

**Report title: Disposal of 325 Fishponds Road to Bristol Community Land Trust**

**Wards affected: Eastville**

**Strategic Director: John Readman**

**Report Author: Valerie Watkis**

**RECOMMENDATION for the Mayor's approval:**

- A. Agree the sale of 325 Fishponds Road valued at £286,000 for £1 to Bristol Community Land Trust and in the event the land is sold for purposes other than housing, Bristol Community Land Trust will refund the value of the land to the council**
- B. Agree a capital grant of £200,000, and to underwrite £100,000 being set aside from the CLT Capital Fund**

**Key background / detail:**

**a. Purpose of report:**

Seek approval for the sale of 325 Fishponds Road, to Bristol Community Land Trust (BCLT) for £1 to enable the development of 12 self -finish homes and the council foregoing a potential capital receipt of £286,000; and to the council approving a grant of £200,000 and approval to underwrite £100,000 to Charity Bank in the event of unforeseeable cost over-runs.

**Key details:**

- 1. Community Land Trusts (CLT) are not for profit, community-based organisations that develop housing at permanently affordable levels for long-term community benefit. CLTs are seen as an additional route to enable people who may not have priority for social housing, to find ways of solving their housing problem.
- 2. All CLTs are not for profit organisations and any profits generated by the CLT cannot be paid by way of dividends to members, but must be used to further the community's interests.
- 3. In October 2008, Cabinet agreed to progress the CLT option to help deliver affordable housing.
- 4. Executive members have historically supported BCLT from September 2010 to the present, with an established capital fund of £300,000 and the principle of a £1 sale of the 325 Fishponds Road site.
- 5. BCLT are seeking £200,000 towards development costs and an underwriting (guarantee) of £100,000 for their lender Charity Bank against potential cost over-runs.
- 6. The council has supported a part-time Development Officer post for BCLT with an interest free loan of £45,000, repayable 2014/15.
- 7. This will be the only disposal under these terms. New BCC land sales will be under the terms of the approved Affordable Housing Delivery Framework which ensures future land sales will be on a deferred receipt basis.

8. BCLT's first residential development opportunity at 325 Fishponds Road will provide six no. 3 bed houses and six no.1 bed studios for general needs housing.
9. Applicants for the new homes will be nominated from BCLT's membership, HomeChoice Bristol (housing register) and Southwest Homes (the zone agent for shared ownership in the south west).
10. The proposed scheme secured planning permission in July 2013 and BCLT have approached the Council to commence the land transfer. BCLT will, subject to the cabinet decision, seek to start on site during June 2014.  
Internal consultation: Equalities Impact Assessment and Eco Impact Assessments have been completed and are included or attached to the main Cabinet report.
11. Disposal of the land at less than market value and payment of grant may have 'state aid' implications (see legal section of the main report).

### **BRISTOL CITY COUNCIL CABINET 4<sup>th</sup> March 2014**

**REPORT TITLE:** Disposal of 325 Fishponds Rd to Bristol Community Land Trust

**Ward(s) affected by this report:** Eastville

**Strategic Director:** John Readman/ Director

**Report author:** Valerie Watkis/ Snr Commissioning Officer

**Contact telephone no.** 3525130  
**& e-mail address:** Valerie.watkis@bristol.gov.uk

**Purpose of the report:**

This report seeks agreement to the funding and development arrangements for Bristol Community Land Trust (BCLT) of 12 self-build/finish homes on council land. In order to develop its first site BCLT is seeking approval to the sale of 325 Fishponds Road for £1 and the Council foregoing a potential capital receipt of £286,000; to capital grant of £200,000 and the agreement to underwrite £100,000 bank loan in the event of unforeseeable cost over-runs on this development.

### **RECOMMENDATION for the Mayor's approval:**

- A. Agree the sale of 325 Fishponds Road valued at £286,000 for £1 to Bristol Community Land Trust. And in the event the land is sold for purposes other than housing BCLT will refund the value of the land to the Council.**
- B. Agree a capital grant of £200,000, and to underwrite £100,000 being set aside from the CLT Capital Fund**

#### **1. Background information on Community Land Trusts**

- 1.1 Community Land Trusts (CLT) are institutions of local accountability and responsibility that can provide low cost homes that are affordable to people who would struggle to get onto the housing market or who want to live in an area for employment, and/or to promote and sustain community cohesion and integration. They can preserve these levels of affordability permanently through intermediate housing market homes, ensuring that uplifts in values are retained and are reinvested in future schemes for the benefit of that place and its community.
- 1.2 Permanently affordable housing or other assets are a defining feature of a CLT. They endeavour to keep the home or assets affordable. All CLTs are not for profit and any profits generated by the CLT cannot be paid by way of dividend to its members but must be used to further the community's interests.

