

| <b>Bath &amp; North East Somerset Council</b>   |  |  |
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| <b>DECISION MAKER:</b>  | <b>Cllr Bob Goodman, Cabinet Member for Development and Neighbourhoods</b>                 |  |
| <b>DECISION DATE:</b>   | <b>On or after 03 September 2018</b>   | <b>EXECUTIVE FORWARD PLAN REFERENCE:</b> |
|   |  | E 3094                                   |
| <b>TITLE:</b>   | <b>Neighbourhood CIL for Bath - Approval of the third round of project recommendations</b> |  |
| <b>WARD:</b>  | All  |  |
| <b>AN OPEN PUBLIC ITEM</b>  |  |  |
| <p><b>List of attachments to this report:</b></p> <p><b>Appx 1: CIL for Bath Round Three – Five Projects</b></p> <p><b>Appx 2: Bath CIL Working Group Minutes 09 July 2018</b></p> <p><b>Appx 3: Bath City Forum Minutes 17 July 2018</b></p> |  |  |

## **1 THE ISSUE**

- 1.1 This report sets out the recommendations from the Bath City Forum relating to the third allocation of funding to five 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 £14,400 allocation from the Bath CIL neighbourhood portion for application BA-036, a contribution towards parking improvements located at Site C, Freeview Road, Twerton Bath.
- 2.2 To agree a £19,600 allocation from the Bath CIL neighbourhood portion for application BA-036, a contribution towards parking improvements located at Site E, Freeview Road, Twerton Bath.
- 2.3 To agree a £6,000 allocation from the Bath CIL neighbourhood allocation for application BA-038, for new signage along the Two Tunnel Cycle Route in Bath.

- 2.4 To agree a £1,455 allocation from the Bath CIL neighbourhood portion for application BA-042, for the purchase and ten years maintenance for a new bench in Brickfields Park, Bath.
- 2.5 To agree a total £31,660 allocation from the Bath CIL neighbourhood portion for application BA-041, a contribution of £18,418 towards the improvement of Combe Down Rugby Club Changing Facilities and £13,242 towards the improvements to the pathway which will link the Local School to the Rugby Club.

### **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 up to 31 July 2018 are £831k. Presently the total amount of receipts which are available for drawdown for Bath projects is £684K.
- 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 five 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 8<sup>th</sup> 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 generated from development within the city. 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 2018-2019 £424K 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 16<sup>th</sup> July 2015. 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. A total of twenty-six individuals. 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 8<sup>th</sup> 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 application process 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 the Council’s 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.
- All projects are required to complete a funding agreement which will monitor achievements as set out in the original application form. A designated monitoring officer has been identified to oversee this process.

5.4 The projects recommended in this report were considered at working group meetings which took place on 9<sup>th</sup> July 2018. Recommendations subsequently agreed at the full meeting of the Forum on the 17<sup>th</sup> of July 2018. The minutes of the sub-groups are included as appx 2. The recommended projects arising from this process are summarised below:

**(1) Freeview Road Parking Site E.**

The infrastructure improvements will be delivered by this project will bring better parking provision in Freeview Road. There has been a great deal of public support from local residents for this work, the developments that have taken place locally have brought pressure on parking space in the Twerton ward.

£19,600 will provide off road parking by the use of grass Crete which allows for parking on a hard surface and help prevent the grassed area being constantly churned up.

**(2) Freeview Road Parking Site C.**

The infrastructure improvements will be delivered by this project will bring better parking provision in Freeview Road. There has been a great deal of public support from local residents for this work, the developments that have taken place locally have brought pressure on parking space in the Twerton ward.

£14,400 will provide off road parking by the use of grass Crete which allows for parking on a hard surface and help prevent the grassed area being constantly churned up.

**(3) Two Tunnels Signage.**

The two tunnels signage project application fully identified the requirements for providing better directions for cyclists on a number of routes across Bath.

This project showed strong community support, the request for £6,000 was to be supported as this will help get residents out of their cars and more active which is of great benefit to communities.

**(4) Brickfields Park Bench.**

The request for £1,455 to provide a bench in the Brickfields Park was agreed by the panel. The application costings showed the cost include ten years maintenance.

The green space is used by increased numbers of residents for exercising, dog walking and children's play.

**(5) Combe Down Rugby Club Improvements.**

The infrastructure provided by having a two way flow between the new school and the playing field clubhouse is seen as an idea that should be supported. This project linked up the facilities and would create safe access to integrated facilities that would allow the community to integrate. £15,348 plus VAT was quoted as the cost for this part of the project.

The request for funding for improvements to the changing rooms, trench and pipe installation and a new boiler were supported. The community need this infrastructure to be in place to maximise the use of the space for a range of activities. £11,035 plus VAT was quoted as the cost for this part of the project.

## 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 a single member decision.

## 8 CONSULTATION

- 8.1 Each of the five 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 the 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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| <b>Background papers</b>   | 08.11.17 Cabinet Decision 142 - B&NES Community Infrastructure Levy (CIL) spending arrangements 2018/19 |
| <b>Please contact the report author if you need to access this report in an alternative format</b> |   |