

Please return this form with your representations to Planning Services by **5pm on Thursday 18th September 2014** either by email to cil@bathnes.gov.uk post to PO Box 5006, Bath, BA1 1JG

This form has two main parts:
Part A – Personal Details
Part B – Your representations(s)

Please fill in Part A once, and a separate sheet for each representation you wish to make on Part B.

Please note all names and comments will be made publically available.

Part A

* If an agent is appointed, please complete only the Title, Name and Organisation Boxes below but complete the full contact details of the agent

1.	Personal Details*	Agent Details
Title:	<input type="text" value="Mr"/>	<input type="text"/>
First Name:	<input type="text" value="Andy"/>	<input type="text"/>
Last Name:	<input type="text" value="Reading"/>	<input type="text"/>
Job Title: (where relevant)	<input type="text" value="Planning Advisor"/>	<input type="text"/>
Organisation: (where relevant)	<input type="text" value="Environment Agency"/>	<input type="text"/>
Address Line 1:	<input type="text" value="Rivers House"/>	<input type="text"/>
Address Line 2:	<input type="text" value="East Quay"/>	<input type="text"/>
Address Line 3:	<input type="text" value="Bridgwater"/>	<input type="text"/>
Address Line 4:	<input type="text" value="Somerset"/>	<input type="text"/>
Postcode:	<input type="text" value="TA6 4YS"/>	<input type="text"/>

2. If your representation is seeking a change, do you consider it necessary to participate at the public hearings part of the examination?

- No, I do not wish to participate at the oral examination
 Yes, I wish to participate at the oral examination

3. If you wish to participate at the public hearings, please outline why you consider this to be necessary:

We are raising queries regarding the Regulation 123 list and the funding gaps for strategic infrastructure which are not included on the list and we consider are needed to ensure the sustainable delivery of planned growth. This may require us to provide further evidence and advice at examination than can be detailed in this response.

Signature: **Date:**

Part B: Representations

Comments:

Thank you for consulting the Environment Agency regarding the CIL Draft Charging Schedule and Draft Infrastructure List.

At present we are concerned that the draft Regulation 123 does not include Strategic Flood Risk Infrastructure. We consider there to be important flood risk infrastructure needs in the Council's area with funding gaps and which planned development would benefit from. By their nature a number of these infrastructure needs would not be capable of obtaining a contribution via the scaled back Section 106 System once CIL comes into force (due to the strategic nature of the infrastructure).

Examples of this include Pulteney and Twerton Gates. We are currently working in partnership with BANES to consider the long term strategy for both these structures which have approached the end of their design life. While we are currently at the options appraisal stage ultimately capital schemes will need to be funded and taken forward. The Twerton structure is critical to flood alleviation through Bath. It maintains a fixed level within the city for navigation and amenity, while in times of flood the gate is opened to allow flood water to pass through the city. If the gate was to fail shut the number of properties at flood risk would increase significantly. This scenario is particularly relevant to planned growth given that the regeneration sites along Bath river corridor (as detailed in Placemaking Plan consultations) would be subject to increased flood risk. The only appropriate way to secure developer contributions towards any replacement structure at Twerton would appear to be through CIL. Given the number of sites which benefit from it operation it would appear less equitable to help fund it through scaled back section S106 applied to just a few sites. We therefore consider it important flood risk infrastructure is identified on the 123 list. The Council's IDP and evidence paper identify Pulteney radial gate and a funding gap associated with this. This should be further updated to include Twerton as well.

Another example of development sites which benefit from strategic flood risk management infrastructure is the Midsomer Norton flood relief tunnel. This takes high flows away from the River Somer as it flows through the town, preventing significant flood risk. A number of potential development sites detailed in the Placemaking Plan launch document, while in Flood Zone 1, benefit from this infrastructure. The Council's Strategic Flood Risk Assessment shows the flood risk that would result through the town centre if the tunnel were to fail or become blocked, resulting in flooding to sites which would otherwise be considered low risk (Flood Zone 1). Given this infrastructure was put in in the 70's it is likely that some degree of inspection of refurbishment may be necessary over the 20 year plan period. Again we therefore consider this justifies CIL being able to be used toward flood risk infrastructure. While it is appreciated a portion of Defra Grant in Aid would be used towards such investment a mechanism should be available to allow some contribution from the various development sites which would benefit.

If you have any queries regarding the above comments please contact me to discuss further. The Environment Agency would be happy to work closely with BANES Council with regards to keeping the IDP and evidence base regarding infrastructure up to date, including the above strategic infrastructure needs.

Continue on a separate sheet if necessary. Please include your name/organisation on each separate sheet used.

Please note that the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Representations may be accompanied by a request to be notified at a specified address of any of the following: that the Draft Charging Schedule has been submitted for independent examination; the publication of the recommendations of any person appointed to carry out an independent examination of the Draft Charging Schedule and the reasons behind those recommendations; and the approval of the Charging Schedule.

If you would like help completing this form or need more copies, please ring the Planning Policy Team on 01225 477548. More information can also be found at www.bathnes.gov.uk/CIL