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Date: 26th February 2020

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Dear Sir/Madam,

A meeting of Council will be held in the Council Chamber - Penallta House, Tredomen, Ystrad Mynach on Tuesday, 3rd March, 2020 at 5.00 pm to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy', enclosed in a large, loopy oval shape.

Christina Harrhy
INTERIM CHIEF EXECUTIVE

A G E N D A

- | | Pages |
|-------------------------------------|-------|
| 1 To receive apologies for absence. | |
| 2 Mayor's Announcements. | |

1 - 2

A greener place Man gwyrddach



3 To receive petitions under Rule of Procedure 28(3).

4 Presentation of Awards.

5 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

6 Council held on 21st January 2020.

3 - 10

7 To receive and to answer questions received under Rule of Procedure 10(2).

To the Leader of Council from Councillor Kevin Etheridge.

To ask the Leader in regard the Sport & Active Leisure Strategy and the reference to Pontllanfraith Leisure Centre which I mentioned on 21/1/20 - Why were Elected Members not told about the Leisure Strategy proceeding to the High Court of Appeal in London on 20/2/20 when papers were submitted to the Court on 3/1/20 by the Council, given that Elected Members only found out when this appeared on Social Media by the campaigners does the Leader feel this appropriate under the Consultation and Engagement Strategy?

8 To receive and to answer questions received under Rule of Procedure 10(4).

Question from Councillor James Pritchard to the Deputy Leader and Cabinet Member for Regeneration Transportation and Sustainability.

Will the Cabinet Member for Regeneration, Transportation and Sustainability explain Caerphilly County Borough Council's historical and current approach to street lighting? I know from talking to residents that the night time switch off from 12 midnight to 5.30am while welcomed by many, is also causing great concern to many.

To receive and consider the following reports: -

9 Notice of Motion Relating To The Effect Of Fireworks In Public And Private Displays.

11 - 16

10 Publication of the Pay Policy Statement 2020/21.

17 - 38

11 Second Replacement Caerphilly County Borough Local Development Plan Up To 2035 - Draft Delivery Agreement.

39 - 88

Circulation:

All Members And Appropriate Officers

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Agenda Item 2



CIVIC DIARY ENGAGEMENTS

22nd January 2020 – 3rd March 2020

January

- 15th Santa Appeal Presentation of Certificates
- 18th Opening of QuickStepFitness Gym, Bedwas
- 19th Opening of Holistic Service, Nelson
- 24th Unveiling of Memorial to Llwyelyn Bren, Gelligaer
- 25th Contemporary Young Musician of the Year Finals
- 27th Citizenship Ceremony
- 30th Holocaust Memorial Event, Penallta House

February

- 1st Enthronement of Bishop of Monmouth, St Woolos Cathedral
- 10th 100th Birthday Presentation
- 13th Visit to Crucial Crew Event
- 13th First Give Judging Event, Lewis School Pengam
- 14th Concert in aid of Velindre, St Martin's Church
- 20th Special Council
- 21st Visit Lego Club, Blackwood Library
- 22nd Opening of Woodland Park, Panside
- 24th Mayor's Charity Night, Risca
- 25th Gwent Police Cadet's Passing Out Parade
- 29th St David's Day Parade, Merthyr Tydfil
- 29th Alice Mee Bishop's Concert, Fleur-de-lis Institute
- 29th Caerphilly Male Voice Choir Concert, Bedwas

March

- 1st Unveiling of Blackvein Miners Memorial Ground Plaque
- 3rd Council

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COUNCIL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 21ST JANUARY 2020 AT 5.00PM

PRESENT:

Councillor J. Simmonds - Mayor

Councillors:

M. Adams, Mrs E.M. Aldworth, A.P. Angel, J. Bevan, C. Bezzina, L.J. Binding, A. Collis, D. Cushing, C. Cuss, W. David, D.T. Davies, M. Davies, K. Dawson, N. Dix, C. Elsbury, K. Etheridge, M. Evans, A. Farina-Childs, Mrs C. Forehead, J.E. Fussell, A. Gair, Ms J. Gale, N. George, C. Gordon, R.W. Gough, L. Harding, D. Harse, D. Havard, A.G. Higgs, A. Hussey, M.P. James, V. James, L. Jeremiah, Mrs B.A. Jones, G. Kirby, Mrs A. Leonard, Ms P. Leonard, C.P. Mann, P. Marsden, B. Miles, S. Morgan, Mrs G.D. Oliver, B. Owen, Mrs T. Parry, Mrs L. Phipps, D.V. Poole, J. Pritchard, J. Ridgewell, J.E. Roberts, R. Saralis, J. Scriven, G. Simmonds, S. Skivens, Mrs E. Stenner, J. Taylor, C. Thomas, A. Whitcombe, R. Whiting, L.G. Whittle, T. Williams, W. Williams and B. Zaplatynski.

Together with:-

C. Harray (Interim Chief Executive), R. Tranter (Head of Legal Services & Monitoring Officer), D. Street (Corporate Director Social Services), R. Edmunds (Corporate Director Education and Corporate Services, M.S. Williams (Corporate Director Communities), S. Harris (Head of Business Improvement, Finance and Section 151 Officer), L. Lane (Head of Democratic Services and Deputy Monitoring Officer), S. Pugh (Head of Communications), E. Sullivan (Senior Committee Services Officer).

WEB-CASTING FILMING AND VOTING ARRANGEMENTS

The Interim Chief Executive reminded those present that the meeting was being filmed and would be made publically available in live and archive form via the Council's website. She advised that decisions would be made by way of the electronic voting system.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C. Andrews, P.J. Bevan, S. Cook, E. Forehead, D. Hardacre, G. Johnston, S. Kent, D.W.R. Preece, D. Price and M. Sargent.

2. MAYOR'S ANNOUNCEMENTS

The Mayor referred to the many events and visits that he and the Deputy Mayor have undertaken since the last meeting and referred to an upcoming Quiz and Curry Night, proceeds from which would be donated to the Mayor's Charities.

3. TO RECEIVE PETITIONS UNDER RULE OF PROCEDURE 28(3)

Councillor C. Mann presented a petition on behalf of local residents to Switch Caerphilly's Street Lights Back On and Councillor J. Roberts presented a petition from Aber Valley Community Councillor Against the Decommissioning of the CCTV Camera's in the villages of Senghenydd and Abertridwr as part of the 2020/21 Draft Budget Proposals.

4. PRESENTATION OF AWARDS

Idris Davies School – Launch of Loan Shark Awareness Film

The Cabinet Member for Homes, Places and Tourism advised that by working in partnership with the Authorities Rents Team, pupils from Idris Davies School recently launched their loan shark awareness film.

The Partnership secured £9,000 of funding from the Wales Illegal Money Lending Unit to support local projects that raise awareness of borrowing from loan sharks.

Idris Davies School worked with Dean Richards, a local song writer, to develop and produce a short film and song highlighting the negative impacts of loan sharks. The film which will be used to help educate young people about budgeting and avoiding debt was then played for Council.

Richard Owen – Head Teacher, Davina Parfitt – Head of Middle Phase and pupils Hollie Morgan and Ben Jones were invited to come forward so that their project could be recognised by Council.

Landscape Institute Awards

The Cabinet Member Environment and Neighbourhood Services advised that the Masterplan for Sustaining Caerphilly's Landscape study has won the Local Landscape Planning Award at the National Landscape Institute Awards Ceremony.

The study, commissioned through Countryside and Landscape Services Regional Development Planning Team, was led by White Young Green who worked with the authority and local community groups to prepare a landscape masterplan based on the principles of Sustainable Management of Natural Resources. The study looks at how to make the landscape work harder for multiple end users, improving resilience to climate change and is based on the resources available to manage the landscape in a sustainable way. The study provides a deliverable and ambitious set of proposals to facilitate a sustainable and collaborative approach to landscape management and public access.

Phil Griffiths, the Authority's Green Space Strategy and Cemeteries Manager, Lee Morris from White Young Green and Jayne Garland from the Community Group were invited to come forward so that Council could recognise their award.

Wales Local Authority Catering Association Awards

The Cabinet Member for Education introduced the award and was pleased to announce that two Members of the Schools Catering Staff have recently been crowned as 'shining stars' at the Wales Local Authority Catering Association Awards.

Phyllis Levi the Cook in Charge at Blackwood Primary School has worked for catering services for more than 40 years. Her team provides over 1,000 meals a week and Phyllis also has responsibility for managing the Breakfast Club. Phyllis is warm and caring with a big heart, and has an infectious personality which puts a smile on everyone's face which shows through in her strong bond with pupils.

Joyce Handford is a Breakfast Club and Catering Assistant at Coed y Brain Primary School and has worked at the school for more than 41 years. Joyce works extremely hard, going above and beyond what is expected of her to make the service a success. She encourages the pupils to try new things and with her friendly, cheerful attitude helps make them feel special and part of her wider family.

These two very special ladies who are passionate about their job were called forward so that Council could recognise their outstanding work.

APSE BUILDING CLEANING AWARDS

The Cabinet Member for Environment and Neighbourhood Services advised that at the recent Association for Public Service Excellence Awards the Council's Building Cleaning Department won the 'Most Improved Performer in Building Cleaning'. This award recognizes the significant improvements implemented by the team, which covers areas such as quality performance, cost, promoting excellence and commitment to frontline service provision.

Julie Howe, Sharon Tasker, Alison Greenaway, Kelly Thomas and Sharon Smith were called forward so that Council could recognise their award.

APSE HIGHWAYS

The Cabinet Member for Regeneration, Transportation and Sustainability confirmed that at the recent Association of Public Service Excellence Awards the Council's Highways Department won the Most Improved Performer in the Road Highways and Winter Maintenance category.

The Highways Team is responsible for making Caerphilly County Borough a cleaner, safer and greener place to live and staff work extremely hard to ensure the safety of our residents.

Joe Williams, Nathan Jones and Ian Shephard were called forward in order for Council to recognise their outstanding work.

SOUTH WALES ARGUS SCHOOL AND EDUCATION AWARDS

The Cabinet Member for Education introduced The South Wales Argus School and Education Awards which celebrate excellence in schools and education across Gwent. Five Caerphilly schools, Bedwas Infants, Fochriw Primary, Greenhill Primary, Idris Davies and St Martin's Comprehensive were selected as finalists, clearly demonstrating the level of excellence we have in the schools and within our borough.

Council were advised that St. Martin's Comprehensive School won the prize for Secondary School of the Year after having an outstanding academic year achieving its best ever set of results. Fochriw Primary School won the prize for Best Primary School and the schools Heddlu Bach scheme was praised at the ceremony and has been put forward for a Wales wide award.

The Cabinet Member was also delighted to announce that the judges voted unanimously to crown Fochriw Primary as School of the Year, which is testament to the hard work and commitment of the staff, pupils and parents of the school.

The Cabinet Member congratulated all the schools who reached the finals and recognised the dedication of the staff within the schools.

Richard Owen and Davina Parfitt from Idris Davies School and Lisa Jones and Carole Pepperell from Greenhill Primary were called forward so that Council could recognise their achievement in reaching the finals.

Lee Jarvis, Steve Jones and Clare Manson from St. Martin's Comprehensive and Sharon Pasco and Michelle Harris from Fochriw Primary were called forward so that Council could recognise their fantastic achievement and awards.

5. DECLARATIONS OF INTEREST

Councillor D. Cushing declared a personal and prejudicial interest in relation to Agenda Item No. 9 – Council Tax Reduction Scheme 2020/21, in that she had recently made an application under the scheme and could therefore potentially benefit from it and would leave the Chamber when the matter was discussed. Full details are minuted with the respective item.

6. LEADER'S ANNOUNCEMENT

The Leader, Councillor Philippa Marsden set out her plans, priorities and aspirations for the future and welcomed a new chapter for the Authority following the significant challenges faced over the past few years.

Entering 2020 with a new sense of shared purpose and direction, The Leader expressed the pride and privilege she felt in undertaking her new role. Members were advised that the recruitment process for a permanent Chief Executive was underway and this appointment would help strengthen the authority's position and bring stability and confidence to the organisation as an exciting journey of transformation begins.