- 1.3 CLTs have a long-term role in stewarding the homes they create. They remain the landlord of rental homes or will retain an element of unsold equity in the market homes. There are over eighty CLTs operating across England with a significant proportion of these located in the South West region.

## **2. The proposal:**

- 2.1 In October 2008 Cabinet agreed to progress the CLT option to pilot stage as a vehicle to assist delivery of affordable housing. The feasibility study highlighted that the availability of land at a nominal receipt, £1, alongside other public grants was a pre-requisite to delivering a successful financially viable affordable housing scheme. This arrangement predates the recently approved Affordable Housing Delivery Framework which sets the model for all future housing disposals on a deferred payment regime.
- 2.2 In September 2010 it was agreed £300,000 from the Council's approved Enabling Budget of £1m would be made available as a CLT Capital Fund to undertake pre-development/feasibility work and support emerging neighbourhood CLTs. Capital is being made available from the CLT Capital Fund to meet pre-development costs of £67,000 which arise before sites can be purchased, plus £133,000 as grant towards the development of this site.
- 2.3 The Council established and has supported BCLT by setting up a CLT Capital Fund of £300,000 and provided an interest free loan of £45,000 for a 18 month part time Development Officer's post.
- 2.4 The site at 325 Fishponds Road was marketed as a residential opportunity by the Council prior to the establishment of BCLT. The preferred bidder agreed to work up a planning application with access from Fishponds Road.
- 2.5 Following the preferred bidders' decision not to proceed due to Highways and planning requirements, BCLT sought support for it to acquire the land for a nominal receipt to enable it to progress its first scheme.
- 2.6 BCLT's proposed scheme at 325 Fishponds Road (Appendix 1) has been affected by highways, technical and planning constraints as the original scheme of 18 homes was reduced to 12. The new 100% affordable scheme will deliver:-
- 6 x 3 bed houses – shared equity
  - 1 x 1 bed studio – shared equity
  - 5 x 1 bed studio – affordable rent
- with a potential for housing approx. 18-48 persons (depending on household size) who might otherwise remain on the housing waiting list or in accommodation which may not meet their needs.
- 2.7 Occupiers of the shared equity properties initially purchase 63% of the open market value of the property. They will have the legal right to purchase up to 100% of the property and become the freehold owner. If this happens, the CLT will receive a capital sum and use it to create another affordable housing opportunity in the city. BCLT will retain ownership of the common parts of the site.
- 2.8 Pre-planning advice stated development could not take place near a number of

large mature trees at the park entrance and meant the new homes could only be accessed from Park Avenue. The new access necessitates

- the re-alignment of the adopted highway,
- re-placing the current car parking spaces,
- removing the stone wall,
- reinstalling and lengthening the same and
- a planting scheme.

- 2.9 Off-site works will cost £101,000, and with the reduced number of properties has impacted on the viability of the scheme.
- 2.10 In September 2012 the Strategic Director of Neighbourhoods & City Development approved in principle the disposal of the land at 325 Fishponds Road for £1 to enable the progression of BCLT.
- 2.11 Further work on viability was undertaken and briefings to the Assistant Mayor. It was requested that all homes on the development achieve the Code for Sustainable Homes level 4 in acknowledgement of a nil receipt for the land. This costs an additional £24,000.
- 2.12 BCLT secured funding from the Homes & Communities Agency (HCA) and the Council to develop the site at 325 Fishponds Road. Due to delays in scheme approval BCLT may lose this funding, but discussions are scheduled with the HCA to move the funding into the next Affordable Housing programme 2015-18.
- 2.13 BCC Parks then agreed to grant permanent access across the depot land in return for the provision of a new toilet block at a cost of £55,000 and it was agreed the cost of the new facility would be funded from s106 payments for community purposes. Officers have subsequently been advised this will not be possible; therefore the Enabling budget will meet this cost to enable the development to proceed.
- 2.14 The scheme secured planning permission on 26 July 2013 and BCLT have approached the Council to commence the land transfer. BCLT will, subject to the cabinet decision, seek to start on site during June 2014.
- 2.15 In November 2013 officers were advised by the HCA of new requirements to pay 100% of grant on completion rather than in 50/50 tranches (start on site and completion) and means BCLT's principal funder would need additional security. Charity Bank has requested BCLT secure written assurance from the Council for £100,000 to be placed in an escrow account to act as security against unforeseeable cost over-runs.
- 2.16 The council has made significant investment in this community housing opportunity by way of:
- Grant of £200,000 – towards development costs
  - Grant of £55,000 – for a new toilet block
  - Underwriting of £100,000 for Charity Bank
  - Interest free loan - £45,000 for a 18 month part-time Development Officer's post. This is expected to be repaid to the council during 2014/15.
- 2.17 The council's grant payment equates to £30,000 per 3-bed family home and £12,500 for the single bed apartments. These grant levels are comparable to other

