

**Strategic Environmental Assessment - Screening determination for
the Stanton Drew Neighbourhood Plan**

July 2018

Contents

1. Introduction
2. Legislative requirements
3. The Stanton Drew Neighbourhood Plan
4. SEA Screening assessment
5. SEA Screening decision

1. Introduction

This document provides a screening determination of the need to carry out a Strategic Environmental Assessment (SEA) of the Stanton Drew Neighbourhood Plan.

Bath & North East Somerset, as the 'Responsible Authority' under the SEA Regulations¹, are responsible for undertaking this screening process of the Stanton Drew Neighbourhood Plan. It will determine if the plan is likely to have significant environmental effects, and hence whether SEA is required.

This process has been carried out in accordance with the requirements of European Directive 2001/42/EC², often known as the Strategic Environmental Assessment (SEA) Directive, which has been transposed into English law by the SEA Regulations.

¹ The Environmental Assessment of Plans and Programmes Regulations 2004

² European Directive 2001/42/EC "*on the assessment of the effects of certain plans and programmes on the environment*"

2. Legislative requirements

The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. The screening procedure outlined in this report meets the requirements of the SEA Directive and Regulations, as introduced in Section 1 of this document.

Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:

1. *are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use (Regulation 5, para. (2)(a), **and** which set the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment (Regulation 5, para. (2)(b)*
2. *in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC) (Regulation 5, para. (3)*
3. *set the framework for future development consent of projects³ (Regulation 5, para. (4)(b)*
4. *are determined to be likely to have significant environmental effects as determined under regulation 9(1) (Regulation 5, para. (4)(c)*

An environmental assessment need not be carried out for:

- a) *plans which determine the use of a small area⁴ at local level (Regulation 5, para. (6)(a); or*
- b) *plans which are a minor modification⁵ to a plan or programme (Regulation 5, para. (6)(b) unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.*

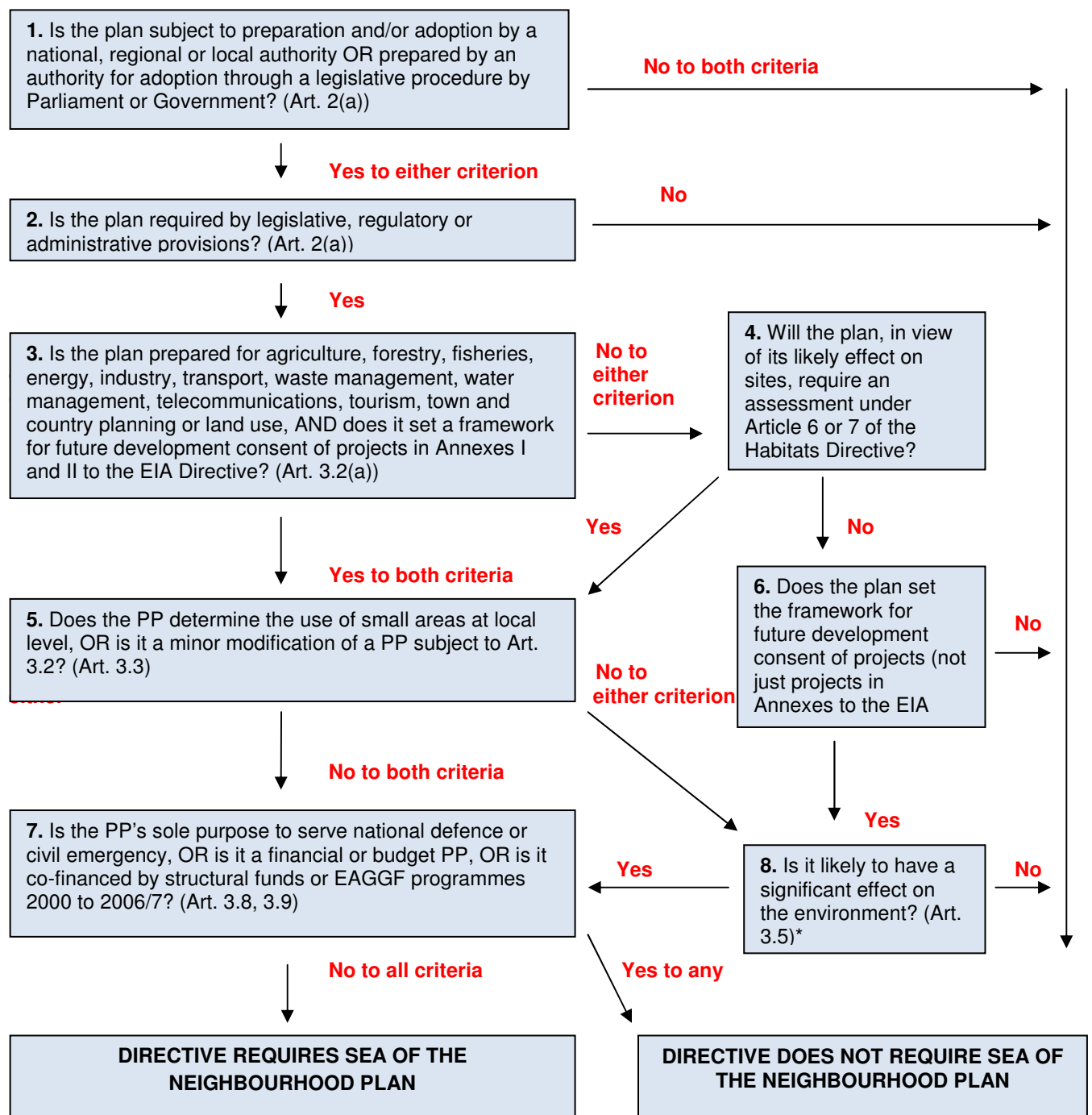
³ European Commission guidance states that plans and programmes which **set the framework for future development consent of projects** would normally contain ‘criteria or conditions which guide the way a consenting authority decides an application for development consent’. **Development consent** is defined in the EIA Directive as “the decision of the competent authority or authorities which entitled the developer to proceed with the project” (Article 1(2) of the EIA Directive).

