

Bath & North East Somerset Council		
DECISION MAKER:	Cllr Dine Romero, Council Leader	
DECISION DATE:	On or after 9th April 2020	EXECUTIVE FORWARD PLAN REFERENCE:
		E3205
TITLE:	Neighbourhood CIL for Bath - Approval of the eighth round of project recommendations	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appx 1 Application - Ensleigh Pedestrian Crossing</p> <p>Appx 2 Application - Access to Glasshouse Pavilion / Sports Field</p> <p>Appx 3 Application - Rotunda Wellbeing Space at Newbridge School</p> <p>Appx 4 Application - Student Community Wardens</p> <p>Appx 5 Application - Youth Service Provision</p> <p>Appx 6 Neighbourhood CIL for Bath Panel Minutes</p> <p>Appx 7 Neighbourhood CIL for Bath Panel Minutes</p>		

1 THE ISSUE

- 1.1 This report sets out the recommendations from the CIL for Bath Panel relating to the eighth 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: -

- 2.1 An allocation of £125,000 towards the installation of a new pedestrian crossing at Ensleigh BA-086 (Capital Internal). This project will provide improved road safety to a new residential development.
- 2.2 An allocation of £123,215.58 towards the cost of access improvements for the new pavilion and sports facilities at Glasshouse BA-070 (Capital External). This

project will provide improved road infrastructure to support the new sports facilities being provided,

- 2.3 An allocation of £80,000 towards the build costs for a new Rotunda that will offer both, Wellbeing and Community Space at Newbridge School BA-091 (Capital External). This project will address the shortage of communities' facilities and provide new health and wellbeing services to be delivered.
- 2.4 An allocation of £105,000 to fund two Student Community Wardens in Bath over the three-year period (September 2020 – September 2023) BA-088 (Revenue External). This project will support the communities which have seen high level of student accommodation delivered to the local area.
- 2.5 An allocation of £89,638 to fund Youth Service to serve the areas of Southdown and Whiteway in Bath over the three-year period (April 2020 – April 2023) BA-090 (Revenue External). This project will support the wider needs for increased and better youth provision across the City.
- 2.6 Amend the provisional Capital Programme for Bath Area Forum to £829k to reflect balance of funding available prior to these allocations. These allocations, if approved, will reduce it to £306k.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The funding allocations of **£522,853.58** for the five recommended projects are to be drawn down from the existing Bath CIL contributions set aside for neighbourhood projects.
- 3.2 Bath CIL neighbourhood balance of receipts in March 2020 equals **£829,108**
- 3.3 Three projects are one-off payments allocations.
 - (i) installation of a new pedestrian crossing at Ensleigh BA-086
 - (ii) the cost of access improvements for the new pavilion and sports facilities at Glasshouse BA-070.
 - (iii) build costs for a new Rotunda that will offer both, Wellbeing and Community Space at Newbridge School BA-091.
- 3.4 Two projects commit funds which will be released over three annual payments.
 - (i) Funding for two Student Community Wardens in Bath
 - (ii) Funding for Youth Service to serve the areas of Southdown and Whiteway in Bath
- 3.5 There are no further revenue costs from the neighbourhood CIL funds for both projects funding over three revenue annual payments.
- 3.6 There are no other financial implications for the Council.
- 3.7 An agreed process has been set up for financial payments for Bath CIL external capital projects.

- 3.8 As these applications were assessed before the Covid-19 incident officers will check with the relevant recipients that they are still able to deliver the outcomes of the agreed projects

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 Regulation 59F of the 2010 CIL Regulations provides that charging authorities who spend the neighbourhood portion of CIL can spend these funds:

“to support the development of the relevant 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.

“relevant area” means that part of the charging authority’s area that is not with the area of a Parish council.

- 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 seek their views on 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 seventh set of proposals to be supported from this fund.

5 THE REPORT

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. **£829K** remains available as at March 2020 and must be used to support the development of the relevant area, namely Bath, by funding the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area.

- 5.1 The Bath City Forum was established by Council at its meeting of 16th 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. The Forum's terms of reference, as agreed by Council, state that 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 8th November 2017.

5.2 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.

5.3 The projects recommended in this report were considered at the working group meetings which took place on 13th January 2020 and 2nd March 2020. The minutes of the sub-groups are included as appx 6 and 7. The recommended projects arising from this process are summarised below:

- (1) £125,000 towards the installation of a new pedestrian crossing at Ensleigh BA-086.
- (2) £123,215.58 towards the cost of access improvements for the new pavilion and sports facilities at Glasshouse BA-070
- (3) £80,000 towards the build costs for a new Rotunda that will offer both, Wellbeing and Community Space at Newbridge School BA-091
- (4) £105,000 to fund two Student Community Wardens in Bath over the three-year period (September 2020 – September 2023) BA-088
- (5) £89,638 to fund Youth Service to serve the areas of Southdown and Whiteway in Bath over the three-year period (April 2020 – April 2023) BA-090.

6 RATIONALE

- 6.1 In the absence of a Parish Council for Bath, the Council has a statutory responsibility to allocate the local portion of CIL.

7 CLIMATE CHANGE

The support being given to the new building of the Rotunda at Newbridge School will ask that the requirements for the use of sustainable materials be followed.

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 6 and 7.

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.

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