grant funded schemes across the city. The equivalent public subsidy of £286,000 for the land equates to a plot value of £35,000 per family unit and £76,000 plot value for the conversion of the school building.

### **3. Options for the Council**

3.1 The Council wishes to support new ways of providing affordable housing which includes Custom Build (e.g. CLT and self-build).

#### **3.2 Option 1**

*Preferred option.* To enable the provision of self-finish housing in accordance with the Affordable Housing Delivery Framework (AHDF) by disposal of the land at 325 Fishponds Road at below market value. This will promote new ways of providing affordable housing, including custom build and generate:-

- a reduction in the housing waiting list through the development of affordable housing, value of in perpetuity nominations to 3 apartments - £75,000;
- enable BCLT to nominate 2 apartments directly to members from their waiting list
- enable the re-provision of car parking and toilet facilities in Eastville Park, approx. £156,000
- self-finishers will obtain NVQ accreditation recognising their new skills
- re-generate a site that has been deteriorating over a number of years since closure and reduce maintenance costs of approx. £3,000 p.a.

3.3 The AHDF approved by Cabinet in Oct 2013 promotes a new approach to the sale of corporate land for affordable housing delivery. The Council, in future, will adopt a deferred purchase arrangement where land will be disposed of into a joint venture arrangement on an open book basis, enabling the developer to pay a capital receipt following completion of the development.

3.4 The Council has had a longstanding pledge to support BCLT and to sell land to the organisation at £1 to enable its growth. The initiative gained cross party support when it was first considered in 2008 and has been supported by Executive Members upto the present. The proposal pre-dates the new AHDF, however it is this commitment and support by BCC that encouraged and persuaded the BCLT to invest significant finance and time of its members into feasibility work on the site at 325 Fishponds Road. A £1 disposal will enable BCLT to use the asset value of the land to attract finance and produce other homes on additional sites. There is a need to diversify the range of housing options in the city, once BCLT has its first housing scheme 'on the ground' it can become increasingly self-sustaining and garner more interest.

#### **3.5 Option 2**

*Do nothing.* The buildings continue to deteriorate; the site incurs annual maintenance costs and remains an eyesore. This option increases the risk of BCLT losing the Development Officer post which has been instrumental in progressing the scheme to date.

#### **3.6 Option 3**

*Re-market the land with the benefit of planning permission.*

This option will generate a capital receipt, however the following impacts are

anticipated:-

- There is a significant likelihood the Council's reputation and relationship with BCLT and other partners will be badly damaged.
- The Council loses the opportunity to secure a fully affordable housing scheme.
- BCLT loses the Development Officer support.

#### 4. Consultation and scrutiny input:

##### a. Internal consultation:

**Jason Bailey, Corporate Property**

**Eric Andrews – Legal**

**Shahida Nasim – Business Finance**

**Equalities Team – Jane Hamill**

**Human Resources – Lorna Laing**

**Sustainability City Group – Steve Ransom**

##### b. External consultation:

Not undertaken currently

#### 5. Risk management / assessment:

**FIGURE 1**

**The risks associated with the implementation of the *decision* :**

The risks associated with the implementation of the decision							
No.	RISK  Threat to achievement of the key objectives of the report	INHERENT RISK		RISK CONTROL MEASURES  Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation).	CURRENT RISK		RISK OWNER
		(Before controls)			(After controls)		
		Impact	Probability		Impact	Probability	
1	BCLT's costs over-run and Charity Bank calls upon the monies set aside	High	Med	BCC approve drawdown of £100,000 security	Low	Low	
2	Delayed start on site lead to loss of loss of HCA grant under current Affordable Housing programme	High	Med	BCLT seek grant from HCA's new programme 2015-18	Med	Med	
3.	Potential state aid implications	High	Med	Adopt strategy to deal – ie either full value received; local in nature; or contract as service of general economic interest.	Med	Low	
4.	Procurement Risk	High	Med	Ensure remains outside the Regulation i.e. simple sale, grants.	Low	Low	

