

Area Committee 1

12 February 2024



Report of: Ellie Stevens, Community Resources Manager

Title: Area Committee 1 Second Formal Meeting 2023/24 – Community Resources Manager Report

Ward: Area Committee 1 wards: Avonmouth & Lawrence Weston, Clifton, Clifton Down, Hotwells and Harbourside, Stoke Bishop, Westbury-on-Trym and Henleaze

Member Presenting Report: Councillor Geoffrey Gollop

Recommendations

1. That the Area Committee take note that this year, there is no option to pre commit funding or go into deficit of CIL funds. This is due to changes to Area Committee boundaries which are due to take place (Item F)
2. To consider the approval of funding for the Proposals submitted for consideration, including any conditions which the committee may wish to attach and to consider allocation of eligible S106 monies to support relevant proposals in order to conserve CIL funds for future use (Item G)
3. To note the legal information concerning the Public Sector Equality duty in reaching all its decisions (Item I)

Summary

This report sets out the available funds for allocation by Area Committee 1, and lists the proposals to be considered at the meeting of the Committee on 12 February 2024.

The significant issues in the report are:

- Area Committee 1 has £150,161.56 available to allocate at 31 December 2023, of which of £9,999.74 is general CIL and £140,161.82 is for the Lawrence Weston NDP area.
- Councillors are asked to consider the approval of funding for 1 Proposal submitted at Stage 2.

A. Background

1. Six Area Committees were approved at the Full Council meeting on 20th March 2018 to hold delegated decision-making powers over non-earmarked Section 106 and local Community Infrastructure Levy (CIL) funds.
2. Area Committee 1 consists of the councillors representing the wards of Avonmouth & Lawrence Weston, Clifton, Clifton Down, Hotwells and Harbourside, Stoke Bishop, Westbury-on-Trym and Henleaze
3. Each Area Committee will meet formally twice a year to make decisions on the awarding of local CIL and S106. 15% of CIL generated within each Area Committee area is available for spend. Those parts of an Area Committee which have a formally adopted Neighbourhood Development Plan receive 25% of the CIL generated within the defined border of their Plan to support their identified infrastructure priorities.
4. Information about Area Committees, CIL and S106 processes can be found on the BCC website at: <https://www.bristol.gov.uk/people-communities/local-decision-making>
5. Councillors are reminded that projects being invited to stage 2 does not guarantee the project will be funded. Please bear this in mind when communicating with citizens and/or applicants.

B. Terms of Reference

6. The Area Committee Terms of Reference were approved at Full Council on 20th March 2018 and adopted at the 2018 Area Committee on 3rd October 2018.
7. The Area Committee Terms of Reference were updated in August 2023 with the following clause:
 4. Procedure rules Meeting arrangements
 - 4.1 Area Committee meetings will normally be held twice a year. These meetings will be supported by Democratic Services

C. Progress update on CIL & S106-funded projects approved at previous Area Committee Meetings

8. Progress updates are published every six months on previous schemes approved by the Area Committee. The latest was published in August 2023. The next will be published in February 2024. Updates can be found at: <https://www.bristol.gov.uk/people-communities/area-committee-progress-updates>

D. Allocation of CIL and Section 106 Funds

9. Developing Outline and Full Proposals for funding from CIL and S106 resources:
 - 9.1. All ward councillors undertook community conversations within their wards across the period June – September 2023. From this process they chose a number of Stage 1 Outline Project Proposals to deliver priority pieces of work providing significant community benefit.

9.2. The Area Committee then met formally on 16th October 2023 to consider the funding available and select the projects they wanted to invite to submit Stage 2 Full Proposals. Those proposals are set out in this report for consideration and decision at this meeting.

E. CIL and Section 106 Monies available to Area Committee 1 at 31 December 2023

10. CIL available:

At the end of 31st December 2023 there was an overall sum of £150,161.56 available to Area Committee 1, which breaks down as follows:

- For General AC1 expenditure: £9,999.74
- For Lawrence Weston Neighbourhood Development Plan expenditure: £140,161.82

See Appendix 1

11. If the Committee approves all the requests for CIL funding at Item G the following CIL funds will remain:

- For General AC1 expenditure: **£9,999.74**
- For Lawrence Weston Neighbourhood Development Plan expenditure: **£90,161.82**

12. Section 106 available:

At the end of 31 December 2023 there was a total of £85,970.30 uncommitted Section 106 agreement monies available for AC1, of which £64,380.09 is designated specifically for tree planting and tree replacement.

13. All S106 agreements are legally bound to be spent according to the Purpose of the Contribution so can only be approved for projects which met these conditions.

14. The Committee is asked to note that the following **time-limited S106** is at risk if not allocated:

Permission / Site / S106 Code	Contact Officer	Contribution value	Time limit	Purpose of contribution	Allocations
18/03622 / Former College Site, Stile Acres, Lawrence Weston	Mark Sperduty (Area Highways Manager)	£21,590.21	24 Mar 27	The design and implementation of Road Safety Cycle improvements in the vicinity of the Development None	None
18/04599 / Land at Corbet Close, Lawrence Weston	Richard Ennion (Horticultural Services Manager)	£891.84	26 Mar 26	The provision and maintenance of off-site tree planting	None

See Appendix 2

F. No pre-commitment of future CIL receipts:

15. This year Area Committees are not able to approve funding for a Stage 2 proposal by pre committing 'still to be received' CIL funds. There is no option to go into a deficit of CIL funding at this meeting by over-committing on the assumption of a future receipt of CIL. This is because Area Committee boundaries will change before the next set of committee meetings and their balances need to be calculated afresh based on new boundaries.