⁴ European Commission guidance suggests that **plans which determine the use of small areas at local level** might include “a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design”

⁵ **‘Minor modifications’** should be considered in the context of the plan or programme which is being modified and of the likelihood of their having significant environmental effects. A modification may be of such small order that it is unlikely to have significant environmental effects.

The diagram⁶ below shows the SEA Directive's field of application:

Application of the SEA Directive to neighbourhood plans



* Plans falling in this category (No.8) will be screened by B&NES Council to determine if they are likely to have significant environmental effects. This determination will be made on a case by case basis for neighbourhood plans coming forward in B&NES.

NB This diagram is intended as a guide to the criteria for application of the Directive to neighbourhood plans. It has no legal status.

⁶ Taken from *A Practical Guide to the Strategic Environmental Assessment Directive* (ODPM, 2005)

3. The Stanton Drew Neighbourhood Plan

Background

The parish of Stanton Drew within Bath & North East Somerset (B&NES) are currently preparing a neighbourhood plan under the provisions of the Localism Act 2011.

The emerging Neighbourhood Plan seeks to:

- protect and enhance our natural, built and historic environment within the Green Belt, Conservation Area and wider Parish.
- live in a vibrant community, which provides for and supports people of all ages and needs.
- improve education, health, social and cultural wellbeing for all, and ensuring facilities and services are in place to meet local needs.
- drive and support sustainable development which delivers homes, businesses and infrastructure without damaging our environment and helping the community to flourish as it meets present and future demands
- create a safe, shared environment on the roads for pedestrians, traffic and cyclists with good and sustainable public transport links.

Four key areas are being explored in the preparation of the plan:

- Planning and Development
- Environment and Landscape
- Facilities and Services
- Transport and Movement

Steering Group

In 2013, the Stanton Drew Neighbourhood Plan Steering Group was set up to prepare the plan and is led by the parish council. The Group includes a cross section of community representatives that meet regularly to develop the draft plan.