**FIGURE 2**

**The risks associated with not implementing the (*subject*) *decision*:**

No.	RISK  Threat to achievement of the key objectives of the report	INHERENT RISK		RISK CONTROL MEASURES  Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation).	CURRENT RISK		RISK OWNER
		(Before controls)			(After controls)		
		Impact	Probability		Impact	Probability	
1	Loss of £67,000 spent from CLT Capital fund to achieve planning permission	High	High	Planning permission has increased value of site if re-marketed.	Med	Low	
2.	BCLT lose HCA funding if site is not secured	High	Med	No alternative funding available	High	Med	

3.	Loss of reputation and impact on relationship with BCLT and other partners.	High	High	New Council site identified	Med	Med	
4.	CLT members with mortgage offers lose the opportunity to become home-owners	High	Med	New Council site identified for BCLT	Med	Low	
5.	BCC loses an opportunity to deliver 100% affordable housing	High	High	Identify sites offered via the Affordable Housing Delivery Framework	Low	Low	
6.	Continued dilapidation of site, ASB, annual maintenance costs	High	Med	Identify short term use	Med	Med	

## 6. Public sector equality duties:

i) All new affordable housing offers a range of housing tenure options to people in differing social and income groups. Properties will be available to BCLT members Homechoice Bristol and South West Homes applicants.

ii) The site is on a number of levels and is accessible. However there is no specific accommodation designed for wheelchair users. New homeowners will be expected to take part in some aspects of self-finish. This will enable occupiers to gain new transferable skills and begin the bonding process for new neighbours as the site is developed.

iii) The provision of housing has the chance to engage and foster good relations between neighbours, in the development phase of the site, the running and management of the site with BCLT and use of the facilities provided, e.g. raised planter beds for community grow projects.

## 7. Eco impact assessment

The creation of twelve new dwellings will see a net increase in emissions from the site where they are built. In the short term, impacts will arise from construction, and in the long term through normal occupation of the homes. The overall impact is negative, though it is noted that the impacts of the proposal are very effectively mitigated, and go well beyond minimum requirements.

**Steve Ransom:** Environment Co-ordinator, Sustainable City & Climate Change Service

**Date:** 15 January 2014

## 8. Resource and legal implications:

### 8.1 Finance

#### a. Financial (revenue) implications:

The Council will incur revenue costs, in the form of legal costs, from the disposal of the land. These costs will be met from existing revenue sources.

**Advice given by** Shahida Nasim/ Financial Business Partner

**Date** 15 January 2014

#### b. Financial (capital) implications:



The Council will forego £286,000 in capital receipts as a result of the financial transaction. This reduces the level of funding available for the Council's capital programme. The Council should demonstrate that any detrimental financial impact is offset against the promotion or improvement of social well-being. The social, economic and environmental benefits have been evaluated in para 3.2 of a total figure of £234,000.

**Advice given by**    **Shahida Nasim – Financial Business Partner**  
**Date**                      **15 January 2014**

**c.        Comments from the Corporate Capital Programme Board:**

The sale of land at 325 Fishponds Rd to the BCLT is a historic commitment whose origins can be traced back some 5 years. The Affordable Housing Delivery Framework has now superseded schemes of this nature and provides a more commercial solution to the Council's ambition to provide land for affordable housing however it is important for the council to complete historic commitments whilst recognising the new way forward.

The board are advised that the value of the land, valued at £286,000, will form a rolling fund that should allow the trust to develop other properties without further financial aid. The board would urge officers to seek guarantees to this effect prior to entering into any contract of sale.

The board is also aware of concerns that this agreement may constitute state aid and therefore the trust should be advised accordingly and legal opinion sought on both sides before proceeding with any contract of sale.

**Neil Taylor: Chair, Corporate Capital Programme Board**  
**Date: 30 January 2014**

**d. Legal implications:**

S123 of the Local Government Act 1972 allows disposal of land by the Council for any purpose if best value is achieved. If the land is sold for less than best value reasonably obtainable specific consent may be required. Specific consent will not be needed, if the disposal meets the terms of the Local Government Act 1972 General Disposal Consent (England) 2003 where the Local Authority needs to be satisfied that the development contributes to the promotion or improvement of social wellbeing, and the undervalue is less than £2million.