Reflecting on a number of key achievements and success stories delivered over the past few years a short video clip was played in order to better illustrate the fantastic work that this Council has been doing and the positive impact made on the lives of people across the borough. The Leader expressed her thanks to the Communications Team for producing the video and to the staff at every level across the organisation for their ongoing commitment to delivering high quality services. On behalf of all Members she expressed her thanks for their dedication, professionalism and pride in their efforts.

The Leader confirmed that there were no changes to the composition of the Cabinet however portfolio areas had been adjusted and this would provide Cabinet with a renewed focus to better serve the needs of the organisation and residents. In addition to reviewing the roles, there would also be a temporary reduction in the number of Cabinet Members from nine to eight until the end of the financial year which would contribute to the authority's financial savings.

Looking to the future Members were advised that the key focus would be one of transformation and an exciting new programme that will bring positive change across the Council and the County Borough of the next few years. Team Caerphilly – Better Together is an ambitious and bold new venture. The Leader explained the need for the Authority to do things differently, embrace innovation and empower staff, partners and communities to be bold, brave and brilliant in the way they deliver services. It was noted that the use of financial reserves would be looked at in order to invest in this transformation and help delivery the key changes identified as part of service reviews and place-shaping plans.

The pivotal role that each individual Elected Member would have in shaping these plans was explained as their knowledge of their communities would be vital when engaging with local people to ensure positive future outcomes.

Key priorities would be Education, Housing, Regeneration and Transformation as the power and impact of these areas when they are aligned underpins all that we do as an Authority. Consider that children live in families, families create communities and communities bring hope and ambition so everyone can be the best they can be. Council were advised that the Leader would champion these causes and as a passionate trade unionist would do her utmost to uphold those principles in particular protecting and promotion the interests of a diverse and dedicated workforce.

The Leader confirmed that she would continue as the Council's Youth Champion and would continue to promote and protect the interests of young people across the county borough whose voice is vitally important in the democratic process.

In closing, Members were advised that although the budget settlement for 2020/21 was more positive than originally anticipated the Authority cannot be complacent and savings would still need to identified and delivered wherever possible. However the list of draft savings proposals was being reviewed in light of that brighter outlook and feedback from the consultation process would be reflected in any changes made.

The Leader re-emphasised her belief that this is an excellent Council but there was a real need to press the reset button and start a new chapter in history of Caerphilly County Borough Council and she looked forward to working with everyone in order to achieve this.

7. MINUTES – COUNCIL – 19TH NOVEMBER 2019

RESOLVED that the minutes of Council on the 19th November 2019 (minute nos. 1-15) be approved as correct records and signed by the Mayor.

8. TO RECEIVE AND TO ANSWER QUESTIONS RECEIVED UNDER RULE OF PROCEDURE 10 (2)

To ask the Leader of Council to define the measures in regard to working together with opposition and backbench Councillors in moving issues forward in regard to Team Caerphilly, and how the Leader proposes to make Scrutiny Committees more challenging and effective in dealing with issues of concern for our residents, and if the Leader will make a statement on the new working approach with a timescale and action plan.

Response from the Leader of Council – Councillor P. Marsden

Councillor Etheridge I wondered why you are asking me these questions is it because you are feeling ineffective and superfluous as a Councillor?

Cllr Etheridge you have asked me if I could define measures where opposition can work together and if I will propose how I could make scrutiny more challenging and effective, well for many years we have worked in fair and balanced way, in the way that scrutiny committees and task and finish groups have a pre-prescribed balance of members of the ruling party and members of the opposition groups, so are you obviously asking for your group to have more input into these committees.

As the Independent Group currently refrain from positions offered by the current way of working, in refusing to take up positions on Health & Social Care Scrutiny Committee, Waste Task and Finish Group, Planning and the Disciplinary Committee. I must say I find it very strange that you should be asking for more involvement in democracy when your Group constantly fail to be involved in it as it stands.

Supplementary Question from Cllr K. Etheridge

Ineffective as a Councillor, fair and balanced way, could I then ask the Leader why in her Cabinet she ignored the 5700 named petition from Pontllanfraith Leisure Residents they ignored the 3000 named petition on closing of the public toilets. Could I ask the Leader to refer to the new chapter Shared Purpose and Direction and I'm sure that she would take a more partnership approach with all Councillors in driving Caerphilly forward. Can she confirm how this will be achieved as she has decided not to do an amendment to Cabinet?

Please note a correction to the Leaders Statement as the Independent Group did take up their position on the Health and Social Care Scrutiny Committee.

Response from the Leader of Council – Councillor P. Marsden

In relation to the petition etc, I think that you will find that we put a halt to the closure of Pontllanfraith Leisure Centre, we listened to the public. Sorry I didn't quite catch all the other things that that you talked about in your question, as obviously there was quite a lot of text in there Councillor Etheridge. So that's all I'm going to say, we have listened to the public and on one occasion we have stopped and halted the closure of Pontllanfraith Leisure Centre.

9. COUNCIL TAX REDUCTION SCHEME 2020/21

Councillor D. Cushing declared a personal and prejudicial interest in that she has recently applied for a reduction under the scheme and therefore could potentially benefit from it and left the Chamber when the matter was discussed.

Consideration was given to the report which sought Council approval for the Council Tax Reduction Scheme for the 2020/21 financial year along with the previously agreed local discretions.

Having fully considered its content and for the reasons given in the Officer's report it was moved and seconded that the recommendation contained therein be approved and by way of the electronic voting system this was unanimously agreed.

RESOLVED that the current Council Tax Reduction Scheme continues for the 2020/21 financial year along with the previously agreed local discretions.

10. ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES 2018/19

Consideration was given to the report which had been presented and unanimously supported by Social Services Scrutiny Committee in its meeting on the 22nd October 2019.

The Annual Report of the Director of Social Services provides a summary of the effectiveness of the Caerphilly County Borough Council in delivering Social Services to its citizens. Following a format prescribed by CIW it details how the priorities for 2018/19 were address and list the priorities for 2018-19 together with comparable information for 2017/18 and 2016/17.

The challenges in relation to regional working were emphasised and were noted to becoming significant for Social Services departments. Council was advised that the Regional Partnership Boards were becoming the 'vehicles of choice' for Welsh Government in implementing policy changes and as recipients of grant funding to assist partners implement these changes. This regional work is becoming increasingly intensive and time consuming and poses challenges on the engagement of elected members prior to the implementation of new service delivery models. Members were advised that a report on the work of the Regional Partnership Board in Gwent and how it impacts Caerphilly is scheduled for Social Services Scrutiny Committee on the 4th February 2020.

Key achievements were outlined and priorities were outlined and included the development of a Corporate Volunteering Scheme, the opening of second Children's Home, developing services for carers to support them in their caring role, which has seen an increase in the number of people who see themselves as carers. Recruitment within Children Services would continue to be monitored, however the introduction of a market supplements has helped with the recruitment and retention of staff. Other priorities would include the expansion of the discharge to access model in the local hospital, funding for a third Children's Homes and the continued development of Community Hubs, the Gwent Children Partnership and Dementia Care.

Members welcomed the report and the Chair of the Social Services Scrutiny Committee confirmed that the Committee had expressed significant concern in relation to the Regional Partnership Board as there was a clear democratic deficit and total lack of oversight in regard to its decision making.

The Cabinet Member for Social Services confirmed that the Regional Partnership Board was the vehicle wanted by Welsh Government and explained that there were five General Cabinet Members for Health on the Board and gave assurances that as one of these Members he would always put Caerphilly County Borough's interests first. Although it was not a vehicle of CCBC making it did furnish a platform to utilise the spending of grant money in a short time frame.

How best oversight could be achieved was under consideration and although post decision scrutiny could be easily accomplished, the greater challenge would lie with how to secure pre-decision scrutiny due to the timeframes involved. The Director of Social Services confirmed that this was conversation he would be more than happy to have with Social Services Scrutiny.

A Member confirmed his intention to attend Scrutiny on the 4th February 2020 as he shared the concerns raised in particular whether the Board was fit for purpose, provide value for money and its lack of accountability. The Cabinet Member advised that the Board had provided a lifeline for service delivery and a great deal of collaborative work would not have been possible without its funding. Although he agreed with the concerns in relation to its governance he assured Members again that he would pursue this with Welsh Government and ensure its continued benefit for the people of Caerphilly.

Members queried how far away we were from securing a full compliment of Foster Carers and Social Workers and were advised that strives had been made in increasing Foster Carer numbers and recruitment was continuing. In relation to Children's Services Social Workers the introduction of a market supplement had made a difference however there was a lot of alternative employment within this field so it would be continually monitored.

Clarification was sought in relation to the increase in delayed transfers of care, percentage of adults who completed a period of reablement and have a reduced package of care and support 6 months later and the increase in the percentage of re-registrations of children on the Child Protection Register.

It was explained that the year on year people are presenting with more and more complex needs and although performance has improved these increasing complex cases require the appropriate packages of care to be put in place before discharge. Although the pressures on the NHS are considered any discharge must be done safely. Reablement provision had been changed from targeted to a more blanket approach, which has cast the net and therefore the number being support has increased.

In terms of the Child Protection Register it was again noted that cases were becoming more and more complex in nature however Caerphilly have performed well and work with partners to ensure that each individual child has the best placement to meet their specific needs.

Members expressed their support for the outstanding work of both Adult and Children's Social Services and the outcomes that they achieve.

Reference was then made to the opening of a second Children's Home and the plans for a third and queried why the move back to building homes.

It was noted that Welsh Government had made capital funding available for more in house provision in order to expand in county and in country placements and this ambition is one shared by Caerphilly County Borough.

The Member asked for assurances and there would be no potential risks to the safety of children by bringing placement in house. It was noted that very often placements were court ordered and would therefore be strictly adhered to, however where placement are need in an emergency this in house provision would be a vital asset and provide a safe place locally for a child.

The Director of Social Services confirmed that no child's safety would be put into jeopardy because of costs. Meeting the needs of the individual child and ensuring their safety would always be the overriding priority. The demand for accommodation for children with complex needs where adoptive or foster care is not possible has exceeded demand and there has been a reliance on the private sector to meet that need. Caerphilly want to have a better balance of in house provision, however should the needs of the child require an external placement for whatever reason be it choice, to be closer to family or for safety reasons then that placement would be provided.

Having fully considered the Director of Social Service's Annual Report it was moved and seconded that it be adopted and by way of the electronic voting system this was unanimously agreed.

RESOLVED that the Annual Report of the Director of Social Services 2018/19 be adopted.

TO RECEIVE AND NOTE THE FOLLOWING INFORMATION ITEM UNDER RULE OF PROCEDURE 16.2(B)

11. APPROPRIATION OF RESIDENTIAL PROPERTIES (URGENT ITEM CABINET 27TH NOVEMBER 2019)

The Monitoring Officer confirmed that the Constitution requires that any decision taken as a matter of urgency to Cabinet must then be reported to the next meeting of Council, giving the reasons for its urgency and is therefore being presented for Members to note.

The report and reasons for its urgency were noted by Council.

The meeting closed at 18:30pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 3rd March 2020 they were signed by the Mayor.

MAYOR



COUNCIL – 3RD MARCH 2020

SUBJECT: NOTICE OF MOTION RELATING TO THE EFFECT OF FIREWORKS IN PUBLIC AND PRIVATE DISPLAYS

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

- 1.1 The attached report, which was considered by the Environment and Sustainability Scrutiny Committee on 11th February 2020 detailed a Notice of Motion, received from Councillor N. Dix and supported by Councillor D.W.R. Preece. The Scrutiny Committee were asked to consider the Notice of Motion, as set out in paragraph 6.1 of the report and make an appropriate recommendation to Council, in accordance with Rule 11(3) of the Council's Constitution.
- 1.2 Members considered the following Notice of Motion that Council:-
 - i. Write to Welsh Government urging them to utilise any levers at their disposal to mitigate any negative impacts on animals and vulnerable people of the hosting of firework displays.

and

 - ii. write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays.
- 1.3 The Committee heard evidence from Mr L Clark (public affairs adviser at RSPCA Cymru) which supported the Notice of Motion. Members were advised that the RSPCA received over 400 calls last year relating to fireworks. Some outlined animal injuries caused as they fled following the noise from fireworks. Mr Clark also highlighted the RSPCA's "Bang Out Of Order" campaign which claims that existing laws on fireworks are inadequate.
- 1.4 During the course of the ensuing debate, discussion took place on how the suggested maximum noise level of 90dB had been determined, and the Committee were advised that this had been recommended by the RSPCA following scientific research. The Committee also discussed the issue of subjectivity in relation to noise assessments.
- 1.5 A Member raised the issue of endorsing the wider RSPCA campaign and the need to include aspects such as actively promoting public awareness. Members were advised that the Council does not have the powers or duties to implement the full range of RSPCA suggestions. Members also discussed the rules and restrictions surrounding the sale of fireworks, together with enforcement responsibilities. Members were advised that there are already a number of regulations in place and that enforcement is the responsibility of the Trading Standards department.

