathscape Walking Festival 2018.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The funding allocations for the recommended projects are to be drawn down from existing CIL contributions set aside for neighbourhood projects.
- 3.2 Bath CIL neighbourhood receipts for 2017/2018 will be in excess of £288k with a further £750K in receipts anticipated for 2018/2019
- 3.3 All project allocations are one-off payments.
- 3.4 There are no further revenue costs from the neighbourhood CIL funds to any of the four recommended projects.
- 3.5 There are no other financial implications for the Council.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 Regulation 59C of the 2010 Regulations as amended provides that local councils (those who spend the neighbourhood portion of the CIL) can spend these funds “supporting the development of the local council’s area, or any part of that area, by funding (a) the provision, improvement, replacement, operation or maintenance of infrastructure or (b) anything else that is concerned with addressing the demands that development places on an area”.
- 4.2 Guidance requires that in the absence of any parish or town Council for Bath, Bath and North East Somerset Council hold the neighbourhood portion of CIL funding for Bath pending allocation. In allocating funding, the Council should engage with communities where development has taken place and agree with them how best to allocate the funding.
- 4.3 In establishing the Bath City Forum, Council included in its terms of reference (July 2015); The Bath City Forum shall be an advisory and consultative body and shall not have delegated funding or decision-making powers. It may assist and advise the Council on issues specific to the City such as how best to spend that portion of Community Infrastructure Levy receipts which are used to address local priorities. Cabinet agreed the revised B&NES CIL Spend Protocol at its meeting on 8th November 2017.
- 4.4 The Forum, having established a working group, process and criteria to formulate recommendations for allocation of the neighbourhood portion for Bath, is now recommending to Cabinet a first set of proposals to be supported from this fund.

5 THE REPORT

5.1 The “neighbourhood portion” of the Community Infrastructure Levy comprises 15% of the total CIL amount. In the absence of a town or parish council, it is for Bath & North East Somerset to hold such funding but it must be allocated through engagement with the communities where development has taken place. In the year 2017-2018 £288K must be for “supporting the development of the local council’s area, or any part of that area, by funding (a) the provision, improvement, replacement, operation or maintenance of infrastructure or (b) anything else that is concerned with addressing the demands that development places on an area”. It should be noted that (b) above provides a lower threshold than for the main strategic section of the CIL, which must be spent on the infrastructure set out in the Council’s Regulation 123 list.

5.2 The Bath City Forum was established by Council at its meeting of . It comprises 12 elected Bath & North East Somerset councillors, representing Bath City wards and not serving in the Council’s Cabinet, One member of the Cabinet to ensure effective linkages between the Forum and 13 co-opted members who are not Bath & North East Somerset elected councillors but drawn from residents, business, heritage and other groups within the City. Included in the Forum’s terms of reference agreed by Council are; The Bath City Forum shall be an advisory and consultative body and shall not have delegated funding or decision-making powers. It may assist and advise the Council on issues specific to the City such as how best to spend that portion of Community Infrastructure Levy receipts which are used to address local priorities. Cabinet agreed the revised B&NES CIL Spend Protocol at its meeting on 8th November 2017.

5.3 Following work undertaken by a special CIL “task and finish group”, and a dedicated workshop on this issue, to which all Bath ward members were invited, the Forum has established a clear and transparent process for preparing recommendations to Cabinet on the neighbourhood portion of CIL for Bath. This comprises:

- Dedicated web pages which provide an update on the CIL neighbourhood portion in Bath and a rolling open invitation to submit projects which meet the criteria.
- An application form requesting details of local engagement on the proposed project and information as to how it meets the demands of development.
- Dissemination through a wide range of methods including through social media, ward members and our Funding Bulletin.
- The establishment of a working group, drawn from the Forum’s membership and involving relevant ward members as appropriate, to consider applications arising from this process.

5.4 The projects recommended in this report were considered at working group meetings which took place on 23 November 2017 and 08 January 2018. Recommendations subsequently agreed at full meetings of the Forum on 27 November 2017 and 17 January 2018 respectively. The minutes of the sub-groups are included as appx 2 and 3. The recommended projects arising from this process are summarised below:

- (1) **Marlborough Buildings and Julian Road Junction** This scheme will see benefits for both local residents and those across the city who use this junction. The working group agreed to allocate £70,000 to this project which has wide community support and clearly improves the local transport infrastructure.
- (2) **Bath Festival of Nature 2018** New student dwellings and the remodelling of the river within the enterprise area have impacted on the local community and have added pressure on existing local green spaces. The working group agreed to allocate £7,500 as a contribution to this project, which will promote community cohesion and involve residents in voluntary activities and future development plans. The scheme will also see the creation of new permanent gateway signage in the area.
- (3) **Free Fields Site in Foxhill** Local growth will generate demand for recreational facilities and increase the impact on existing green space. This allocation of £25,000 is for the protection and restoration of the designated biodiverse green space at Free Fields This project will enhance the space, a designated Site of Natural Conservation Interest which is under pressure from increasing footfall.
- (4) **Bathscape Walking Festival 2018** Development across the City has placed pressure on existing green spaces and heritage assets. The panel agreed to allocate £3500 as contribution to the 2018 Bathscape Walking Festival. The project aims to make better use of the City's existing infrastructure through guided and self-guided walking routes. The festival will inform and engage with new and existing residents, promoting physical activity to enhance health and wellbeing.

6 RATIONALE

- 6.1 The process set out in this report ensured full consideration of the criteria contained in Regulation 59C of the 2010 Regulations as amended and it is therefore considered appropriate that these recommendations be made.

7 OTHER OPTIONS CONSIDERED

- 7.1 Consideration was given to this report being presented to full Cabinet but it is considered appropriate that this be single member decision.

8 CONSULTATION

- 8.1 Each of the four applications which are contained within this recommendation submitted for agreement has completed a project expression of interest and application for funding form. All projects identify the local consultation and engagement that has taken place and this was further tested through the process set out in this report.

8.2 Following consideration of the findings from the Working Group for Neighbourhood portion of CIL for Bath, Bath City Forum consisting of 12 elected Bath & North East Somerset councillors, and 13 co-opted members agreed the recommendations.

8.3 The Bath & North East Somerset Council Section 151 Officer and Monitoring Officer were both consulted in the preparation of this report.

9 RISK MANAGEMENT

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

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Background papers	<i>08.11.17 Cabinet Decision 142 - B&NES Community Infrastructure Levy (CIL) spending arrangements 2018/19</i>
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