The disposal of 325 Fishponds Road under value will enable the council to meet its social wellbeing duties.

**Janet Hartnoll – Legal – Property**  
**Date**                      **15 January 2014**

The disposal of the site at less than market value and the payment of grant both raise potential State Aid and procurement issues. Property disposals are not generally subject to the procurement regulations (assuming there are no obligations which change its character from a straightforward sale to something more akin to a works contract).

Similarly, provided the arrangements under which the payments are made are a genuine grant(s) (and not a contract) they too will not be subject to those regulations. However, if in order to address state aid issues – see SGEI below – contracts are required, (i.e. no

longer grants) then as service contracts these would ordinarily be expected to be subject to a compliant procurement process).

To comprise State Aid, the assistance must satisfy all four of the following; (i) Come from state resources (ii) Favours certain undertakings over other (iii) Distorts/threatens to distort competition (likely unless genuinely on-economic activities are involved, or de minimus). (iv) Affects, or could affect, trade between states. (Likely unless of a very local nature)

The provision of land at an under-value and the making of grants, are each capable of being viewed as state aid and clearly meet (i) and (ii). Furthermore it is likely that building social housing would be viewed as a non-economic (i.e. activities which are not considered economic) activity. In the current circumstances therefore in order for the assistance to not be classed as state aid it must fall within one or other of the following:

1 – The assistance does not amount to state aid, as the Council is receiving assets, services, facilities etc. of a value equivalent to (or greater than) the value of the support provided. In this context, the value of all elements of the project should be assessed e.g. nomination rights, car parking toilets, savings in maintaining the site etc. If full value is not achieved it may be that the balance falls below the de minimus threshold – i.e. £200,000 euros

2 - There is some, albeit limited, scope to consider that such a project, given its small scale and local nature, does not risk distorting trade and so meet the definition of state aid in the first place. There has been case law where the EU Commission has concluded that certain activities, particularly where undertaken by small enterprises do not have the potential to affect trade, though these remain fairly limited in scope. Cases to date have tended to involve cultural or leisure activities. The factors which have been taken into account in such cases include; Geographic limitation of their programmes/activities (i.e. audience catchment area); Proximity of national boundaries; Area of cultural activity (i.e. area where activities were promoted/advertised) - regional/local; Supported activities used by inhabitants of town and surrounding area only; Relatively low amount of aid (e.g. 60k euros in one).

3 - BCLT will provide a “service of general economic interest” (SGEI) where the value of the services provided reflects the value of the aid. SGEI are services of public benefit which are not likely to be provided to the public at large by the market without intervention. Social housing projects can in principle be classed as SGEI. The arrangements between the Council and BCLT will need to be recorded in a formal contract (deed of entrustment) addressing certain specified matters, in particular detailing the services to be provided and ensuring that the assistance does not outweigh the benefits.

Whilst there is a risk that the assistance could be viewed as state aid, we believe that there are various routes which would provide an acceptable response to such a view, and accordingly the risk of a successful challenge is low.

The proposed funding agreement and transfer contract will enable the council to recover its grant payment and land value in the event of challenge.

**Advice given by Eric Andrews, Solicitor – Corporate Team**

**Date 29 January 2014**

**e. Land / property implications:**

The site was extensively marketed in April and May 2010 and on the open market the highest offer which was considered viable and able to proceed was £251K. Based upon recent private treaty sales and residential land currently being sold by Bristol City Council, 325 Fishponds Road was re-valued in January 2014 (with the benefit of planning consent for residential use) and the open market value is now considered to be £286K