- 1.6 Following consideration and discussion the Environment and Sustainability Scrutiny Committee unanimously endorsed the Notice of Motion and recommended its acceptance.
- 1.7 Council is now asked to consider the attached Notice of Motion.

Author: Mark Jacques, Scrutiny Officer – jacqum@caerphilly.gov.uk

Appendices:

Appendix 1 Report to Environment and Sustainability Scrutiny Committee Report 11th February 2020 – Agenda Item 7



**ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE –
11TH FEBRUARY 2020**

**SUBJECT: NOTICE OF MOTION RELATING TO THE EFFECT OF FIREWORKS IN
PUBLIC AND PRIVATE DISPLAYS**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE
SERVICES**

1. PURPOSE OF REPORT

1.1 The Scrutiny Committee is asked to consider the Notice of Motion as set out in Paragraph 6 of the report, and make an appropriate recommendation to Council.

2. SUMMARY

2.1 A Notice of Motion has been received from Councillor N. Dix.

2.2 The Notice of Motion meets the criteria set out in the Council's Constitution and in accordance with the Council's Rules of Procedure is now referred to this Scrutiny Committee for consideration prior to its presentation to Council.

3. RECOMMENDATIONS

3.1 The Committee is asked to consider the Notice of Motion outlined in paragraph 6.1 below.

4. REASONS FOR THE RECOMMENDATION

4.1 To comply with the requirements of the Council's Constitution.

5. LINKS TO STRATEGY

5.1 The procedural rules regarding a Notice of Motion are contained within Council's Constitution. The Council's Constitution sets out the framework for the decision making roles and responsibilities which will impact on future generations.

6. REPORT

6.1 Councillor N. Dix requests in his Notice of Motion that Council:-

- (i) write to Welsh Government urging them to utilise any levers at their disposal to mitigate any negative impacts on animals and vulnerable people of the hosting of firework displays.

and

- (ii) write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays.

6.2 The following information is provided by the Member in support of his notice of motion.

Reasons for the Motion

The Notice of Motion included the following accompanying information from the RSPCA

- 6.3 *Fireworks are used by people throughout the year to mark different events. While they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals. They can be a source of fear and distress for many animals (including pet animals, farm livestock and wildlife). Animals affected not only suffer psychological distress but can also cause themselves injuries – sometimes very serious ones as they attempt to run away or hide from the noise.*
- 6.4 *The unpredictable, loud and high intensity noises that many fireworks make can cause fear. For example, studies have found fireworks to be the most common cause for fear responses in dogs and it is estimated that 45% of dogs show signs of fear when they hear fireworks. A New Zealand survey recorded 79% of horses as either anxious or very anxious around fireworks or over the Guy Fawkes Day period.*
- 6.5 *Debris produced by fireworks, if found on the ground, can also pose a hazard to animals, such as horses and farm livestock. Although there is limited direct evidence, it is also likely that fireworks and their debris will cause disturbance to wildlife and are likely to cause suffering or distress depending on the distance from the explosive and the noise level.*
- 6.6 *RSPCA Cymru believes there is a real need to raise awareness amongst owners of animals about fireworks phobia. This phobia can be treated (in dogs at least) in the long term but owners need to prepare themselves and their pets sooner, rather than just before the fireworks are let off. There is a need to raise awareness about the impact of fireworks on animals to the wider public to encourage them to be more considerate of those with pets, horses and livestock as well as local wildlife.*

7. WELL-BEING OF FUTURE GENERATIONS

- 7.1 The Notice of Motion is consistent with the five ways of working as defined within the act as it complies with the rules and regulations of the Council's Constitution which sets out a clear framework for how the Council operates in particular decision making responsibilities which will consider the positive and negative impacts on future generations, long term resilience, economic, environmental and social capital.

8. EQUALITIES IMPLICATIONS

- 8.1 There are no specific equalities implications that directly affect the Council arising from the report.

9. FINANCIAL IMPLICATIONS

- 9.1 There are no financial implications associated with this report.

10. PERSONNEL IMPLICATIONS

10.1 There are no personnel implications associated with this report.

11. CONSULTATIONS

11.1 There has been no consultation undertaken.

Author: Lisa Lane, Head of Democratic Services and Deputy Monitoring Officer

Appendices:
Appendix 1 Copy of Notice of Motion

NOTICE OF MOTION**THE EFFECT OF FIREWORKS ON ANIMALS AND VULNERABLE PEOPLE IN PUBLIC
AND PRIVATE DISPLAYS**

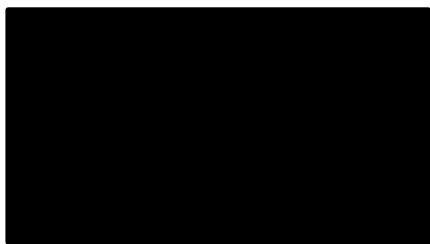
To consider the undersigned Notice of Motion standing in the name of County Borough Councillor N. Dix and supported by those listed below.

We the undersigned elected members ask that this Council: -

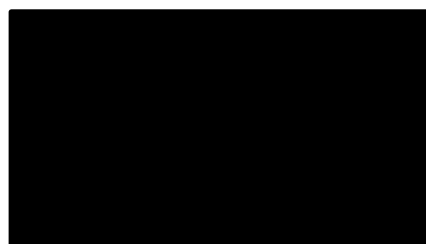
- (i) write to Welsh Government urging them to utilise any levers at their disposal to mitigate any negative impacts on animals and vulnerable people of the hosting of firework displays.

and

- (ii) write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays.



Councillor N. Dix



Councillor D.W.R. Preece



COUNCIL – 3RD MARCH 2020

SUBJECT: PUBLICATION OF THE PAY POLICY STATEMENT 2020 /21

REPORT BY: CORPORATE DIRECTOR – EDUCATION & CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to seek approval from Council for the publication of the Authority's Pay Policy 2020 / 21.

2. SUMMARY

- 2.1 The Localism Act 2011 requires Local Authorities to develop and make public their Pay Policy. This includes all aspects of Chief Officer Remuneration (including on ceasing to hold office), and also in relation to the "lowest paid" in the Council, explaining their Policy on the relationship between remuneration for Chief Officers and other groups.
- 2.2 The provisions in the Localism Act 2011 which relate to Pay Policy statements only apply to employees directly appointed and managed by the Council. Employees who are appointed and managed by school Head Teachers / Governing Bodies are, therefore, not required to be included within the scope of Pay Policy statements. This reflects the unique employment legislation position whereby all schools employees are employed by the local authority, but decisions about the appointment and management of such employees are mostly discharged by head teachers/governing bodies, as appropriate.

3. RECOMMENDATIONS

- 3.1 Council is asked to agree:
- 3.1.1 the attached Pay Policy Statement 2020 / 21 (Version 9) for publication on the Council's website.
- 3.1.2 the payment of the Foundation Living Wage hourly rate of £9.30 with effect from 1st November 2018.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 Council is asked to agree the recommendations to comply with the legislative requirements of the Localism Act 2011 with the publication of the Pay Policy 2020 / 21 and to continue to pay the Foundation Living Wage rate.

5. THE REPORT

- 5.1 The Pay Policy Statement attached contains the full details of the remuneration position for the Council for 2020 / 21 that it is required to publish under legislation.
 - 5.1.1 For Members information, negotiations are ongoing with regard to national pay awards for 2020.
- 5.2 The Pay Policy will be published on the Council's Website, and will be available for access by members of the public, press and interested pressure groups.
- 5.3 It should be noted that the Pay Policy is required to be published on an annual basis, once accepted by Council. There is a requirement under the Localism Act for this to be undertaken before the 31st March each year.
- 5.4 The Hutton Review - "Review of Fair Pay in the Public Sector" (2010) – highlighted issues around Senior Pay, and the relativities with others in the organisation. The policy statement publishes these relativities, and CCBC is well within the advisory guidelines provided. The salary utilised for the Chief Executive calculations is the salary of the Interim Chief Executive, and not that of the substantive post holder.
- 5.5 The Council pays the Foundation Living Wage rate. The previous rate was £9.00 per hour as covered in last year's Pay Policy. With effect from the 1 November 2019 this rate increased to £9.30 per hour.

5.6 Conclusion

- 5.6.1 The Council has a legal requirement to publish a Pay Policy statement by 31st March each year. The Pay Policy statement attached at Appendix 1 is a statement of fact. National pay awards for 2020 / 21 are still subject to negotiation.

6. ASSUMPTIONS

- 6.1 There are no assumptions made within this report.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The remuneration of employees is an integral feature of our People Management Strategy and frameworks and is a fundamental feature of the employment relationship.

7.2 **Corporate Plan 2018-2023.**

The Pay Policy contributes towards or impacts the Corporate Well-being Objectives, as detailed below:

Objective 2 - Enabling employment

8. **WELL-BEING OF FUTURE GENERATIONS**

8.1 Having considered the five ways of working, the pay and grading structure contributes to the following Well-being Goal:

- A more equal Wales.

8.2 Payment of the Foundation Living Wage rate illustrates the Council's commitment to the prevention of poverty.

9. **EQUALITIES IMPLICATIONS**

9.1 With regard to the Pay Policy 2020 / 21, there are no direct potential equalities implications, as it is a statement of arrangements with effect from 1st April 2020; therefore no specific Equalities Impact Assessment has been undertaken. Any previous changes to terms and conditions have been assessed for equalities issues, as have other reports relating to CCBC employee pay issues.

9.2 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation, including:

- The Equality Act 2010, including the requirements specifically in relation to Equal Pay
- Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000
- The Agency Workers Regulations 2010
- The Transfer of Undertakings (Protection of Employment) Regulations 2006, where relevant;
- The National Minimum Wage Act 1998.

10. **FINANCIAL IMPLICATIONS**

10.1 The national pay awards are still subject to agreement. Any increase in salaries will need to be funded from the Council's Revenue Budget.

11. **PERSONNEL IMPLICATIONS**

11.1 The personnel implications arising from the Pay Policy statement are outlined in the body of the report.

12. **CONSULTATIONS**

12.1 All consultation responses have been reflected in this report.

13. STATUTORY POWER

13.1 Local Government Act 1972
Localism Act 2011
Local Government (Wales) Measure 2011
Local Government (Wales) Act 2015
The Council's Constitution

Author: Lynne Donovan, Head of People Services

Consultees: Cllr Philippa Marsden, Leader
Cllr Colin Gordon, Cabinet Member for Corporate Services
Cllr Barbara Jones, Deputy Leader and Cabinet Member for Education
Cllr Sean Morgan, Deputy Leader Regeneration and Cabinet Member for
Transportation & Sustainability
Corporate Management Team
Robert Tranter, Head of Legal Services and Monitoring Officer
Stephen Harris, Interim Head of Business Improvement and Acting S151
Officer
Lisa Downey, HR Service Manager
Shaun Watkins, HR Service Manager

Appendices:

Appendix 1 Pay Policy Statement 2020 / 21 (Version 9)

Pay Policy Statement

Version:	Version 9
Policy Ratified by:	Council
Date:	3 March 2020
Area Applicable:	All Caerphilly employees (including Agency Workers) except School contracted employees.
Review Year	Financial Year 2020 - 2021
Impact Assessed	Yes



A greener place Man gwyrddach



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1. Introduction & Purpose

- 1.1 Under Section 112 of the Local Government Act 1972 the Council has the power “to appoint officers on such reasonable terms and conditions as the Authority thinks fit”. This Pay Policy statement sets out Caerphilly CBC’s approach to Pay Policy in accordance with the requirements of Section 38 to 43 of the Localism Act 2011. This required English and Welsh Local Authorities to produce and publish a Pay Policy Statement for 2012/2013 and for each financial year after that, detailing:
- a) The Council’s policies towards all aspects and elements of the remuneration of Chief Officers (Chief Officers are as defined in para 5.1 of this policy);
 - b) The approach to the publication of, and access to, information relating to all aspects of the remuneration of Chief Officers;
 - c) The Council’s policy on the remuneration of its lowest paid employees (including the definition adopted and reasons for it);
 - d) The relationship between the remuneration of its Chief Officers and other employees.
- 1.2 Guidance regarding these matters has been issued in Wales by the Minister for Local Government and Communities and, in accordance with section 40 (2) of the Act, Local Authorities in Wales must have regard to this Guidance when performing their functions in preparing and approving Pay Policy statements.
- 1.3 This is an update to the previous Pay Policy statement first issued in June 2012, and last updated with Council approval on 6 March 2018. This statement will come into immediate effect once fully endorsed by Council at its meeting on the 5 March 2019.
- 1.4 This pay policy statement needs to be placed in context. Caerphilly County Borough Council is a large complex organisation with a multi-million pound budget. CCBC for 2018/19 financial year has a workforce of almost 8,800 employees and a combined revenue and capital budget for 2018/2019 of over £619.5 million. We are in addition the largest single employer based in the County Borough.
- 1.5 As an employer we have a very wide range of functions and are responsible for the provision of many essential services at a local level. The general approach to employee remuneration levels may therefore differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. The approach also needs to be flexible when required to address a variety of changing circumstances, whether foreseeable or not.

