

Bath & North East Somerset Council		
DECISION MAKERS:	Cllr Dine Romero, Leader of the Council in consultation with Cllr Tim Ball, Cabinet Member for Planning Housing and Economic Development and Cllr Richard Samuel, Cabinet Member for Resources	
MEETING/ DECISION DATE:	On or after 1 st March 2021	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3271
TITLE:	RULE 15 Keynsham Land Acquisition	
WARD:	All	
AN OPEN ITEM CONTAINING EXEMPT APPENDICES		
<p>List of attachments to this report:</p> <p>Please list all the appendices here, clearly indicating any which are exempt and the reasons for exemption;</p> <p>Exempt Appendix 1 – B&NES bid to WECA Land Acquisition Fund</p> <p>Exempt Appendix 2 – Draft Grant Offer Letter</p> <p>Exempt Appendix 3 –Commercial Report</p> <p>Exempt Appendix 4 – Land plan showing area to be acquired.</p> <p>All Appendices are exempt pursuant to Paragraph 3 of Schedule 12A Local Government Act 1972 (as amended) - information relating to the financial or business affairs of any particular person (including the authority holding that information)</p>		

1 THE ISSUE

- 1.1 An opportunity has arisen to acquire approx. 70 acres of land in Keynsham that would facilitate the early delivery of adopted transport policy, as set out in the Joint Local Transport Plan 4, that is required to address existing congestion issues and likely to be required before new homes could come forward. The site is currently in the greenbelt and not allocated, but in the future could form part of a wider area, that through comprehensive development could deliver 1500+ homes. The enabling infrastructure would help to alleviate existing traffic congestion in Keynsham, enable delivery of wider public transport improvements as well as unlock access to the site and support the new development. The Council is seeking grant from WECA's Land Acquisition Fund (LAF) to acquire the land.

2 RECOMMENDATION

The Leader in consultation with the Cabinet Member for Planning Housing and Economic Development and the Cabinet Member for Resources, is asked to;

- 2.1 Delegate the approval to the Director of Partnership and Corporate Services in consultation with the S151 Finance officer to;
 - I. Enter the Land Acquisition Fund grant agreement with WECA to acquire the land.
 - II. Thereafter, add to the 2020/21 Capital Programme as a new approved item for Keynsham Land Acquisition to the value of grant agreed.
 - III. Enter the Contract for Sale with the vendor.

3 THE REPORT

- 3.1 The site is currently agricultural land but has been identified by the Local Planning Authority as a sustainable location within B&NES for significant housing to be brought forward. The Council already has a land interest within the potential development area and has been in discussion with adjacent landowners as to how comprehensive development could come forward. Refer to exempt Appendix 4 that shows the land to be acquired and the Councils existing land ownership.
- 3.2 The land being acquired could deliver approx. 300+ homes as well as support the provision of strategic infrastructure, as defined in the Joint Local Transport (JLTP4) including the A4 to Avon Mill Lane Multi Modal Corridor, upgrades to Keynsham Railway station and the provision of new cycle routes.
- 3.3 The primary reason for public intervention is to facilitate early delivery of adopted transport policy. Secondary objectives include the potential for accelerated housing delivery, diversification of the housing mix including policy compliant or above affordable housing provision, good design, the creation of low/zero carbon communities, enhanced green infrastructure as well as generate recycled funding through land value uplift to deliver on policy and corporate priorities.
- 3.4 Acquiring the land will allow B&NES to be proactive in working with the other landowners to promote the site, unlock the land and ensure that the other landowners work in collaboration to deliver comprehensive redevelopment. If the public sector does not intervene and allow the market to deliver, the development is likely to come forward piecemeal, with potentially lower levels of affordable housing and take considerably longer to deliver.
- 3.5 It is intended to dispose of all or part of the land once planning permission is achieved and an infrastructure delivery strategy is in place. On receipt of the payment for the Land, the funding will be repaid.
- 3.6 The project will deliver against the Councils primary purpose which is “to improve people’s lives”, as well as one of the Councils two core policies, which is “Tackling the climate and nature emergency.”
- 3.7 This will be achieved through enabling the delivery of adopted JLTP4 sustainable transport infrastructure to relieve existing transport issues and enable lower carbon travel, which will help to meet the Councils stated Climate and Nature Emergencies.

- 3.8 The land will be leased back to the landowner to continue farming operations which will de-risk the liability and management costs of owning the land asset.
- 3.9 The land is within the green belt and the route to allocation is not certain at this point in time, this could be via the Local Plan Partial Update, via a WECA Spatial Development Strategy followed by a New Local Plan or not allocated.
- 3.10 Governance arrangements for managing any conflict of interest are in place. This will ensure that the roles of B&NES commercial corporate action is separate from statutory functions.
- 3.11 This item is considered under Urgency Rule 15 (Constitution 4B Access to Information Rules) to enable the Land Sale to complete within the timescales agreed within the Heads of Terms. To not proceed under urgency powers will risk the Council being able to comply with this condition.

4 STATUTORY CONSIDERATIONS

- 4.1 Legal advice has been provided that confirms the project has been structured to comply with the subsidy control rules. This replaces the former state aid advice, which has been superseded as part of the UK leaving the European Union.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 WECA has allocated a portion of the Land Acquisition Fund to B&NES to support the delivery of homes within the West of England to bring forward business cases for the acquisition of land to secure housing delivery, as approved by WECA Committee in November 2018. The Council have submitted a full business case to WECA to fund this purchase, this is included in exempt Appendix 1. The process is delegated to WECA Chief Executives, as approved by WECA Committee in June 2019. The funding application was approved at WECA Chief Executive's meeting on the 18 February 2021.
- 5.2 LAF will fund the land purchase together with all costs associated with the purchase.
- 5.3 The Council will be liable to WECA to repay grant on the terms set out within the Grant Offer letter (exempt Appendix 2).
- 5.4 A Commercial Report is included at exempt Appendix 3, that confirms the price to be paid for the land provides value for money.
- 5.5 Due to the current economic conditions and the need to limit Council exposure to risk, following high level discussions with WECA, B&NES will acquire the land and WECA and B&NES will jointly share the project costs, risk and reward on a 50/50 basis as informal partners.
- 5.6 The next steps are to develop a delivery strategy and funding has been identified.

6 RISK MANAGEMENT

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

7 CLIMATE CHANGE

- 7.1 Public ownership of land provides the opportunity to deliver outcomes which the private sector would not necessarily contemplate, including low or zero carbon infrastructure and development as well as enhanced public transport, active travel, green infrastructure and biodiversity net gain.

8 OTHER OPTIONS CONSIDERED

- 8.1 The Council has considered the other options available to safeguard the delivery of new homes such as;
- 8.2 Do Nothing – The Council leaves it to the market to bring the land forward once viable to do so. Given the complexity and expense of up front infrastructure, this is likely to continue to stall development for a number of years, or bring forward in a piecemeal manner not in accordance with emerging or adopted policy.

9 CONSULTATION

This report has been prepared in consultation with the Leader of the Council, the Cabinet Member for Planning, Housing and Economic Development; the Cabinet Member for Resources; the Section 151 and Monitoring Officer; and the Director for Partnerships and Corporate Services.

Contact person	Simon Martin, Programme Director Growth and Enterprise
Background papers	Exempt
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