**Advice given by** Jason Bailey, Senior Portfolio Management Officer  
**Date** 15 January 2014

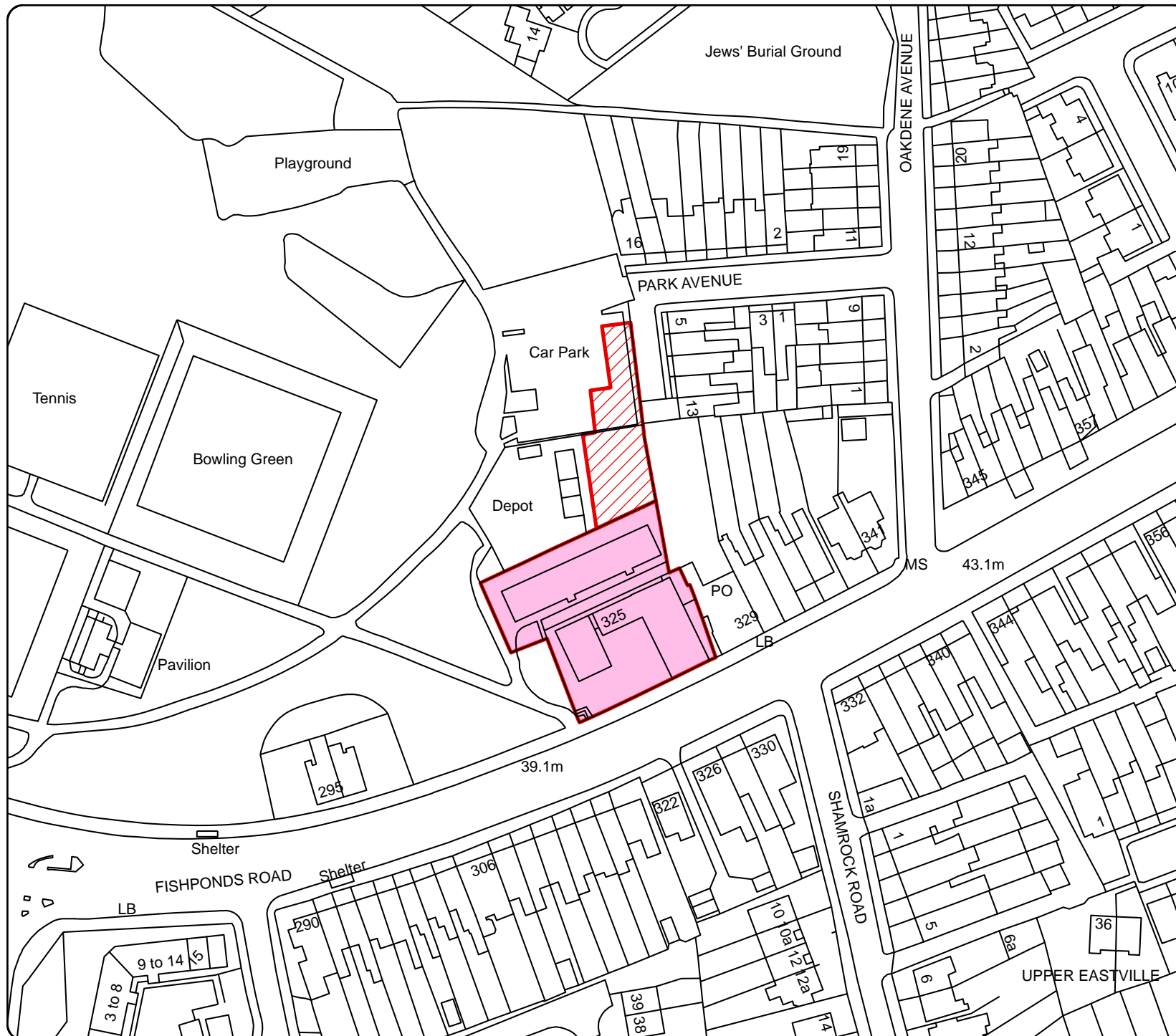
**f. Human resources implications:**

The proposal to dispose of 325 Fishponds Road for £1 does not have any adverse effect on Bristol City Council employees.

**Advice given by:** Lorna Laing, People Business Partner  
**Date** 15<sup>th</sup> January 2014



**Appendices:-**

- 1: Site plan**
- 2: Eco Impact Checklist**
- 3. EqlA pro-forma**



## Appendix 1

### 325 Fishponds Road

-  Parks and Leisure
-  Corporate Property

SITE PLAN : To ensure boundary accuracy, please refer to deeds.

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Ordnance Survey 100023406.



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#### PROPERTY

Plan No : JB/TMP/003  
Prop ID Ref : N/A  
Polygon Ref : N/A  
Scale : 1:1,250@ A4  
Date : 20/01/2014



#### CORPORATE PROPERTY

Floor 3, 100 Temple Street, Bristol. BS1 6AG  
Tel : (0117) 903 7620  
[www.bristol.gov.uk](http://www.bristol.gov.uk)