2. Legislative Framework

- 2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favorable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.
- 2.2 With regard to the Equal Pay requirements contained within the Equality Act 2010, the Council aims to ensure there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

3. Scope of the Pay Policy

- 3.1 The Localism Act 2011 requires local authorities to develop and make public their Pay Policy on all aspects of Chief Officer remuneration (including on ceasing to hold office), and also in relation to the “lowest paid” in the Council, explaining their Policy on the relationship between remuneration for Chief Officers and other groups.

3.2 The provisions in the Localism Act 2011 which relate to Pay Policy statements only apply to employees directly appointed and managed by the Council. Employees who are appointed and managed by school Head Teachers/Governing Bodies are, therefore, not required to be included within the scope of Pay Policy statements. This reflects the unique employment legislation position whereby all schools employees are employed by the Local Authority but decisions about the appointment and management of such employees are mostly discharged by Head Teachers/Governing Bodies, as appropriate.

4. Pay Structure and Arrangements

4.1 Caerphilly utilizes the Greater London Provincial Council (GLPC) Job Evaluation process, and uses the nationally negotiated pay spine referred to as the National Joint Council (NJC) for Local Government Services, as the basis for its local grading structure. Our localised Pay & Grading structure was achieved through a collective agreement with the Trade Unions, and implemented with effect from the 1st of April 2009. The Pay & Grading structure has been updated, through a collective agreement with the Trade Unions as a result of the NJC's pay award for 2018 – 20. In terms of Chief Officers, the council uses the Hay Job Evaluation process which allows the posts to be effectively benchmarked against the internal and external markets, as approved by Cabinet in 2004. This determines the salaries of the large majority of the non teaching workforce, together with the use of other nationally defined rates where relevant.

4.2 The Council employs Chief Officers under Joint Negotiating Committee (JNC) terms and conditions which are incorporated in their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual requirements.

4.3 The terms and conditions for Chief Executives are agreed by a separate body i.e. the Joint Negotiating Committee (JNC) for Chief Executives, which also negotiates on a national basis. Council, at the meeting held on 19th November 2019, agreed that all future nationally agreed pay awards for the Chief Executive would be approved automatically.

4.4 In addition to the NJC and JNC arrangements referred to above, the Council recognises other nationally negotiated arrangements including National Pay Grades under the Soulbury Agreement and the National Pay Grades under the JNC for Youth & Community Workers. The details of these scales are contained in Appendices A – D.

4.5 The Council also has in place local agreements achieved via collective agreements with the Trade Unions for these staff groups.

4.6 New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary, subject to the approval of Head of Service. From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector and is incorporated in the Market Supplements Policy.

Pay Supplements

4.7 All other pay related allowances are subject to either nationally or locally negotiated rates, that are determined in accordance with collective bargaining machinery and/or Council Policy. In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money against the ability to recruit and retain appropriately skilled and experienced employees that can deliver high quality services to the public.

- 4.8 The Council has committed itself to being a Living Wage Employer. The previous Living Wage rate was £9.00 per hour as covered in last year's Pay Policy. With effect from 1st November 2019 this rate was increased to £9.30 per hour. The Council will therefore continue to pay the difference between the relevant Spinal Column Point (NJC SCP's 1 and 2 are affected) as a supplement. This supplement is included in the hourly rate as pensionable pay. This is demonstrated in the Council's NJC Payscale as provided in Appendix A.

Honoraria / Acting Up arrangements

- 4.9 Periodically individuals may be assigned temporary duties or responsibilities over and above their normal role. The Council operates its Acting Up and Honoraria Schemes to ensure that individuals are appropriately remunerated in accordance with the evaluation policy that applies to their terms and conditions.

Early Retirement, Voluntary Severance & Redundancy

- 4.10 The Council has agreed policies in relation to Early Retirement by Mutual Consent, Redundancy and Voluntary Severance. Any cost to the Council for employees to leave its employment with unreduced access to pension (except for compulsory redundancy) must be agreed by the Pensions Compensation Committee i.e. the group of Elected Members with delegated powers to approve such payments. The schemes are in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007. All these Policies (except compulsory redundancy) are underpinned by the requirement for a robust business case which balances service delivery with cost and with Head of Service, Director, Section 151 Officer and Head of People Services approval. The Policies are all available on the HR Portal via the following links:

<http://sc-aptken1/KENTICO/Departments/HR/Policies-Procedures/Early-Retirement-By-Mutual-Consent-On-The-Grounds.aspx>

<http://sc-aptken1/KENTICO/Departments/HR/Policies-Procedures/Redundancy-Scheme.aspx>

<http://sc-aptken1/KENTICO/Departments/HR/Policies-Procedures/Voluntary-Severance-Scheme.aspx>

- 4.11 The Council is the major employer in the area. Indeed, a majority of the employees who work for the Council live within Caerphilly County Borough. As such, the Council must have regard to its role in improving the economic well-being of the people of the County Borough.
- 4.12 The availability of good quality employment on reasonable terms and conditions and fair rates of pay has a beneficial impact on the quality of life in the community as well as on the local economy. The Council also has a role in setting a benchmark on pay and conditions for other employers in the area for the same reasons.
- 4.13 The Council is committed to working in partnership with its recognised Trade Unions in relation to all pay and conditions of service matters. The 2009 and 2019 Collective Agreements to achieve our Pay & Grading Structures were achieved with the support of our Trade Union partners. We continue to review the impacts of the Medium Term Financial Plan on our workforce.

Mileage

- 4.14 The mileage rate is currently 45p per mile in accordance with the HMRC approved exempt amount.

5. Chief Officer Remuneration

5.1 Definitions of Chief Officer / Pay Levels

5.1.1 For the purposes of this Pay Policy statement, "Chief Officers" are as defined within Section 43 of the Localism Act. The table below details the current numbers of Chief Officers:

Post Title	Number of posts
Chief Executive	1
Director	3
Head of Service	13 (11 x Grade A 2 x Grade B)

N.B. There are also 2 additional Hay Grade B posts that are not designated as Heads of Service.

5.1.2 At the meeting held on 19th November 2019, Council agreed the recruitment to the post of Chief Executive on a permanent basis on a spot salary of £140,000 per annum.

5.1.3 There is currently an interim arrangement in place relating to the post of Chief Executive. The current Interim Chief Executive was appointed on the first increment point of the approved Chief Executive salary range, as per the previous Pay Policies agreed by Council.

5.1.4 The pay structure for Chief Officers is as follows:-

- Corporate Directors - The salary of the posts falls within a range of four incremental points between £113,981 rising to a maximum of £126,645 per annum;
- Heads of Service (Band A) - The salary of the posts fall within a range of four incremental points between £86,999 rising to a maximum of £96,665 per annum
- Heads of Service (Band B) - The salary of the posts fall within a range of four incremental points between £67,222 rising to a maximum of £74,693 per annum
- No bonus or performance-related pay mechanism is applicable to any Chief Officers' pay.

5.1.5 As per the decision at Council on 17th January 2013, the higher band A+ has not been used for the period of the previous administration. The issue of Chief Officer pay has not been revisited in the lifetime of the previous administration. Any future proposal at any time would require a final decision by Full Council.

5.2 Recruitment of Chief Officers

5.2.1 The Council's Policy and Procedures with regard to the recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in Part 4 of the Council's Constitution.

5.2.2 The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant Council policies in place at the time of recruitment.

5.2.3 Where the Council is unable to recruit a Chief Officer under a contract of service, or there is a need for support for a specific project or to provide cover for a vacant substantive Chief Officer

post, the Council will, where necessary, consider engaging individuals under “contracts for service”. These will be sourced through a relevant procurement process (in accordance with standing orders and financial regulations), ensuring the Council is able to demonstrate value for money from competition in securing the relevant service. There are however no current examples of this arrangement.

- 5.2.4 Welsh Government recommends in addition to agreeing the parameters for setting the pay of Chief Officers, full Council should be offered the opportunity to vote on large salary packages that are to be offered in respect of new appointments in accordance with their agreed pay policy statements. The Welsh Ministers consider £100,000 is the right level for that threshold.
- 5.2.5 For this purpose, salary packages should be consistent with the categories defined for remuneration in the Accounts and Audit (Wales) Regulations 2014. This will include salary, bonuses, fees, allowances routinely payable, any expenses allowance chargeable to UK income tax, the relevant authorities’ contribution to the officer’s pension and any other benefits in kind to which the officer is entitled as a result of their employment.
- 5.2.6 There is a requirement to specifically consult the Independent Remuneration Panel on any future changes to the salary of the Head of Paid Service (in our case Chief Executive) that is ‘not commensurate with a change to the salaries of the Authority’s other staff’. The Council is then required to give due regard to their recommendations on the salary of the Head of Paid Service prior to considering any changes.

5.3 Additions to Salary of Chief Officers

- 5.3.1 In addition to basic salary, set out below are details of other elements of Chief Officer remuneration:
- The Council pays a standard mileage rate of 45p pence per mile to Chief Officers (consistent with all other employees) with effect from the 1 July 2015, where the Chief Officer uses his or her private vehicle on Council business. The Council also reimburses any other reasonable expenses, incurred by the Chief Officer on behalf of the Council whilst on Council business, on production of receipts and in accordance with JNC conditions and other local conditions
 - The cost of registration with a regulatory body if there is a requirement to be registered in order to practice and undertake their specific job role. This currently only applies to the post of Head of Legal Services.
- 5.3.2 The Council has a statutory duty to appoint a Returning Officer for specified Elections and Referenda. The post of Chief Executive holds responsibility to be the Returning Officer for the Council for all Elections held within the County Borough. The Returning Officer is personally responsible for a wide range of functions in relation to the conduct of Elections and Referenda and is paid for discharging these functions in accordance with prescribed fees. The prescribed fees for Caerphilly County Borough Elections are attached in Appendix F. Fees for other organisation's elections are not determined by or paid for by the Council. e.g. the Welsh Government set the fees for their election etc. All the Returning Officer's payments in any election are publicised as part of the council accounts on an annual basis.

5.4 Payments on Termination

- 5.4.1 The Council’s approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 [and if adopted] Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007. For clarity the Authority does not provide any augmentation (“added years”) of pension, in its payments on termination.

- 5.4.2 Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made in accordance with the Scheme of Delegation as contained within the Council's Constitution.
- 5.4.3 Full Council will be required to approve any severance package in excess of the current threshold determined by Welsh Ministers at £100,000. Members will be advised of any contractual or statutory elements of the severance package, along with the consequences of withholding these from an employment law context.