Planning officers from B&NES Council have been informal members of the steering group and continue to act as 'link officers' in providing support and advice.

Neighbourhood area designation

The designation of the Stanton Drew Neighbourhood Area was approved on 11th October 2013.

B&NES Council publicised the Stanton Drew Neighbourhood Area application for consultation over a time period of 6 weeks from 23rd August to 5pm 6th October 2013. 17 comments were received.

B&NES agree that the proposed Stanton Drew Neighbourhood Area (illustrated in figure 1) is coherent, consistent and appropriate in planning terms.

The Stanton Drew Neighbourhood Area application and designation documents are available to view online via the [B&NES Neighbourhood Plan webpage](#) and the Stanton Drew Neighbourhood Plan webpage: <http://www.stantondrewnp.co.uk/>



Figure 1 Map of the Stanton Drew Neighbourhood Plan Area

Draft Stanton Drew Neighbourhood Plan (July 2018)

The latest version of the Stanton Drew Neighbourhood Plan (and supporting documents) is available to view online at: <http://www.stantondrewpnp.co.uk/>

The development of the Neighbourhood Plan has been driven by extensive community engagement, as outlined in the Options document and pre-submission consultation.. Following this consultation, the parish council intend to submit their neighbourhood plan and supporting documents to B&NES Council in Autumn 2018, for local authority consultation and then examination.

The draft Stanton Drew Neighbourhood Plan identifies the following vision:

“Stanton Drew Parish Council decided to develop a Neighbourhood Plan which will provide a legal basis for residents to determine the future for our local environment and community during the next 15 years: where we want to develop and where we don't, our facilities, infrastructure, services and how we encourage and support, our farmers, growers and local businesses, to create a stronger more resilient community for our long-term future.

Consistent with the views of Parishioners, our aim is to ensure a sustainable community that retains the existing rural feel and community spirit, whilst allowing for a degree of expansion for both business and housing needs. We wish to protect the environment and associated views across the Valley and provide adequate and safe means of movement in and around the Parish.

Through consultation with the parish of Stanton Drew over the past four years our Neighbourhood Plan is based on the following criteria;

We want to protect and enhance our natural, built and historic environment within the Green Belt, Conservation Area and wider Parish. At the same time, we want to live in a vibrant community, which provides for and supports people of all ages and needs.

We want to improve education, health, social and cultural wellbeing for all, and ensuring facilities and services are in place to meet local needs.

We want to drive and support sustainable development which delivers homes, businesses and infrastructure without damaging our environment and helping our community to flourish as it meets present and future demands.

We believe that the community would like to create a safe, shared environment on the roads for pedestrians, traffic and cyclists with good and sustainable public transport links.”

The plan also identifies four key themes/objectives:

- Planning and Development
- Environment and Landscape
- Facilities and Services
- Transport and Movement

From these objectives, the plan takes forward 19 draft planning policies which relate to:

- Housing
- Design
- Business
- Community Infrastructure Levy
- Environment and Landscape
- Additional Aspiration Policies

The draft policies proposed can be summarised as:

- **P&D1 – Housing Mix**
- **P&D2 – Affordable Housing**
- **SD1 – Compliance with the Development Plan**
- **SD2 – Landscape Context and Character**
- **SD3 – Landmark Views**
- **SD4 – Conservation Area**
- **SD5 – Character Areas**
- **SD6 – Use of the Stanton Drew Design Statement**
- **BP1 – Business Retention**
- **BP2 – Business Retention within the Housing Development Boundary**
- **BP3 – Internet Connectivity**
- **CIL1 – Community Infrastructure Levy**
- **EL1 – Rural Landscape Character**
- **EL2 – Green corridors and biodiversity**
- **EL3 – Tress, hedge and green verge conservation and enhancement**
- **EL4 – Aquatic Biodiversity**
- **EL5 – Dark skies**
- **EL6 – Heritage Assets**
- **EL8 – Protected Views**

Planning Officers at B&NES Council have been engaged with the neighbourhood plan throughout the plan making process. As part of this involvement, internal meetings were held by the council to discuss earlier drafts of the plan and identify potential issues at an early stage.