## Appendix 2

### Environment Impact Checklist

<b>Title of report:</b> : Disposal of 325 Fishponds Rd to Bristol Community Land Trust				
<b>Report author:</b> Valerie Watkis				
<b>Anticipated date of key decision:</b> 4 <sup>th</sup> March 2014				
<b>Summary of proposals:</b> Sale of council land at £1 to Bristol Community Land Trust, to facilitate the self-finish of 12 dwellings.				
<b>Will the proposal impact on...</b>	Yes / No	+ive or -ive	If yes...	
			Briefly describe impact	Briefly describe mitigation measures
Emission of Climate Changing Gases?	Yes	-	Short-term emissions through the use of energy, transport fuel and materials during construction works.	All building works meet planning policy guidance BCS13-15 as laid down in the BCC core strategy 2011.
		-	Long term emissions from occupying and traveling to homes.	Commitment to BREEAM "very good"
		+	It is very likely that these homes will have lower emissions than future occupiers' present homes.	Commitment to Code for Sustainable Homes level 4, which requires a 25% minimum improvement in emissions compared with 2010 Building Regulations
Bristol's vulnerability to the effects of climate change?	Yes	-	New dwellings may: <ul style="list-style-type: none"> <li>- Be at risk of flooding.</li> <li>- Increase the flood plain making surrounding buildings more vulnerable to flooding.</li> <li>- Place additional demand on the mains drainage system.</li> <li>- Increase water run-off by creating more impermeable surfaces or removing trees.</li> <li>- Not be designed to cope with extreme weather.</li> <li>- Increase water consumption associated with site.</li> </ul>	Site is not in an area considered to be at risk from flooding.  Commitment to BREEAM "very good"  High insulation levels required for CSH level 4 should increase resilience to extreme heat or cold.  Planning permission requires the use of sustainable drainage

Consumption of non-renewable resources?	Yes	-	<p>Short-term use of fossil fuels and other non-renewable materials through the use of energy, vehicle fuel and materials during construction works.</p> <p>Long term consumption of fossil fuels for occupying and travelling to and from dwellings.</p>	<p>Development goes beyond building regulations requirements and will include solar panels in order to meet BCC planning policy.</p> <p>Re-use of existing site structures will reduce the requirement for new resources</p>
Production, recycling or disposal of waste	Yes	-	<p>Waste will arise from construction and demolition works</p> <p>Waste will arise from the normal occupation of the homes</p>	<p>Construction contractors will be obliged to a prepare site waste management plan in an approved format, which will detail how waste will be minimised, and recycling promoted.</p> <p>Retention of the existing stone building and re-installing the existing stone wall reduces waste</p> <p>Homes are designed to provide adequate off-footpath recycling facilities.</p>
The appearance of the city?	Yes	May be + or –	New homes will alter the appearance of the city.	<p>This will be considered as part of the design and planning process.</p> <p>Refurbishment of the existing stone building protects it from dereliction</p>
Pollution to land, water, or air?	Yes	-	<p>Works will involve the use and storage of materials that could contaminate land, watercourses and surface water drains, if accidentally released.</p> <p>Works are likely to create dust and noise.</p> <p>Construction works will create new sewage discharges.</p> <p>Diffuse pollution will be created from run-off from</p>	<p>Planning permission requires the use of a Construction Management Plan, to be approved by the planning authority.</p> <p>Planning permission requires a site investigation for contaminated land before any construction work can commence.</p> <p>Scheme includes cycle storage</p> <p>Extra traffic resulting from 12</p>

			<p>new roads and vehicular parking areas created by the development.</p> <p>Site may have been contaminated by previous activity.</p> <p>New dwellings will impact upon traffic flows and noise levels in the surrounding area.</p> <p>Any increases in traffic resultant from the dwellings will impact on local air quality.</p>	<p>new homes is unlikely to be significant</p>
Wildlife and habitats?	Yes	-	<p>It is possible for works associated with this contract to:</p> <ul style="list-style-type: none"> <li>• Impact upon legally protected species or habitats</li> <li>• Impact on priority species or habitats listed in the UK or Bristol Biodiversity Action Plan.</li> <li>• Remove or damage trees.</li> </ul> <p>Materials such as timber can have a detrimental effect on wildlife and habitats if not carefully sourced.</p>	<p>The site has been assessed by an ecological consultant and is not considered to be of high ecological value.</p> <p>Timber and wood-derived products for supply or use in this construction of homes will comply with UK Government policy (CPET).</p> <p>The development includes a planting scheme, gardens, and will retain existing mature trees</p>
<b>Consulted with:</b> Mark Leach, Sustainability Adviser				
<b>Summary of impacts and mitigation - to go into the Cabinet/ Council Report</b>				

**The significant impacts of this proposal are....**

Short-term increase in environmental impacts through the consumption of fossil fuels and raw materials in constructing the new homes. Longer term, there will be on-going consumption of energy for heat and power, production of waste and tenant travel to / from the new homes .