6. Publication

- 6.1 This is an update of the Pay Policy Statement. This statement will come into effect, once fully endorsed by Council in March 2020.
- 6.2 In addition, the Accounts and Audit (Wales) Regulations 2014 require the Authority to disclose the following information in respect of remuneration in its annual Statement of Accounts:
- The number of employees whose remuneration, excluding pension contributions, was greater than £60,000
 - The remuneration and the components of remuneration for statutory chief officers and designated head of paid service who have responsibility for the management of the Authority
 - The total number and cost of exit packages
 - The remuneration ratio between the Chief Executive and the median remuneration of all employees.

7. Pay Relativities within the Council

- 7.1 The "lowest paid" persons employed under a contract of employment with the Council are employed at the new Living Wage (Foundation) rate of £9.30 per hour. All roles within our grading structure previously paid in accordance with the spinal column point 1 (SCP 1) and spinal column point 2 (SCP 2) of the NJC pay spine for Local Government Services employees, receive a supplement to make the rate £9.30 per hour. As at 1 November 2019, this is £17,943 (Full Time Equivalent Earnings) per annum for a 37 hour standard working week.
- 7.2 The relationship between the rate of pay for the "lowest paid" employees and the Council's Chief Officers is regulated by the processes used for determining pay and grading structures as set out in this Pay Policy Statement.
- 7.3 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton "Review of Fair Pay in the Public Sector" (2010).
- 7.4 Will Hutton was asked by the UK Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organization. Hutton concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between the highest rate of pay and the median average pay of the whole of the Council's workforce (but excluding teachers and other employees appointed and managed by schools, in the case of local authorities).

- 7.5 The salary utilised for the Chief Executive calculations of all the pay multiple data is £143,949 i.e. the salary of the Interim Chief Executive.

Pay Multiple Data

The data for the Authority is contained in the table below:

Salary Multiple	Ratio
the multiple between the annual salary of the lowest paid Council employee and the Chief Executive (full-time equivalent basis) as a ratio	1 : 8.29
the multiple between the annual salary of the lowest paid Council employee and the average Chief Officer (full-time equivalent basis) as a ratio	1: 5.57
the multiple between median earning of Council employees and the Chief Executive (full-time equivalent basis) as a ratio	1 : 6.80
the multiple between median earning of Council employees and the average Chief Officer (fulltime equivalent basis) as a ratio	1 : 4.57

- 7.6 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available salary benchmarking information as appropriate.

8. Accountability and Decision Making

- 8.1 In accordance with the Constitution of the Council, the Chief Executive is responsible for decision-making in relation to the recruitment, pay (apart from those detailed in 8.2), conditions of service and severance arrangements for all employees of the Council, except Teachers, as their main pay and conditions of service are determined on a legislative basis by the UK Government.

- 8.2 The Council will set remuneration for the Chief Executive and Chief Officers (as defined in paragraph 5.1.2).

- 8.3 The Council has established a delegated Sub Committee i.e. the Pensions Compensation Committee, to consider any requests by employees to leave the employment of the Council with unreduced access to pension with a cost to the Council (except compulsory redundancy), that are supported by the agreed business case process.

9. Re-Employment

- 9.1 No Chief Officer, or any other employee, who leaves the employment of the Council on the grounds of early retirement, severance or voluntary redundancy will be later re-employed as an employee of the Council or contracted under a "contract of service" (as per 5.2.3), without the express permission of the Chief Executive in consultation with the Cabinet Member for Corporate Services. Where the re-employment is regarding the post of the Chief Executive or a Chief Officer (as defined in paragraph 5.1.1), this decision will require full council approval.

- 9.2 An exception to this occurs where an employee leaves under an agreed Flexible Retirement arrangement, where their ongoing employment is approved as part of the business case for release of accrued pension benefits.

10. Reviewing the Policy

- 10.1 This Pay Policy outlines the current position in respect of pay and reward within the Council and it will be reviewed at least annually, and reported to the full Council, to ensure that it meets the principles of fairness, equality, accountability and value for money for the authority and its residents.

Appendix A

CCBC NJC Pay Structure – with effect from 1 April 2019

Proposed GRADE APRIL 2019	SCP	01-Apr-19	Living Wage
Grade 1	1	£17,364	£17,943
Grade 2	2	£17,711	£17,943
Grade 3	3	£18,065	
	4	£18,426	
Grade 4	5	£18,795	
	6	£19,171	
Grade 5	7	£19,554	
	8	£19,945	
	9	£20,344	
	10	£20,751	
Grade 6	11	£21,166	
	12	£21,589	
	13	£22,021	
	14	£22,462	
	15	£22,911	
	16	£23,369	
Grade 7	17	£23,836	
	18	£24,313	
	19	£24,799	
	20	£25,295	
	21	£25,801	
	22	£26,317	
Grade 8	23	£26,999	
	24	£27,905	
	25	£28,785	
	26	£29,636	
Grade 9	27	£30,507	
	28	£31,371	
	29	£32,029	
	30	£32,878	
Grade 10	31	£33,799	
	32	£34,788	
	33	£35,934	
	34	£36,876	
Grade 11	35	£37,849	
	36	£38,813	
	37	£39,782	
	38	£40,760	
Grade 12	39	£41,675	
	40	£42,683	
	41	£43,662	
	42	£44,632	
	43	£45,591	

Notes: The Living Wage rate applies from the 1 November 2019.

1. **Appendix B** **Soulbury Pay Structure**

EDUCATIONAL PSYCHOLOGISTS – SCALE A		
Spine Point	Salary (from 1 Sep 2018)	Salary (from 1 Sep 2019)
1	£36,446	£37,175
2	£38,296	£39,062
3	£40,146	£40,949
4	£41,994	£42,834
5	£43,844	£44,721
6	£45,693	£46,607
7	£47,434	£48,383
8	£49,175	£50,159
9	£50,806*	£51,822*
10	£52,439*	£53,488*
11	£53,961*	£55,040*

Notes:

1. Pay scales to consist of 6 consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. * Extension to scale to accommodate structured professional assessment points.

SENIOR / PRINCIPAL EDUCATIONAL PSYCHOLOGISTS – SCALE B		
Spine Point	Salary (from 1 Sep 2018)	Salary (from 1 Sep 2019)
1	£45,693	£46,607
2	£47,434	£48,383
3	£49,175*	£50,159*
4	£50,806	£51,822
5	£52,439	£53,488
6	£53,961	£55,040
7	£54,586	£55,678
8	£55,754	£56,869
9	£56,911	£58,050
10	£58,089	£59,251
11	£59,243	£60,428
12	£60,420	£61,628
13	£61,617	£62,849
14	£62,774**	£64,029**
15	£63,986**	£65,266**
16	£65,186**	£66,490**
17	£66,395**	£67,723**
18	£67,602**	£68,954

Notes:

1. Pay scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. * Normal minimum point for the Principal Educational Psychologist undertaking the full range of duties at this level.
3. ** Extension to range to accommodate discretionary scale points and structured professional assessments
4. Principals are paid on a 4 point scale 8 - 14 (this includes 3 spa points)

TRAINEE EDUCATIONAL PSYCHOLOGISTS		
Spine Point	Salary (from 1 Sep 2018)	Salary (from 1 Sep 2019)
1	£23,415	£23,884
2	£25,129	£25,632
3	£26,841	£27,378
4	£28,556	£29,128
5	£30,269	£30,875
6	£31,983	£32,623

ASSISTANT EDUCATIONAL PSYCHOLOGISTS		
Spine Point	Salary (from 1 Sep 2018)	Salary (from 1 Sep 2019)
1	£28,783	£29,359
2	£29,959	£30,559
3	£31,134	£31,757
4	£32,303	£32,950

EDUCATION IMPROVEMENT PROFESSIONALS		
Spine Point	Salary (from 1 Sep 2018)	Salary (from 1 Sep 2019)
1	£34,749	£35,444
2	£35,993	£36,713
3	£37,168	£37,912
4	£38,359	£39,127
5	£39,543	£40,334
6	£40,727	£41,542
7	£41,971	£42,811
8	£43,168*	£44,032*
9	£44,563	£45,455
10	£45,807	£46,724
11	£47,035	£47,976
12	£48,223	£49,188
13	£49,569**	£50,561**
14	£50,769	£51,785
15	£52,095	£53,137
16	£53,293	£54,359
17	£54,495	£55,585
18	£55,674	£56,788
19	£56,891	£58,029
20	£57,519***	£58,670***
21	£58,727	£59,902
22	£59,780	£60,976
23	£60,939	£62,158
24	£61,978	£63,218
25	£63,089	£64,351
26	£64,173	£65,457
27	£65,282	£66,588
28	£66,405	£67,734
29	£67,532	£68,883
30	£68,656	£70,030
31	£69,771	£71,167
32	£70,903	£72,322
33	£72,036	£73,477
34	£73,197	£74,661
35	£74,353	£75,841
36	£75,544	£77,055
37	£76,715	£78,250

38	£77,899	£79,457
39	£79,066	£80,648
40	£80,233	£81,838
41	£81,406	£83,035
42	£82,578	£84,230
43	£83,749	£85,424
44	£84,925	£86,624
45	£86,099	£87,821
46	£87,274	£89,020
47	£88,454	£90,224
48	£89,623	£91,416
49	£90,797	£92,613
50	£91,972	£93,812

*normal minimum point for EIP undertaking the full range of duties at this level.

**normal minimum point for senior EIP undertaking the full range of duties at this level.

***normal minimum point for leading EIP undertaking the full range of duties at this level.

Appendix C

JNC Youth and Community Workers Pay Structure

YOUTH AND COMMUNITY SUPPORT WORKER		
Spine Point	Salary (from 1 Sep 2018)	Salary (from 1 Sep 2019)
2	£16,757	
3	£17,267	£18,117
4	£17,681	£18,431
5	£18,141	£18,791
6	£18,556	£19,106
7	£19,009	£19,389
8	£19,645	£20,038
9	£20,456	£20,865
10	£21,090	£21,512
11	£22,116	£22,558
12	£23,118	£23,580
13	£24,153	£24,636
14	£25,225	£25,729
15	£25,955	£26,474
16	£26,718	£27,252
17	£27,468	£28,017

YOUTH AND COMMUNITY SUPPORT WORKER (SENIOR)		
Spine Point	Salary (from 1 Sep 2018)	Salary (from 1 Sep 2019)
13	£24,153	£24,636
14	£25,225	£25,729
15	£25,955	£26,474
16	£26,718	£27,252
17	£27,468	£28,017
18	£28,223	£28,787
19	£28,972	£29,551
20	£29,724	£30,318
21	£30,568	£31,179
22	£31,525	£32,155
23	£32,456	£33,105
24	£33,392	£34,060
25	£34,335	£35,022
26	£35,277	£35,983
27	£36,221	£36,945
28	£37,175	£37,918
29	£38,122	£38,884
30	£39,070	£39,851
31	£39,709*	£40,503*
32	£40,760*	£41,575*

Appendix D**CCBC Senior Management Pay Structure – JNC Staff –
with effect from 1 April 2019**

All of the levels in the grading structure are linked to their evaluation under the Job Evaluation deployed for Senior roles i.e. Hay. This currently comprises of the Chief Executive, Deputy Chief Executive & Directors posts, and 6 further bands from A+ to E. Band A & B are Heads of Service and band C - E covers all other senior posts in the JNC arrangements.

	Increment 1	Increment 2	Increment 3	Increment 4
Chief Executive	140,000	N/A	N/A	N/A
Deputy Chief Executive	126,562	131,244	135,928	140,623
Director	113,981	118,199	122,414	126,645
Band A+ Heads Of Service	97,094	100,686	104,280	107,883
Band A - Heads Of Service	86,999	90,218	93,436	96,665
Band B	67,222	69,710	72,198	74,693
Band C	52,682	54,438	56,193	57,952
Band D	46,726	48,285	49,844	51,399
Band E	41,636	42,591	43,539	44,473

In accordance with the decision of Council on 19 November 2019:

- The Chief Executive will be appointed to a spot salary
- The post of Deputy Chief Executive be removed from the Council's organisational structure

In accordance with the decision of Council on 17 January 2013:

- There are no Officers employed currently in the Band A+

The Interim Chief Executive is employed on £143,949 i.e. the first increment point of the previously approved Chief Executive salary range.

