

Bath & North East Somerset Council

DECISION MAKER:	Councillor Kevin Guy, Council Leader	
DECISION DATE:	On or after 14 September 2024	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3566
TITLE:	CIL for Bath Advisory Board Recommendations Round Sixteen	
WARD:	All wards in the city of Bath	
AN OPEN PUBLIC ITEM		
List of attachments to this report: <ul style="list-style-type: none">1 Appendix 1 - Minutes of the Advisory Board Meeting2 Appendix 2 - Public Consultation Response3 Appendix 3 - Outline of project recommendations		
Links <ul style="list-style-type: none">1 CIL for Bath Advisory Board Recommendations Round Fifteen (WL) E3580 https://democracy.bathnes.gov.uk/ieDecisionDetails.aspx?ID=1979		

1 THE ISSUE

- 1.1 As there is no parish council for Bath, the neighbourhood portion of the Community Infrastructure Levy (CIL) in the city is managed by Bath & North East Somerset Council.
- 1.2 This report relates to the sixteenth funding round and updates on funding allocated in the fifteenth round, Single Member Decision E3580.

2 RECOMMENDATION

- 2.1 This report sets out the recommendations of the Advisory Board for the sixteenth funding round of Bath Neighbourhood CIL. The Leader is asked to agree the funding allocation of £325,593.82 for the eight projects set out below in section 3.4 and detailed in Appendix 3.
- 2.2 The report also advises that two projects agreed in a previous funding round set out in section 3.4.5 have been unable to meet the grant funding agreement and therefore the funding allocation of £85,000 (the total for the two funding projects) is being withdrawn and will be transferred into the overall allocation for other funding requests.

2.3 Amend the Capital Programme as follows:

- (1) Increase approved Bath Area CIL Grant Programme - £101,556.32
- (2) Increase the Local Active Travel Safety Programme by £95,000
- (3) Increase the Parks 106 & CIL Programme by £78,725
- (4) Amend Provisional programme to become £163,329.19

3 THE REPORT

3.1 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 Council to hold and allocate the funding appropriately.

3.2 The purpose of the funding is to: fund 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.

3.3 There are two rounds of funding in each financial year. Applications are invited by organisations via a dedicated page on the Council's website. Applications are assessed against the eligibility criteria. Members of the public are invited to provide comments on each eligible application as part of a three-week public consultation exercise. An Advisory Board, made up of eight Bath Ward Councillors, meet to put forward recommendations to the Leader of the Council. Details of the process is set out on the Council's webpage:- <https://beta.bathnes.gov.uk/community-infrastructure-levy-neighbourhood-fund-bath>.

3.4 This report relates to the sixteenth round of funding:

- (1) Fourteen applications for funding were received by the deadline of 22nd April 2024. Three applications did not meet the funding criteria and were rejected.
- (2) During May, for a period of three weeks, members of the public were invited to comment on the eleven eligible applications. More details are provided in Appendix 2.
- (3) The Advisory Board met on the 29th July 2024 and considered all the public comments alongside the application forms. They agreed to recommend eight of the eleven applications. The minutes of the Advisory Board meeting are detailed in Appendix 1.
- (4) The recommendations for funding in the sixteenth round are as follows. Full details about each application are detailed in Appendix 3:-
 - **Youth Connect South West** funding request of £50,312.50 to support two open-access youth work sessions in Odd Down and Weston, along with a targeted group at Southside in Twerton.
 - **Bath BMX Club** funding request of £20,000 to enhance The Tumps BMX track located in Odd Down, Bath.

- **Shaftesbury Road Memorial Gardens** funding request of £600 to fund the purchase and installation of a handrail on the steps leading to the formal wreath laying area and memorial plaque in Shaftesbury Road Memorial Gardens.
- **Larkhall United Reformed Church** funding request of £6,556.32 for repairs and enhancements to its youth hub facilities in Larkhall, Bath.
- **Lansdown Ward** funding request of £95,000 for the installation of a new pedestrian crossing.
- **Friends of Henrietta Park** funding request of £20,000 to finance the relining of the ornamental pond located in the Memorial Garden of Henrietta Park.
- **Alice Park** funding request of £75,000 to support the playpark improvements in Lambridge, Bath.
- **Active Weston** funding request of £58,125 to finance the installation of a basketball hoop, benches, a playing surface, and a park notice board at Weston Recreation Ground.

