

<b>Bath &amp; North East Somerset Council</b>		
DECISION MAKER:	<b>Cllr Kevin Guy, Council Leader</b>	
DECISION DATE:	<b>Not before 4<sup>th</sup> March 2023</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		E3444
TITLE:	<b>CIL for Bath Advisory Board Recommendations Round Thirteen</b>	
WARD:	Lansdown and Odd Down	
<b>AN OPEN PUBLIC ITEM</b>		
List of attachments to this report: None		

## **1 THE ISSUE**

This report sets out the recommendations from the CIL for Bath Advisory Board relating to the twelfth allocation of funding for projects from Neighbourhood CIL for Bath Community Infrastructure Levy.

## **2 RECOMMENDATION**

The Council Leader is asked to agree the following: -

2.1 The Council Leader is asked to agree the following:-

- (1) An allocation of up to £75,000 to Provide a new Zebra Crossing at Hope House on Lansdown Road in Bath,
- (2) An allocation of £99,304 to support improvements of the infrastructure at Bath BMX Club in the Odd Down Ward.

2.2 Amend the Approved Capital Programme as follows:-

- (1) Increase Transport Improvement Programme - £75,000
- (2) Increase Bath Area Forum CIL Funded Schemes - £99,304

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

- 3.1 The funding allocation of £174,304 for the recommended project grants is to be drawn down from the existing Bath CIL contributions set aside for neighbourhood projects.
- 3.2 The project payment schedules for each application will be set out in individual grant agreements. Payments to these projects will only be made once the finances have been allocated in this decision there are no other financial implications for the Council.

### **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 within 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 The Advisory Board has been established to provide a process and criteria to formulate recommendations for allocation of the neighbourhood portion for Bath.

### **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. It 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.
- 5.2 A clear and transparent process exists for preparing recommendations to the Leader of the Council on the Neighbourhood 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.
- Extensive public consultation which seeks opinions on all submitted applications.
- The establishment of an Advisory Board for Neighbourhood CIL for Bath, drawn from Bath Ward Councillors and supported by Council Community Engagement Officers, to consider applications arising from this process.
- All projects are required to complete a Grant Funding Agreement which will monitor achievements as set out and agreed with the applicant. A designated monitoring officer has been identified to oversee this process.

The project applications in this report were initially considered by the Advisory Board at the meeting which took place on **16<sup>th</sup> January 2023**.

5.3 The recommended projects arising from this process are summarised below:

5.3.1

<b>Allocation Amount:</b>	£99,304
<b>Recipient:</b>	Bath BMX Club
<b>What the CIL funding will be used for:</b>	
<p>The Neighbourhood CIL Funding will be used towards the cost of</p> <p>Upgrading the track; replacing the aging start gate/hill, increasing storage, permanent race pens and sustainable toilet facilities</p> <p>Enhance training with race timing equipment, provide community assets for all to use in the form of bike tools and pump (available 24/7). Additional gazebo shelters, loan equipment for all to access BMXing and portable lighting to increase track use in the winter</p>	
<b>How the proposal funds (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:</b>	
<p>This proposal would provide improvements to existing sport and recreation facilities. The improvements to infrastructure will see this community facility able to serve the area's new and existing residents.</p>	
<b>How the proposal supports development:</b>	
<p>This proposal is to provide improvements to the provision through improving and maintaining sporting and recreational facilities. New development brings with it additional needs and demands for parks, sporting and recreational facilities. This proposal supports development of the area by addressing this increased demand and reduces the need to provide similar facilities elsewhere.</p> <p>Planning Policy have agreed that infrastructure improvements help meet increased recreational demands arising from development within Bath.</p> <p>This proposal will assist with addressing an increased demand for these services arising as a result of development in the area and do so in a way that provides local accessible leisure facilities.</p> <p>By meeting these needs the proposal supports the development of the relevant local area.</p>	

5.3.2

<b>Allocation Amount:</b>	£75,000
<b>Recipient:</b>	Bath and North East Somerset Council Highways
<p>The Neighbourhood CIL Funding will be used for:</p> <p>Provision of a pedestrian crossing on Lansdown Road, in a suitable location near to the Hope House development and Lansdown Grove junction.</p> <p>Neil Terry, Principal Engineer, Traffic Management has confirmed that Gary Peacock, that Highways support the project and will be able to deliver during the 2023/24 financial year. The funding will be adequate to deliver improved pedestrian crossing facilities on Lansdown Road.</p> <p>This scheme has received support from the Council Leader and Deputy Leader.</p>	
<p><b>How the proposal funds (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:</b></p> <ul style="list-style-type: none"> <li>• Enables residents to safely cross the road to access public transport for activities of daily living, providing an alternative to car use.</li> <li>• Reduces the impact of increased traffic associated with the new development by enabling use of public transport and facilitating walking.</li> <li>• Enables other Lansdown residents living nearby to access the schools (Kingswood, Royal High, St. Stephen's, and St. Andrews), shops (Julian Road and Belvedere, Lansdown Road) and other facilities in this location on Lansdown Road.</li> </ul>	
<p><b>Why the proposal supports development:</b></p> <p>This proposal will assist with addressing an increase in the number of residents that need to safely cross the road in this newly developed area.</p> <p>By meeting these needs, the proposal supports development of the relevant local area. Planning Policy have agreed that this infrastructure improvements help meet increased demands arising from development within Bath.</p> <p>The Highways Team recognise the need for a crossing at this location and are supporting the application.</p>	

## **RATIONALE**

5.4 In the absence of a Parish Council for Bath, the Bath and North East Somerset Council has a statutory responsibility to allocate the local portion of CIL.

## **6 CLIMATE CHANGE**

7.1 No Recommendations to 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.

7.2 The Neighbourhood CIL for Bath Advisory Board has considered two funding applications that requested support from the Neighbourhood CIL for Bath.

## **8 CONSULTATION**

8.1 Each recommended application which is contained within this recommendation submitted for agreement has completed a project expression of interest and application for funding form. Each of the project application forms identify what local consultation and engagement that has taken place, and this was further tested through the process set out in this report.

8.2 All applications that were considered for Bath Neighbourhood CIL by the Advisory Board were included in an online consultation that took place on the Council Website between 16<sup>th</sup> January 2022 and 27<sup>th</sup> January 2023.

8.3 The projects recommended in this report were considered by the Neighbourhood CIL for Bath Advisory Board for Bath and is seeking Council approval.

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

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

## **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  Minutes of the Advisory Board Meeting  Public Consultation Response  Project Applications
<b>Please contact the report author if you need to access this report in an alternative format</b>	