Appendix E

All Employee Groups - Main Conditions of Service

ANNUAL LEAVE	
<ul style="list-style-type: none"> • Chief Executive & Directors (JNC) 	33 days pa (No access to flexi leave)
<ul style="list-style-type: none"> • Chief Officers (JNC) • NJC • Soulbury 	<p>28 days pa *</p> <p>24 days pa rising to 28 days after 5 years' service.</p> <p>24 days pa rising to 28 days after 5 years' service.</p> <p>Where relevant individual employees are members of the flexible working hours scheme, they are entitled to 6 days flexi leave per 12 week period.</p> <p>*There are four officers who have protected leave at 33 days pa</p>
<ul style="list-style-type: none"> • Youth & Community Workers 	24 days pa rising to 28 days after 5 years' service.
HOURS OF WORK	
<ul style="list-style-type: none"> • Chief Executive (JNC) • Chief Officers (JNC) • NJC • Soulbury • Youth & Community Workers 	Standard working week is 37 hours, unless contractually employed on set hours.
OVERTIME PAYMENTS	
<ul style="list-style-type: none"> • Chief Executive (JNC / Hay) • Chief Officers (JNC / Hay) 	None
<ul style="list-style-type: none"> • NJC • Soulbury • Youth and Community Workers 	<p>All employees who are required to work additional hours beyond the 37 hour working week (or beyond their contracted working pattern that averages a 37 hour working week (e.g. rota/annualized hours) are entitled to receive enhancements at the rate of basic pay at time and a half except for Public and Extra Statutory holidays where basic pay at double time will be paid.</p> <p>Part-time employees are entitled to these enhancements only at times and in circumstances in which full-time employees would qualify. Otherwise a part-time employee shall work a full working week (i.e. 37 hours) before these enhancements apply.</p> <p>Employees required to work on an a Public and / or extra bank holiday as part of their normal working week shall, in addition to the normal pay for that day, be paid at plain time for all hours worked and will, in addition, receive a day's leave in lieu on each day.</p> <p>Employees required to work on a Public or extra bank holiday on</p>

	their rest day shall be paid at double time for all hours worked and will, in addition, receive a day's leave in lieu on each day.
SICK PAY SCHEME	
<ul style="list-style-type: none"> • Chief Executive (JNC / Hay) • Chief Officers (JNC / Hay) • NJC • Soulbury • Youth & Community Workers 	<p>During 1st year of service – 1 month's full pay and (after completing 4 months service), 2 months half pay.</p> <p>During 2nd year of service – 2 months full pay and 2 months half pay.</p> <p>During 3rd year of service – 4 months full pay and 4 months half pay.</p> <p>During 4th and 5th year of service – 5 months full pay and 5 months half pay.</p> <p>After 5 years' service – 6 months full pay and 6 months half pay.</p>

Appendix F

CAERPHILLY COUNTY BOROUGH COUNCIL - LOCAL ELECTION FEES

A) RETURNING OFFICERS FEE

For conducting the Election(s) giving the prescribed Notices, preparing and supplying Nomination papers, deciding on validity, appointing and remunerating staff, arranging and / or conducting the Poll, conducting the Count, declaring the result(s), making all necessary returns and generally performing all the duties which a Returning Officer is required to do under the Representation of the People Acts and Regulations – including all payments, disbursements and expenses as may be necessary.

1) <u>CONTESTED ELECTIONS</u>	1/4/2019
For each Electoral Division / Community Ward	£
For each 1000 Electors (or part)	83.18
For next 1000 Electors (or part)	47.32
For every subsequent 250 Electors (or part)	15.98
2) <u>UNCONTESTED ELECTIONS</u>	
For each uncontested Division / Ward	75.40
3) <u>POSTAL VOTES – (Supervision)*</u> to be paid to DRO and or Asst. DRO's	
<i>*NB – in this event no fee should be claimed by the DRO or Asst. DRO's from the clerical fund for these duties.</i>	
Issue (for each paper)	0.33p
<i>(minimum per Division / Ward)</i>	<i>(25.21)</i>
<i>(minimum per casual vacancy)</i>	<i>(72.84)</i>
Receipt (for each paper)	0.33p
<i>(minimum per Division / Ward)</i>	<i>(25.21)</i>
<i>(minimum per casual vacancy)</i>	<i>(72.84)</i>
4) <u>POLL CARDS (Supervision)*</u> to be paid to DRO and or Asst. DRO as above	
Per 1000 or part issued	30.47
<i>(minimum per casual vacancy)</i>	<i>43.51</i>



COUNCIL – 3RD MARCH 2020

**SUBJECT: SECOND REPLACEMENT CAERPHILLY COUNTY
BOROUGH LOCAL DEVELOPMENT PLAN UP TO 2035 –
DRAFT DELIVERY AGREEMENT**

REPORT BY: INTERIM CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To seek Council approval to consult on the 2nd Replacement Caerphilly County Borough Local Development Plan up to 2035 Draft Delivery Agreement for six weeks, commencing Wednesday 11 March 2020 and concluding Wednesday 22 April 2020.
- 1.2 To seek Council approval to set up the Local Development Plan Focus Group (LDP Focus Group) and agree its composition to assist in the preparation of the 2nd Replacement Caerphilly County Borough Local Development Plan up to 2035 (2nd Replacement LDP).
- 1.3 To seek Council approval for the reporting process for key stages in the preparation of the 2nd Replacement LDP.

2. SUMMARY

- 2.1 Members will recall that the Council resolved to commence a full revision of the Caerphilly County Borough Local Development Plan up to 2021 at the Council meeting held on 23 October 2019. Welsh Government requires that all local authorities undertaking a plan review prepare their development plans within a three and a half year period, with the delivery timeframe and mechanisms being set out in a Delivery Agreement (DA) that must be the subject of Welsh Government Approval.
- 2.2 The preparation of a DA is a key requirement in preparing the 2nd Replacement LDP that includes:
 - The timetable for the delivery of the revised LDP;
 - The Community Involvement Strategy (CIS) – which sets out who will be consulted and when.
- 2.3 The DA forms an important and legal part of the 2nd Replacement LDP. Delivery in accordance with the DA will be an important test of the 'soundness' of the 2nd Replacement LDP. The Draft DA is required to be the subject of consultation and it is proposed to publish the Draft DA for consultation for six weeks, commencing Wednesday 11 March 2020 and concluding on Wednesday 22 April 2020.

- 2.4 The three and a half year preparation period for the 2nd Replacement LDP represents a significant challenge given the scale and extent of the work required. Consequently, it is proposed that the LDP Focus Group be reconstituted for the preparation of the 2nd Replacement LDP to:
- Condense the reporting periods for plan preparation;
 - Provide a sounding board for considering the 2nd Replacement LDP content; and
 - Generating alternatives.
- 2.5 The LDP Focus Group would be composed of all Cabinet Members and 2 nominated backbench members from the leading party, the Leader and one nominated member from the majority opposition party, two representatives from the independent members, the Chair and Vice-chair of Planning Committee, the Chair and Vice-chair of Housing and Regeneration Scrutiny Committee and all Heads of Service.
- 2.6 The LDP Focus Group will need to be progressive and will need to be constructive in its recommendations to Council. The LDP Focus Group will be governed by its Terms of Reference, which set out the Groups' composition, conduct and remit. The Draft Terms of Reference have been appended to this Report as Appendix 1.
- 2.7 Due to the potential delays that the Council reporting process could have, it is proposed to follow the same simplified reporting procedures as were used for the preparation of the previous 2 plans. The proposed process is:
- To present the emerging evidence base and draft policy framework to the LDP Focus Group for its consideration and comment;
 - To report the LDP Focus Group's comments and recommendations directly to Council for consideration and decision;
 - To report the notes of all LDP Focus Group meetings to the subsequent Housing and Regeneration Scrutiny Committee for consideration; and
 - To make available the notes of the LDP Focus Group meetings as an integral part of the emerging evidence base.

3. RECOMMENDATIONS

- 3.1 That Council agrees the Draft DA for consultation;
- 3.2 That the Draft DA be subject of a six week consultation period commencing Wednesday 11 March 2020 and concluding on Wednesday 22 April 2020;
- 3.3 That Council agrees to the setting up of the LDP Focus Group to assist in the preparation of the 2nd Replacement LDP;
- 3.4 That Council agrees the composition of the LDP Focus Group and Draft Terms of Reference for the Group; and
- 3.5 That Council agrees the reporting process utilising the LDP Focus Group.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To comply with the requirements of Regulation 9 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended).
- 4.2 To seek agreement for the reporting processes for the 2nd Replacement LDP to assist its delivery within the required timeframe.

5. THE REPORT

Background

- 5.1 Members will be aware that the Council resolved to commence a full review of the Adopted LDP at the meeting on 23rd October 2019. The preparation of a new plan is a time and resource intensive exercise and Welsh Government guidance requires plans to be prepared within three and a half years from commencement, with the option of a single slippage period of three months. This is a very short timeframe for the delivery of a new plan.
- 5.2 The Council is required to prepare a DA as part of the 2nd Replacement LDP. The DA sets out the timetable for delivery and identifies who and when people will be involved or consulted in the process. The Draft DA, along with the Review Report that is currently the subject of stakeholder consultation, is required to be prepared at the beginning of the 2nd Replacement LDP preparation process. The final DA is required to be submitted to Welsh Government (WG) for its agreement and the formal three and a half year preparation period does not commence until the DA is agreed by Welsh Government. Welsh Government's role is to ensure the DA is robust, realistic and covers the main plan preparation requirements.
- 5.3 The DA is required to be the subject of consultation and the Draft DA has been prepared as the vehicle for this consultation.

The Draft Delivery Agreement

- 5.4 The preparation of the Draft DA is a key requirement in preparing the 2nd Replacement LDP. The Draft DA is a succinct public statement that contains:
 - A Timetable for preparing the 2nd Replacement LDP
This details when various stages of plan preparation will take place. The timetable is included in Part 2 of the Draft DA which is appended to this report as Appendix 2.
 - A Community Involvement Scheme (CIS)
This sets out the Council's principles, strategy and mechanisms for full, early and continuous community and stakeholder engagement throughout the 2nd Replacement LDP process. Once approved, the Council will need to comply with the requirement for community engagement set out in the CIS. The CIS is included in Part 3 of the Draft DA which is appended to this report as Appendix 2.
- 5.5 The DA forms an important and legal part of the 2nd Replacement LDP. Delivery in accordance with the DA will be an important test of the 'soundness' of the Plan. Both the content of the DA and the way in which the Council implements it are, therefore, fundamental to the overall success of the 2nd Replacement LDP.

- 5.6 In respect of the level of consultation required, Paragraph 4.2.1 of the Development Plans Manual (Edition 2, 2015) states:
- Local Planning Authorities should consider the most appropriate level and form of consultation on their Delivery Agreement to suit the local context: it should be proportionate and timely and not delay plan preparation.*
- 5.7 It is proposed to undertake a six week consultation, commencing Wednesday 11 March 2020 and concluding Wednesday 22 April 2020. The Draft DA consultation will be publicised as follows:
- Information and all documentation will be placed on the Council's website and advertised through social media channels;
 - We will directly contact specific consultees, general consultees, Community and Town Councils, planning consultants, house builders, Registered Social Landlords and other organisations with details on how to respond; and
 - A hard copy of the consultation documentation will be available for inspection at Tredomen House.
- 5.8 Following the consultation a Report of Consultation will be prepared and the Draft DA will be amended where appropriate. The final, amended DA will be reported to Council on 2 June 2020 seeking the Council's approval of the document and to forward it to Welsh Government for agreement.
- 5.9 Welsh Government has four weeks to consider the DA and to issue its decision. The agreement of the DA by Welsh Government marks the formal start of the period for preparing the 2nd Replacement LDP and the Council is committed to the three and a half year timetable and consultation processes set out in the DA.

The LDP Focus Group

- 5.10 Whilst the formal three and a half year delivery period does not commence until the DA is formally agreed by Welsh Government, it represents a significant challenge given the scale and extent of the work required. Consequently any measures that can reduce potential delay in the preparation process need to be considered.
- 5.11 As plan preparation progresses decisions will need to be made by Council. Reporting periods for the emerging plan, which could feasibly include consideration by Housing & Regeneration Scrutiny Committee, Cabinet and Council, would take up a significant amount of time for each stage of plan preparation and this would take up a significant proportion of the plan preparation period. This would have serious implications for the delivery of the plan, most likely resulting in the process slipping well beyond the three and a half year preparation period, and the permitted three month slippage period.
- 5.12 In preparing the Adopted LDP and the withdrawn Replacement LDP, it was agreed that a management group would be set up that would consider the key stages of the emerging plan, making recommendations that would be reported directly to Council. This group, (the LDP Focus Group), was set up as a method of condensing the reporting periods for plan preparation, as well as providing a sounding board for considering LDP content and generating alternatives. The LDP Focus Group worked successfully in the case of both plans.