At this stage it is considered that the draft Stanton Drew Neighbourhood Plan (and draft planning policies) broadly conform with higher level policy, including the National Planning Policy Framework, the B&NES Core Strategy, the Placemaking Plan and the emerging Joint Spatial Plan and Local Plan. The Core Strategy set out the strategic objectives for B&NES, focussing on key issues and a delivery strategy for achieving these objectives, setting out how much development is intended to happen, where, when, and by what means it will be delivered.

The B&NES Local Plan (Core Strategy (2014) and Placemaking Plan (2017)) contains policies applicable to Stanton Drew. Stanton Drew Parish has been identified as a village 'washed over' by the Green Belt. For settlements washed over by the Green Belt, Policy GB2 will apply as set out in the Green Belt Development Management Policies section, where development will be limited to infilling within the Housing Development Boundary. Any proposals outside the Housing Development Boundaries would be considered inappropriate development in the Green Belt and Core Strategy Policy CP8 would apply.

4. SEA Screening assessment

B&NES Council, as the 'Responsible Authority', consider that the Stanton Drew Neighbourhood Plan falls within the scope of the SEA Regulations on the basis that it is a plan that:

- a)** is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2);
- b)** is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4); and
- c)** will apply to a wider area other than a small area at local level and is not a minor modification to an existing plan or programme (Regulation 5, para. 6).

A determination under Regulation 9 is therefore required as to whether the Stanton Drew Neighbourhood Plan is likely to have significant effects on the environment.

The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations includes two sets of characteristics for determining the likely significance of effects on the environment. These relate to i) the characteristics of the Stanton Drew neighbourhood plan and ii) the characteristics of the effects and of the area likely to be affected by the Neighbourhood Plan. In making a determination, B&NES Council will take into account the criteria specified in Schedule I of the Regulations as follows:

1. The characteristics of the plans and programmes, having regard in particular to:

- (a)** the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
- (b)** the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
- (c)** the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
- (d)** environmental problems relevant to the plan or programme; and
- (e)** the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

- (a)** the probability, duration, frequency and reversibility of the effects;
- (b)** the cumulative nature of the effects;
- (c)** the transboundary nature of the effects;
- (d)** the risks to human health or the environment (for example, due to accidents);
- (e)** the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- (f)** the value and vulnerability of the area likely to be affected due to—
 - (i)** special natural characteristics or cultural heritage;
 - (ii)** exceeded environmental quality standards or limit values; or
 - (iii)** intensive land-use; and
- (g)** the effects on areas or landscapes which have a recognised national, Community or international protection status.

The screening assessment of the Stanton Drew Neighbourhood Plan is set out below:

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
1. The characteristics of plans , having regard, in particular, to:		
(a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	The neighbourhood plan promotes infill development and the development of brownfield sites in line with the NPPF. This is in accordance with Policy RA1 of the B&NES Core Strategy which has been subject to SEA.
(b) the degree to which the plan influences other plans and programmes including those in a hierarchy	No	The neighbourhood plan is produced by the local community to influence development at the local level. It does not influence Strategic plans higher up in the hierarchy.
(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The neighbourhood plan is a land-use plan that promotes sustainable development; it is not specifically a plan for integrating environmental considerations.
(d) environmental problems relevant to the plan	No	The Plan in the introduction, and throughout the Plan, acknowledges the presence of protected wildlife species and seeks to protect these species. The plan does not allocate sites for development and is not promoting development over and above that contained within the adopted B&NES Core Strategy and Placemaking Plan which have been subject to SEA and HRA.
(e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The neighbourhood plan is not relevant as a plan for implementing community legislation.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects	No	Any environmental effects are not considered to be significant judging by the proposals in the neighbourhood plan. Any effects of the limited amount of development proposed is likely to be localised and short-term and related to the construction stage.
(b) the cumulative nature of the effects	No	No cumulative effects considered to be significant.
(c) the transboundary nature of the effects	No	No transboundary effects considered likely to be significant.