3.5 The Advisory Board also reviewed two projects agreed in round fifteen. These projects were unable to fulfil the grant funding agreement. The Advisory Board have recommended that funding is withdrawn and transferred into the overall funding allocation. The minutes of the meeting are detailed in Appendix 1. The projects are:

- Bath City Football Club £75,000 and;
- Love Weston Library £10,000

3.6 The following applications were not recommended for funding:

- The Advisory Board did not recommend the following applications for funding West of England Rural Network (WERN) requested £90,000.
- Voices requested £28,000.
- Percy Community Centre requested £31,900.

3.6.2 The following applications did not meet the funding criteria due to the projects not being within the designated boundary for Bath:-

- Bath Youth Football
- Dorothy House
- Triumph Over Phobia

4 STATUTORY CONSIDERATIONS

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 In the absence of any parish or town council for Bath, Bath & North East Somerset Council hold the Neighbourhood portion of CIL funding for Bath.
- 4.3 In allocating funding, the Council is required to engage with the community in the area where development has taken place and seek their views on how best to allocate the funding. During each funding round, the Council invites members of public via an online consultation to comment on the projects.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The total funding allocation for the sixteen round of Bath Neighbourhood CIL is £325,593.82. This will be drawn down from the central funding allocation set aside for the Bath Neighbourhood CIL. The Capital budget for approved Capital Grant Payments should be increased by £275,281.32 with £50,312.50 paid as a Revenue Grant in 24/25. Some of the delivery will be undertaken by the Council’s Highways and Parks Departments.
- 5.2 All successful applicants are required to complete a grant funding agreement, that sets out the conditions of the funding, monitors activity and measures outcomes. The council may clawback funding if the applicant does not fulfil the conditions of the grant funding agreement.
- 5.3 The funding of £85,000 that has been withdrawn from the previous funding round fifteen, will be returned to the central funding allocation for Bath Neighbourhood CIL and will be reallocated to other projects.
- 5.4 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. The balance of CIL funding currently received and not yet allocated is updated to £163,329.19, reflecting new CIL payments received in 2024/25 to date and the adjustments due to the allocations above.

6 RISK MANAGEMENT

- 6.1 There are no risks identified from the report recommendations and the CIL allocations have followed the allocation process.

7 EQUALITIES

- 7.1 The application process has undergone a public sector Equality Impact Assessment (EIA). No negative impacts were identified.
- 7.2 All applicants are asked to provide evidence of community engagement and feedback to ensure it meets the needs of the community.

8 CLIMATE CHANGE

8.1 The Bath Neighbourhood CiL process enables infrastructure investment to positively contribute to sustainable communities within the city of Bath and all projects within round sixteen support this approach.

8.2 There are two projects that specifically address climate change by:

- Improvements to the building at Larkhall United Reformed Church to improve the heating system within the building and;
- Restoration of Henrietta Park Pond to retain the biodiversity within the park.

9 OTHER OPTIONS CONSIDERED

9.1 There are no other options available for processing funding requests for Bath Neighbourhood CiL.

10 CONSULTATION

10.1 An online public consultation was held from 7th May 2024 to 28th May 2024 on the Council's website inviting members of the public to comment on the eleven eligible applications. A total of 990 submissions were received. The public offered feedback on the projects and provide detailed comments regarding the applications. More details are provided in Appendix 2.

10.2 All applications are required to provide evidence of local consultation and engagement that has taken place in support of their application. In addition, applicants are asked to engage their Ward Councillor in their application.

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

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Background papers	Cabinet Decision E3007 - Community Infrastructure Levy (CIL) spending arrangements 08.11.17 https://democracy.bathnes.gov.uk/ieDecisionDetails.aspx?ID=1044 Cabinet Decision E3327 - Advisory Board for Bath CIL 16.02.22 https://democracy.bathnes.gov.uk/ieDecisionDetails.aspx?ID=1659
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