**The proposals include the following measures to mitigate the impacts....**

- Development will meet the planning requirement for 20% of energy demand to be met from on-site renewables.
- Development will comply with the following policies from the Core Strategy:
  - BCS 13 - Climate change – mitigation and adaptation

- BCS 14 - Sustainable energy
- BCS 15 - Sustainable design and construction
- BCS 16 - Flood risk and water management
- New Development will comply with Code for Sustainable Homes level 4, which requires a minimum 25% improvement over Building Regulations for emissions.
- Refurbishment of existing stone building will meet BREEAM “very good” for domestic refurbishment, with “excellent” achieved for energy efficiency

**The net effects of the proposals are....**

The creation of twelve new dwellings will see a net increase in emissions from the site where they are built. In the short term, impacts will arise from construction, and in the long term through normal occupation of the homes. The overall impact is negative, though it is noted that the impacts of the proposal are very effectively mitigated, and go well beyond minimum requirements.

<b>Checklist completed by:</b>	Valerie Watkis
Dept.:	Housing Delivery & Quality Team, Place
Date:	15/01/14
Verified by:	Steve Ransom (BCC Sustainable City & Climate Change Service)



## Appendix 3



### Bristol City Council Equality Impact Relevance Check

This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required. Please read the guidance prior to completing this relevance check.

What is the proposal?	
Name of proposal	Disposal of 325 Fishponds Road to Bristol Community Land Trust (BCLT)
Please outline the proposal.	BCLT (a community organisation) was established with the support of Council to seek new ways of providing affordable housing. BCLT secured planning permission on corporate land at 325 Fishponds Road and now seek approval for a £1 sale from BCC to enable the development of new self-finish homes.
What will this proposal achieve?	Twelve new build and refurbished, affordable homes for shared ownership and affordable rent.
Name of Lead Officer	Nick Hooper

Could your proposal impact citizens with protected characteristics? (This includes service users and the wider community)
Please outline where there may be significant opportunities or positive impacts, and for whom.
<p>The new general needs scheme will provide new family housing and offers the chance to engage and foster good relations between neighbours in the development phase of the site, the running and management of the site with BCLT and use of the facilities provided, e.g. raised planter beds for community grow projects and skills sharing. Additionally the development will provide informal surveillance of the car-park in Eastville park which suffers from anti-social behavior.</p> <p>The nature of this scheme means that some of the properties can be tailored to individual need more easily as they are self-finish so may accommodate some equality groups.</p>

Please outline where there may be significant negative impacts, and for whom.

The new build homes will be built to lifetime home standards and although there may be an opportunity to tailor properties to the needs of individuals more easily as they are self-finish this may be difficult for older and disabled people if they don't have the help and support to do this.

Homes within the refurbished school building will not be able to be built to lifetime home standards and so this will give less opportunity for some interested parties however there will be an opportunity to influence the internal layout.

As it is proposed to have a range of units it is important that there is community cohesion so that vulnerable individuals don't feel under threat or able to adapt within the development so particular attention needs to be given to this in the promotion of the scheme not only in the local area and to members but also to anyone who might be interested in living in this area.

**Could your proposal impact staff with protected characteristics?  
(i.e. reduction in posts, changes to working hours or locations, changes in pay)**

Please outline where there may be significant opportunities or positive impacts, and for whom.

No staff will be impacted by this proposal.

Please outline where there may be negative impacts, and for whom.

None

**Is a full Equality Impact Assessment required?**

Does the proposal have the potential to impact on people with protected characteristics in the following ways:

- access to or participation in a service,
- levels of representation in our workforce, or
- reducing quality of life (i.e. health, education, standard of living) ?

Please indicate yes or no. If the answer is yes then a full impact assessment must be carried out. If the answer is no, please provide a justification.

It is recognised the general needs nature of the development may potentially exclude wheelchair users. The scheme is a self-finish project and occupiers are identified before work commences. There may be the opportunity to influence the layout of a

	unit or include adaption to suit specific needs, but this is likely to have a cost implication.
Service Director sign-off and date:  Nick Hooper  Date: 23 <sup>rd</sup> January 2014	Equalities Officer sign-off and date:  Jane Hamill  Date: 23 <sup>rd</sup> January 2014