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
(d) the risks to human health or the environment (for example, due to accidents)	No	No environmental effects considered likely to risk human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The neighbourhood plan covers one rural parish with an area of 744ha. A population of approximately 787 residents (ONS census 2011). Significant effects due to the geographic size of the area and population size are not considered likely.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	No	<p>The neighbourhood plan is located in the Chew Valley Landscape Character Area which is characterised by Low lying and undulating valley of the River Chew. There are SSSIs and local wildlife sites in the plan area and development has the potential to impact upon the North Somerset & Mendips Bats SAC.</p> <p>The importance of the cultural heritage of the area, including many ancient and listed buildings is acknowledged in the Neighbourhood Plan</p> <p>The Placemaking Plan Key principles include the need for new developments to be mindful of and sensitive to the physical and environmental context of the site and its location, and for the design, contemporary or traditional, to be a harmonious addition to the rural environment, complement the local built heritage, and sit well in the landscape. It is considered that the proposals put forward will not significantly affect the special natural characteristics or cultural heritage of the area, or lead to an exceedance of environmental quality standards.</p>
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	There are national and European landscape/biodiversity designations within and on the edge of the plan area. However, the limited proposals of the neighbourhood plan that accord with the emerging Core Strategy of the local authority and are not considered likely to lead to significant effects on these designations. The B&NES Core Strategy and Placemaking Plan have both been subject to SEA and HRA and this plan does not propose anything over and above what is contained in those higher-level plans.

5. SEA Screening decision

Regulation 9 of the SEA Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall —

- (a) take into account the criteria specified in Schedule 1 to these Regulations; and
- (b) consult the consultation bodies.

Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

B&NES Council consider that the proposed Stanton Dew Neighbourhood Plan is unlikely to have significant environmental effects and accordingly does not require a Strategic Environmental Assessment. This decision is made for the following key reasons:

1. The neighbourhood plan proposals are considered to be in general conformity with the Core Strategy documents of Bath & North East Somerset Council and this has been subject to SEA and HRA assessments.
2. The neighbourhood plan is not proposing additional development over and above that described in the emerging Core Strategy document. Stanton Drew is described as a 'village washed over by the green belt' in the adopted planning policy. The neighbourhood plan explains that 'limited infill' development within the village housing development boundary will be subject to the usual controls and restrictions of the adopted Core Strategy and Placemaking Plan.
3. The Draft HRA screening has confirmed that The Draft HRA that there are opportunities for impact avoidance and mitigation which have been incorporated into the draft Standton Drew Plan.

This Draft Screening Report has been sent to Natural England, Environment Agency and Historic England for their opinions.

Appendix 1: Responses from Natural England, English Heritage and the Environment Agency

George Blanchard

From: Grundy, Amanda (NE) <Amanda.Grundy@naturalengland.org.uk>
Sent: 22 August 2018 09:42
To: George Blanchard
Subject: RE: 2018-09-04 253942 Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening Bath & NE Somerset Council
Attachments: 253942 Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening.pdf

Dear George

Thank you for consulting Natural England regarding the above – please find our comments attached

Kind regards, Amanda

Amanda Grundy
Lead Adviser
Somerset, Avon & Wiltshire Team
Natural England
Horizon House, Deanery Road, Bristol BS1 5AH
07900 608 311

amanda.grundy@naturalengland.org.uk

www.gov.uk/naturalengland

From: George Blanchard [mailto:George_Blanchard@BATHNES.GOV.UK]
Sent: 31 July 2018 11:22
To: 'enquiries@environment-agency.gov.uk' <enquiries@environment-agency.gov.uk>; Consultations (NE) <consultations@naturalengland.org.uk>; 'southwest@HistoricEngland.org.uk' <southwest@HistoricEngland.org.uk>
Subject: Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening

Dear Consultee,

Please find attached a Draft SEA and HRA Screening for the Stanton Drew Neighbourhood Plan Area. This SEA and HRA Report have been prepared on behalf of Stanton Drew Parish Council by Bath and North East Somerset Council. Please note that this is still an emerging plan, the Steering Group completed their Reg. 14 consultation in April 2018 and plan to submit their plan later this year. I have also attached the current working draft of the Neighbourhood Plan to this email.