- 5.13 It is proposed that the LDP Focus Group be reconstituted for preparation of the 2nd Replacement LDP to perform the same function and utilise the same reporting process.
- 5.14 The role of the LDP Focus Group is to assist with progressing the 2nd Replacement LDP, through the provision of input into the process and making recommendations to Council for action. To enable this, the LDP Focus Group will need to be progressive in outlook, seeking to drive the plan forward and taking a strategic view of the County Borough as a whole.
- 5.15 In order to ensure that the LDP Focus Group can perform this function it is proposed that it is comprised of Cabinet Members and 2 nominated backbench members from the leading party, Member representatives from both the majority opposition and the independent members, the Chairs and Vice-chairs of both Planning Committee and Housing and Regeneration Scrutiny Committee and all Service Area Heads. The members of the Focus Group will need to work together as a progressive working group, driving the plan process forward and functioning to create a corporate consensus view rather than as individuals pursuing sectional interests. The proposed composition of the LDP Focus Group is set out in the Draft Terms of Reference, which are appended to this report as Appendix 1.

The Remit of the LDP Focus Group

- 5.16 The LDP Focus Group will have an important role in progressing the 2nd Replacement LDP, by reviewing the documentation at key stages in the preparation process and making comments and recommendations on both the content of the document and the procedures moving forward, which will then be considered by Council. The LDP Focus Group will be governed by its Terms of Reference, which set out the Groups' composition, conduct and remit. The Draft Terms of Reference have been appended to this Report as Appendix 1.

6. ASSUMPTIONS

- 6.1 No assumptions have been made in this report.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The following Council plans and policies are relevant:

Corporate Plan 2018-2023.

- 7.2 As the key land use planning document for the Council, the 2nd Replacement LDP assists in delivering the 6 Corporate Plan Objectives:

Objective 1 - Improve education opportunities for all

The 2nd Replacement LDP will provide the local planning framework to assist in the delivery of the land use aspects associated with this objective, including:

- Tackling poverty
- Providing economic conditions to encourage economic growth and skills development
- Assist in the delivery of the City Deal Digital Strategy

- Providing the land use framework to deliver the right schools in the right places

Objective 2 - Enabling employment

The 2nd Replacement LDP will identify land to facilitate the development needs of new employers and the expansion of existing businesses.

Objective 3 - Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people's well-being

The 2nd Replacement LDP will set out the local framework to deliver the range and quality of housing to meet this objective and its outcomes through policies supporting sustainable levels of housing development to meet the needs of all residents.

Objective 4 - Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment

The 2nd Replacement LDP will provide the local level framework that will assist in the delivery of the South East Wales Metro programme, which seeks to deliver a transformative transport system that increases accessibility throughout the County Borough and the wider region.

Objective 5 - Creating a county borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015

The 2nd Replacement LDP will set out the local policy framework that will facilitate the creation of healthier places, providing opportunities to create environments that engender healthy lifestyles, whilst ensuring access to much needed housing and employment opportunities.

Objective 6 - Support citizens to remain independent and improve their well-being

The 2nd Replacement LDP will set out the local policy framework that will facilitate the support infrastructure and services necessary to support the residents of the county borough. It will also set out requirements as for new homes, job opportunities that will provide employment and homes for the county borough's residents, assisting them to remain independent as well as improving their well-being.

Adopted Caerphilly County Borough Local Development Plan up to 2021

The Adopted LDP is the Council's principal land-use strategy and sets out the principles of how the county borough will develop and grow in the future. Council resolved to commence a full revision of the Adopted Caerphilly County Borough Local Development Plan up to 2021 at the Council meeting held on 23 October 2019. The DA sets out the delivery timeframe and mechanisms for the 2nd Replacement LDP process.

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 The LDP is the strategic land use document for the County Borough setting out how and where sustainable development will be delivered. It is a cross-cutting plan that considers issues around housing, employment, transport, infrastructure, community facilities, education facilities, leisure and tourism, heritage and environmental assets. The 2nd Replacement LDP will set a framework to deliver all seven well-being Goals:-

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh Language
- A globally responsible Wales

8.2 The five ways of working are integral to the preparation of the 2nd Replacement LDP. The 2nd Replacement LDP will demonstrate the five ways of working:

- Long Term – The preparation of the 2nd Replacement LDP is about planning for the future (typically a 15 year plan period) in a sustainable way.
- Prevention – plan preparation is built on a robust evidence base which considers key issues and how to respond to them in a manner that prevents any issues deteriorating and seeks to address key land use matters
- Integration – the preparation of the 2nd Replacement LDP will be bring together all land use planning issues relevant at a local level involving our partners, residents, visitors, employers and service providers in the formulation of the Plan. The 2nd Replacement LDP will also need to be in general conformity with other planning tiers, including the National Development Framework (NDF) and Strategic Development Plan (SDP).
- Collaboration – the preparation of the 2nd Replacement LDP will be a key collaboration project reflecting the land use priorities of multiple Council departments and Public Service Board Partners, as well as external stakeholders.
- Involvement – preparation of the 2nd Replacement LDP will provide numerous opportunities to engage with our stakeholders, residents and customers, including the business community and will ensure that we are listening to a wide range of views to inform the plan and decision making process.

9. EQUALITIES IMPLICATIONS

9.1 It is a requirement that the 2nd Replacement LDP is the subject of an integrated impact appraisal that will include Strategic Environmental Assessment, Sustainability Appraisal, Health Impact Assessment, Equalities Impact Assessment and Welsh Language Impact Assessment, among others. As such equalities issues will be addressed as part of the 2nd Replacement LDP.

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications arising as a result of this report.

10.2 However, there are significant financial implications arising from the preparation of the 2nd Replacement LDP and the Council agreed a budget for this at the Council meeting held on the 23rd October 2019.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications arising as a result of this report.

12. CONSULTATIONS

12.1 All responses from consultations have been incorporated into the report.

13. STATUTORY POWER

13.1 The Town and Country Planning Act 1990 (as amended) and the Planning and Compulsory Purchase Act 2004 require the Council to prepare and keep under review a LDP for the County Borough to act as a single framework for the control and use of land within its administrative boundary.

13.2 The Local Government Act 1998. The Local Government Act 2003. The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended). The Planning (Wales) Act 2015.

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Cllr Barbara Jones, Deputy Leader and Cabinet Member for Education and Achievement
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Cllr Nigel George, Cabinet Member for Environmental and Neighbourhood Services
Cllr Colin Gordon, Cabinet Member for Corporate Services
Cllr Mike Adams, Chair of Planning Committee
Cllr Andrew Whitcombe, Vice-Chair of Planning Committee
Cllr John Ridgewell, Chair Housing and Regeneration Scrutiny Committee
Cllr Christine Forehead, Vice-Chair Housing and Regeneration Scrutiny Committee
Cllr Colin Mann, Leader of the Majority Opposition
Cllr John Taylor, Nominated Member of the Majority Opposition
Cllr Nigel Dix, Nominated Member representing the Independents
Cllr Graham Simmonds, Nominated Member representing the Independents
Christina Harray, Interim Chief Executive
Mark S Williams, Interim Corporate Director Communities
Steve Harris, Interim Head of Business Improvement and Acting Section 151 Officer
Liz Lucas, Head of Customer and Digital Services
Keri Cole, Chief Education Officer
Robert Tranter, Head of Legal Services & Monitoring Officer
Sue Richards, Head of Education Planning & Strategy
Lynne Donovan, Head of People Services
Rhian Kyte, Head of Regeneration and Planning
Marcus Lloyd, Head of Infrastructure
Rob Hartshorn, Head of Public Protection, Community and Leisure Services
Mark Williams, Interim Head of Property Services

Shaun Couzens, Chief Housing Officer
Jo Williams, Assistant Director Adult Services
Gareth Jenkins, Assistant Director Children's Services
Kath Peters, Corporate Policy Manager
Ryan Thomas, Planning Services Manager

Appendices:

Appendix 1 – Terms of Reference for the LDP Focus Group

Appendix 2 – 2nd Replacement Caerphilly County Borough Local Development Plan up to 2035 - Draft Delivery Agreement

CAERPHILLY COUNTY BOROUGH LOCAL DEVELOPMENT PLAN

TERMS OF REFERENCE FOR THE LDP FOCUS GROUP

1 Primary Purpose

- 1.1 The Local Development Plan (LDP) Focus Group will assist in the timely delivery of the 2nd Replacement LDP by examining key stages and making recommendations directly to Council.

2 Objectives

- 2.1 The LDP Focus Group will:

- monitor the progress of the 2nd Replacement LDP in relation to the scheduled timetable contained in the Delivery Agreement
- contribute to the plan preparation process by meeting at key stages to help to generate options and alternatives for inclusion in draft policy papers and documents
- receive and take account of any relevant comments arising out of the various public engagement/involvement stages in the plan preparation process
- receive and take account of the representations from the General Public arising out of the various public involvement stages in the plan preparation process
- Make recommendations to Council on the content of and procedures for, the 2nd Replacement LDP.

3 Mandate

- 3.1 The LDP Focus Group is mandated to be:

- an internal group of key individuals; both Members and Officers of the Council
- an active working group, functioning to create a corporate consensus view rather than as individuals pursuing sectional interests
- a progressive group, seeking to move the 2nd Replacement LDP forward to meet tight timescales, and not seek to revisit matters and decisions previously considered.

4 Composition

4.1 The group will comprise a small group of key Elected Members and cross-directorate representatives:

Elected Members

Cabinet Member for Finance, Performance & Planning (Chair)

Leader

Deputy Leader and Cabinet Member for Education & Achievement

Deputy Leader and Cabinet Member for Regeneration, Transportation & Sustainability

Cabinet Member for Homes, Places & Tourism

Cabinet Member for Social Care & Wellbeing

Cabinet Member for Environment & Neighbourhood Services

Cabinet Member for Corporate Services

2 nominated backbench members of the Leading Party

Chair of the Planning Committee

Vice-Chair of the Planning Committee

Chair of Housing & Regeneration Scrutiny Committee

Vice-Chair of Housing & Regeneration Scrutiny Committee

Leader of the Majority Opposition

A nominated member of the Majority Opposition

2 nominated members representing the Independents

Officers

Head of Regeneration & Planning

Head of Infrastructure

Head of Public Protection, Community and Leisure Services

Head of Education Planning and Strategy

Head of Customer and Digital Services

Head of Legal Services & Monitoring Officer

Chief Housing Officer

Interim Head of Property Services

Interim Head of Business Improvement Services & Acting S151 Officer

Assistant Director Adult Services

Assistant Director Children's Services

Head of Corporate Finance

Chief Education Officer

Head of People Services

Corporate Policy Manager

Planning Services Manager

Team Leader, Strategic Planning (facilitator)

Principal Officer, Strategic Planning (facilitator)

(Note: individuals are invited to join the Group based on the role they fulfil within the Authority and not on the basis of their individual interest. Therefore as Members /

Officers leave their current role / post, their place on the Group would also be relinquished.)

5 Quorum

- 5.1 It is recognised that not all officers and members identified will be available to attend every meeting scheduled throughout the process, nor would that be necessarily appropriate at every stage. To enable a LDP Focus Group Meeting to proceed, each meeting will be subject to a quorum.
- 5.2 A quorate meeting of the LDP Focus Group will require a minimum of 7 Group members, four of whom must be elected members.
- 5.3 It is agreed that substitutes can be used where necessary (in exceptional circumstances). However substitutes will ONLY be acceptable where they are of equal or sufficient status to have both the capacity and authority to make high level decisions on behalf of the Council and/or their service area.

6 Chair

- 6.1 The Cabinet Member for Finance, Performance & Planning will be the Chair of the LDP Focus Group.

