

<b>Bath &amp; North East Somerset Council</b>		
DECISION MAKER:	<b>Cllr Dine Romero, Council Leader</b>	
DECISION DATE:	<b>On or after 22<sup>nd</sup> February 2020</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		E3195
TITLE:	<b>Neighbourhood CIL for Bath - Approval of the seventh round of project recommendations</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<p><b>List of attachments to this report:</b></p> <p><b>Appx 1 Application Cycle Workshop Support Julian House</b></p> <p><b>Appx 2 Application Domestic Abuse Support Julian House</b></p> <p><b>Appx 3 Bath CIL Working Group Minutes</b></p>		

## **1 THE ISSUE**

- 1.1 This report sets out the recommendations from the CIL for Bath Panel relating to the seventh allocation of funding to two projects from Bath's "neighbourhood portion" of the Community Infrastructure Levy.

## **2 RECOMMENDATION**

The Council Leader is asked to agree that following two allocations from Bath CIL.

2.1 £27,941 - Project Gear Change – Julian House for application BA-076

2.2 £5,000 – Therapy Shed – Julian House for application BA-

## **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

3.1 The funding allocations of £32,941 for the two recommended projects are to be drawn down from the existing Bath CIL contributions set aside for neighbourhood projects.

3.2 Bath CIL neighbourhood receipts available for allocation in November 2019 equal £558K

- 3.3 Both projects are one-off payments allocations.
- 3.4 There are no further revenue costs from the neighbourhood CIL funds for both projects.
- 3.5 There are no other financial implications for the Council.
- 3.6 An agreed process has been set up for financial payments for Bath CIL external capital projects.

#### **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 second 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. **£558K** remains available as at November 2019 for allocation and must be used 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. Included in the Forum's terms of reference as agreed by Council is reference to The Bath City Forum shall be an advisory and consultative body which does 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 28<sup>th</sup> October 2019. The minutes of the sub-groups are included as appx 3. The recommended projects arising from this process are summarised below:

- (1) To agree a £27,941 allocation from the Bath CIL neighbourhood portion for as a contribution which will enable the delivery. Additionally this project will deliver 2,600 volunteer hours.
- (2) This application is supporting of Project Gear Change will help residents across the City with the additional capacity in the provision of affordable bikes and bike maintenance. Improvement to the workshop frontage will deliver physical infrastructure improvements in an area of development.
- (3) To agree a £5,000 allocation from the Bath CIL neighbourhood portion for

## **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 CLIMATE CHANGE

Through the support of Project Gear Change we will be helping residents across the City to access additional capacity in the provision of affordable bikes and bike maintenance.

## 8 OTHER OPTIONS CONSIDERED

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

8.2 The CIL for Bath Panel has given consideration to a number of funding applications that requested support from the Bath CIL neighbourhood portion. The unsuccessful applications have been contacted and provided with the reasons why they were not successful; detail is included within appx 3.

## 9 CONSULTATION

9.1 Each of the 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.

9.2 The projects recommended in this report were considered by the CIL for Bath Panel and is seeking Council approval.

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

9.4 This report has undergone a public sector equalities impact assessment. No negative impacts were identified.

## 10 RISK MANAGEMENT

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

10.2 The recommendations have been made having regard to regulation 59C of the CIL regulations and associated government guidance.

10.3 Officers have received legal advice regarding each of the projects included in this report.

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<b>Background</b>	<i>08.11.17 Cabinet Decision 142 - B&amp;NES Community</i>

**papers**

*Infrastructure Levy (CIL) spending arrangements 2018/19*

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