G. Projects invited to submit Stage 2 Full Proposals

Proposal ref no.	Name of Project Proposal	Delivery group	Outline £ offered	Full Proposal £ requested	CIL requested	S106 requested and the codes	Conditions
AC123P137	LW Community Hub Outfit Upgrade	Lawrence Weston Neighbourhood Planning Forum	£50,000	£50,000	£50,000		

See Appendix 3 for Full Project Proposal forms

16. **Recommendation:** That the Area Committee considers the project proposal submitted and whether to approve full or partial funding to deliver this project or not; any conditions which it might want to place on the project

H. Projects considered at Stage 1 first formal meeting and not invited to submit Stage 2 proposal:

Proposal ref no.	Ward	Name of Proposal	Decision rationale
AC123P132	Avonmouth & Lawrence Weston	Skate Park Improvement	Withdrawn by applicant
AC123P133	Avonmouth & Lawrence Weston	Ridingleaze Rejuvenation Planning	Withdrawn by applicant
AC123P135	Avonmouth & Lawrence Weston	Support Mountain Bike Track Implementation	Withdrawn by applicant
AC123P136	Avonmouth & Lawrence Weston	Motorcycle Trials Area Support	Withdrawn by applicant

Proposal ref no.	Ward	Name of Proposal	Decision rationale
AC123P02	Multiple wards (Clifton Down, Clifton and Hotwells & Harbourside)	Section 106 Replacement Tree Planting - Clifton	A proposal for tree planting across AC1 to be delivered by Tree Bristol was approved by AC1 in the first formal meeting on 16 October 2023, thereby superseding this proposal
AC123P03	Multiple wards (Stoke Bishop, Avonmouth & Lawrence Weston, Clifton, Clifton Down, Hotwells and Harbourside)	Tree Planting	In deficit of general CIL funding - to be deferred until funds available
AC123P111	Clifton	School street and traffic calming on the 'Hotwells corner'	In deficit of general CIL funding - to be deferred until funds available
AC123P125	Avonmouth & Lawrence Weston	Avon Centre New Community Facilities	In deficit of general CIL funding - to be deferred until funds available
AC123P13	Stoke Bishop	Nature Recovery at Sea Mills Meadows	In deficit of general CIL funding - to be deferred until funds available
AC123P144	Clifton	Refurbish heritage railings in Birdcage Walk	In deficit of general CIL funding - to be deferred until funds available
AC123P18	Avonmouth & Lawrence Weston	Hub Resilience Redevelopment programme at SMC	In deficit of general CIL funding - to be deferred until funds available
AC123P30	Clifton Down	Mini allotment	In deficit of general CIL funding - to be deferred until funds available
AC123P31	Avonmouth & Lawrence Weston	Shirehampton Public Hall Upgrade	In deficit of general CIL funding - to be deferred until funds available

Proposal ref no.	Ward	Name of Proposal	Decision rationale
		and Futureproofing	
AC123P32	Avonmouth & Lawrence Weston	Renovation of Washroom Facilities	In deficit of general CIL funding - to be deferred until funds available
AC123P33	Henleaze and Westbury on Trym	Repainting our Library	In deficit of general CIL funding - to be deferred until funds available
AC123P53	Clifton	Improving pavements on clifton vale road	In deficit of general CIL funding - to be deferred until funds available
AC123P54	Avonmouth & Lawrence Weston	"welcome to Shirehampton" Sign	In deficit of general CIL funding - to be deferred until funds available
AC123P55	Multiple Wards	Provision of Public Access Defibrillators	In deficit of general CIL funding - to be deferred until funds available
AC123P56	Clifton Down	Apsley Road traffic calming	In deficit of general CIL funding - to be deferred until funds available
AC123P57	Multiple (Clifton, Hotwells & Harbourside)	Hotwells Communal Garden Improvements	In deficit of general CIL funding - to be deferred until funds available

I. Equalities/Public Sector Equality Duty: Legal Information

17. When councillors decide how CIL and Section 106 is spent they should have due regard to the Public Sector Equality Duty that applies to all public bodies. This duty is contained in the Equality Act 2010 and came in to force on 6 April 2011. It replaces previous equality duties under the Sex Discrimination, Race Relations and Disability Discrimination Acts.

18. The duty means that councillors are required to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act
- Promote equality of opportunity between different groups
- Foster good relations between people from different groups

19. The duty covers the following protected characteristics:

- Disability
- Sexual orientation
- Age
- Gender reassignment
- Religion and belief
- Sex
- Race
- Pregnancy and maternity
- It also applies to marriage and civil partnership, but only in respect of the requirement to eliminate discrimination and harassment.