I would greatly appreciate your comments on this Draft SEA and HRA by 5pm on Tuesday 4th September 2018. If you are unable to make this deadline or if you have no comments please can you let me know by email or on the telephone number below.

Kind regards

George

George Blanchard
Planning Officer - Planning Policy
Bath and North East Somerset Council
Tel. 01225 477684
Email: george_blanchard@bathnes.gov.uk

Date: 22 August 2018
Our ref: 253942
Your ref: -



George Blanchard
Planning Officer - Planning Policy
Bath and North East Somerset Council
BY EMAIL ONLY
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T 0300 060 3900

Dear Mr Blanchard

Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening

Thank you for your consultation on the above dated 31 July 2018 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Stanton Drew Neighbourhood Plan appears to be a well-researched and generally positive document that reflects local aspirations for the area and accords with relevant higher tier plans and policies.

Strategic Environmental Assessment (SEA)

There are no nationally designated sites or landscapes located in the Plan area, although it is within 200m of Folly Farm Site of Special Scientific Interest (SSSI) and within 2km of Chew Valley Lake SSSI and Special Protection Area (SPA) and the Mendip Hills Area of Outstanding Natural Beauty.

We have considered the screening assessment of the Neighbourhood Plan against the requirements of the criteria set out in the SEA Directive. Based on the information provided, Natural England agrees the Neighbourhood Plan appears unlikely to give rise to significant environmental effects and your conclusion that a Strategic Environmental Assessment is not required is reasonable.

Habitats Regulation Assessment (HRA)

The SDNP HRA notes that Stanton Drew Parish lies within 1.8km of Chew Valley Lake SPA and entirely within a 5km buffer zone identified in the HRA. It considers possible impacts on the SPA that could occur in relation to water supply and increased recreation, but concludes the overall level of development and growth anticipated from the SDNP is very small and unlikely to result in any significant impacts to the SAC.

Based on the information provided the Council's conclusion that Stanton Drew Neighbourhood Plan is unlikely to have significant effects on European sites, alone or in combination, appears reasonable and we agree that further assessment is not necessary.

Opportunities for impact avoidance and mitigation

Notwithstanding the above, while we would not expect the relatively modest development proposals

in the SDNP to result in a significant effects on Chew Valley SPA, we note and endorse the advice in the HRA that *there is scope to improve the plan by including a clear reference to the occurrence and status of the SPA in close proximity to the Parish and the opportunities to enhance habitat corridors towards and away from the lake*. Natural England would welcome such a reference in the SDNP in recognition of the importance and sensitivity of this national and European designated site.

We would be happy to comment further should the need arise but if in the meantime you have any queries relating to the specific advice in this letter please contact me on 07900 608311.

Yours sincerely

Amanda Grundy
Somerset, Avon & Wiltshire Area Team

George Blanchard

From: Stuart, David <David.Stuart@HistoricEngland.org.uk>
Sent: 03 September 2018 16:41
To: George Blanchard
Subject: Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening

Dear George

Thank you for your SEA Screening consultation on the emerging Stanton Drew Neighbourhood Plan.

I can confirm that we have no objection to the view that an SEA is not required.

Kind regards

David

David Stuart | Historic Places Adviser South West
Direct Line: 0117 975 0680 | Mobile: 0797 924 0316

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From: George Blanchard [mailto:George_Blanchard@BATHNES.GOV.UK]
Sent: 31 July 2018 11:22
To: 'enquiries@environment-agency.gov.uk'; 'consultations@naturalengland.org.uk'; Historic England Southwest
Subject: Stanton Drew Neighbourhood Plan - Draft SEA and HRA Screening

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I would greatly appreciate your comments on this Draft SEA and HRA by 5pm on Tuesday 4th September 2018. If you are unable to make this deadline or if you have no comments please can you let me know by email or on the telephone number below.

Kind regards

George

George Blanchard
Planning Officer - Planning Policy
Bath and North East Somerset Council
Tel. 01225 477684
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