7 Frequency

- 7.1 The LDP Focus Group will meet as necessary in order to provide its advice on the key stages in the Plan preparation process.
- 7.2 In order to assist Members of the group, meeting dates will be established as far in advance as possible by reference to the Timetable produced as part of the LDP Delivery Agreement.
- 7.3 Where any meeting is likely to take a full day to complete business it will be scheduled over two half days instead in order to fit more easily with other work commitments.

8 Agendas

- 8.1 It will be the responsibility of the Team Leader, Strategic Planning to agree the agenda in consultation with the Chair of the Focus Group.
- 8.2 Group Members will receive all relevant papers at least seven days prior to the date of each meeting. Requests for the Group to deal with 'Any Other Business' will be considered by the Chairman. All material discussed by the Group will be placed onto the 'web' as part of the 2nd Replacement LDP Evidence Base.

9 Reporting Mechanism

- 9.1 Minutes of the LDP Focus Group will be submitted for scrutiny purposes to the Regeneration and Environment Scrutiny Committee. Any matter requiring a Policy

decision will be reported to Council. Every elected member will be able to access the minutes via the internet and a copy placed on the Member's Portal

Caerphilly County Borough Council

Draft Delivery Agreement

**2nd Replacement Caerphilly County Borough Local
Development Plan Up To 2035**

Draft Version, January 2020

January 2020



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Appendix 1 – Detailed Timetable for LDP Revision process

Appendix 2 – Risk Assessment

Appendix 3 – List of Consultees

Glossary of Terms

Term	Abbr.	Definition
Adopted Plan		The final version of the LDP.
Adoption		The final stage of LDP preparation where the LDP becomes the statutory development plan for the area it covers.
Annual Monitoring Report	AMR	This will assess the extent to which policies in the LDP are being successfully implemented.
Baseline		A description of the present state of an area.
Caerphilly County Borough Council		This is the name of the Local Authority preparing the LDP.
Candidate Sites		A site nominated by an individual with an interest in land (i.e. landowner, developer, agent or member of the public) to be considered for inclusion in the LDP.
Community		People living in a defined geographical area, or who share other interest and therefore form communities of interest.
Community Involvement Scheme	CIS	The CIS forms part of the Delivery Agreement. It outlines the principles of engagement and provides detail on how the Local Planning Authority will involve communities and stakeholders (including businesses and developers) in the preparation of the LDP.
Consensus Building		A process of early dialogue with targeted interest groups to understand relevant viewpoints.
Consultation		A formal process in which comments are invited on a particular topic or draft document.
Council		Caerphilly County Borough Council.
Definitive Stages		The stages in plan preparation up to and including the Statutory Deposit Period.
Delivery Agreement	DA	A document comprising the local planning authority's timetable for the preparation of a LDP, together with its Community Involvement Scheme, submitted to the Welsh Government for agreement.
Deposit		A formal six week stage in which individuals and organisations can make representations on the LDP. Representations that relate to whether the plan is 'sound' can then be examined by an Inspector.
Deposit Plan		This is a full draft of the LDP which undergoes a formal consultation period prior to it being submitted to the Welsh Government for public examination.
Duly Made		Representations to the development plan which are made in the correct manner and within the specified consultation time period.
Engagement		A process that encourages a pro-active approach to involving the community.
Evidence Base		Information and data that provides the basis for the preparation of the LDP vision, objectives, policies and proposals and justifies the soundness of the policy approach of the LDP.
Examination		The examination involves public examination of the Deposit LDP, the Deposit representations, the report of consultation, evidence base/background documents and the Sustainability Appraisal Report. This is carried out by the Planning Inspectorate on behalf of the Welsh Government.
Habitat Regulations Assessment	HRA	Habitats Regulations Assessment (HRA) relates to the assessment of the impacts of a plan (or project) against the nature conservation objectives of

Caerphilly County Borough Council – Delivery Agreement

		European designated sites for any likely significant effects. HRA also ascertains whether the proposed plan would adversely affect the integrity of the site.
Indicator		A measure of variables over time, often used to measure progress in the achievement of objectives, targets and policies.
Inspector's Report		The Report prepared by an independent Inspector who examines the LDP. The Inspector's Report contains recommendations on the content of the final LDP and is binding upon the Council. The Council must adopt the LDP in the manner directed by the Inspector.
Integrated Sustainability Appraisal	ISA	Term for the assessment process that incorporates Strategic Environmental Assessment, Sustainability Appraisal and other impact assessments including Equalities, Health and Welsh Language.
Interested Parties		Any person, group or organisation wanting to be involved in the preparation of the 2 nd Replacement LDP.
Involvement		Generic term relating to community involvement that includes both participation and consultation techniques.
Local Development Plan	LDP	A land use plan which includes a vision, strategy, area wide policies for development types, land allocations, and policies and proposals for key areas of change and protection. Allocations and certain policies are shown geographically on the Proposals Map forming part of the Plan. The LDP is a statutory development plan that each local planning authority area is required to produce in Wales.
Local Planning Authority	LPA	In the case of Caerphilly, this is Caerphilly County Borough Council.
Objective		A statement of what is intended.
Local Well-being Plan	LWBP	The Council's plan prepared in collaboration with the Council's Public Service Board Partners to meet the requirements of the Well-Being Act
Participation		Processes whereby stakeholders and the community can interface with plan makers.
Planning Inspectorate		The Wales branch of the Planning Inspectorate is an independent body who will be responsible for the formal examination of the LDP.
Planning Policy Wales	PPW	Planning policy guidance for Wales produced by the Welsh Government is set out in this document.
Pre-Deposit		Stages of preparation and consultation of the LDP before the Deposit Plan is finalised and approved by the Council.
Preferred Strategy		This sets out the broad strategic direction for the LDP. This includes the preferred level of growth along with the spatial strategy for distributing the growth. It also includes the vision, issues and objectives of the plan.
Press Release		Sent to Welsh media, including newspapers, radio and television news stations as appropriate. Media may choose not to print or broadcast an item.
Regulation		Regulations are set out in Welsh Statutory Instruments. They provide the framework for the preparation of the LDP.
Report of Consultation		A Consultation Report is one of the documents required to be submitted for independent examination. An initial consultation report is also required for the pre-deposit stage.
Representations		Comments received in relation to the LDP, either in support of, or in opposition to.

Caerphilly County Borough Council – Delivery Agreement

Review Report		The Review Report provides an overview of the issues that have been considered as part of the full review process and identifies changes that are likely to be needed to the LDP, based on evidence. It also sets out the type of revision procedure to be followed in revising the LDP.
Scoping		The process of deciding the scope and level of detail of a sustainability appraisal (SA), including the sustainability effects and options which need to be considered, the assessment methods to be used and the structure and contents of the SA Report.
Soundness Tests		In order to adopt a LDP it must be determined to be 'sound' by the Planning Inspector. The Tests of Soundness are set out in PPW. There are three tests to make that judgement in relation to the plan as a whole. A framework for assessing the soundness of LDPs has been developed by the Planning Inspectorate.
Stakeholders		People whose interests are directly affected by a LDP (and/ or Sustainability Appraisal/ Strategic Environmental Assessment) and whose involvement is generally through representative bodies. .
Strategic Environmental Assessment	SEA	Generic term used internationally to describe environmental assessment as applied to policies, plans and programmes. The European Strategic Environmental Assessment Directive (2001/42/EC) requires a formal "environmental assessment of certain plans and programmes, including those in the field of planning and land use".
Strategic Development Plan	SDP	Concept against which an LDP is examined under section 64(5)(b) of the 2004 Act.
Submission		When the LDP, SAR and HRA are formally submitted to the Welsh Government for independent examination by a Welsh Government appointed Inspector.
Supplementary Planning Guidance	SPG	Provide more detailed or site specific guidance on the application of LDP Policies. They provide supplementary information in respect of the policies in a LDP. SPG does not form part of the LDP and is not subject to independent examination.
Sustainability Appraisal	SA	A tool for appraising policies, including LDPs, to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors). Each LPA is required by Section 62(6) of the Act to undertake SA of their Local Development Plan. This form of sustainability appraisal fully incorporates the requirements of the Strategic Environmental Assessment Directive.
Sustainability Appraisal Report	SAR	A document required to be produced as part of the Sustainability Appraisal process to describe and appraise the likely significant effects on sustainability of implementing a LDP, which meets the requirements for the Environmental Report under the SEA Directive. Section 62(6) of the Act requires each LPA to prepare a report of the findings of the SA of the LDP. It is an integral part of the development plan making process.
Timetable		Sets out the dates by which key stages and processes of LDP preparation are expected to be completed. These are definitive for stages up to the deposit of the LDP and indicative for the remaining stages after.
Well-being Act		Well-being of Future Generations (Wales) Act 2015

1. Part 1 - Introduction

- 1.1 A full review of the Caerphilly County Borough Local Development Plan (LDP) up to 2021 (adopted November 2010) has been undertaken and the findings are set out in the Local Development Plan Review Report (Review Report). The Review Report provides an overview of the issues that have been considered as part of the review process and subsequently identifies any changes that are likely to be needed to the LDP. It concludes that the Council should commence an immediate full revision of the LDP. The final Review Report will be published alongside the Draft Delivery Agreement.
- 1.2 The adopted LDP provides the policy framework for the determination of planning applications whilst the revised LDP is being prepared up until 31 December 2021. Following this date the Adopted LDP will no longer be a consideration in determining planning applications, which will then be considered against national policy and guidance.

Purpose of a Delivery Agreement

- 1.3 The preparation of a Delivery Agreement (DA) is a key requirement in preparing a revised LDP. This document provides details of the stages involved in the Plan-making process, the time each part of the process is likely to take, and the resources that the Council will commit to Plan preparation. The DA will also establish the Local Planning Authority's early full and continuous approach to community engagement and involvement in the preparation of the revised LDP.
- 1.4 The DA forms an important and legal part of the review of the LDP. Delivery of the revised LDP in accordance with the DA will form an important test of the 'soundness' of the plan. Both the content of the DA and the way in which the Local Authority implements it, is therefore fundamental to the overall success of the LDP.
- 1.5 The DA is split into two key parts:
- **The Timetable for producing the revised LDP.**
This provides an indication of when various stages of plan preparation will take place. Definitive dates are provided up to the deposit stage and indicative dates for later stages. The timetable is included in Part 2 of this DA.
 - **The Community Involvement Scheme (CIS).**
This sets out the Council's principles, strategy and mechanisms for early, full and continuous community and stakeholder engagement throughout the revision process. This is a fundamental element of the development plan system. Once approved, the Council will need to comply with the requirements for community engagement that are set out in the CIS. The CIS is included in Part 3 of this DA.

Stages in the Approval of the Delivery Agreement

- 1.6 In developing the Delivery Agreement for the Replacement LDP, the Council will:
- Prepare a Draft DA (this document).
 - Consult on the Draft DA with key stakeholders and revise the DA appropriately.
 - Obtain Council Approval for the updated DA.
 - Submit the DA to Welsh Government for agreement.
 - Publish the DA on Council website and place in Planning reception, customer service centres / libraries across the county borough.
 - Review the DA on a quarterly basis.

Preparation of the Revised LDP

- 1.7 In preparing the revised LDP, and in accordance with Welsh Government LDP Manual (Edition 2, 2015), the Council will aim to achieve the following key objectives:
- Facilitate Sustainable Development by fully integrating a Sustainability Appraisal (incorporating Strategic Environmental Assessment) into the plan making process;
 - Ensure early and effective community involvement in order to consider a wide range of views, with the aim of building a broad consensus on the strategy and policies for the revised LDP;
 - Enable policy integration by producing a revised LDP that is internally consistent with other corporate priorities and other policies and strategies at the national, regional and local level, appreciating the need to avoid unnecessary repetition;
 - Deliver a fast and responsive approach to plan-making;
 - Produce a revised LDP that is strategic, concise and distinctive in setting out how Caerphilly County Borough will develop and change, with particular regard to the well-being of future generations whilst also addressing key issues collaboratively with neighbouring local planning authorities;
 - Deliver sustainable development, with full consideration of infrastructure requirements, availability of resources, viability and market factors.
- 1.8 The LDP revision will be prepared with regard to a wide range of legislation, policies and other initiatives at the European, national, regional and local level. The Well-being Plan for 2018-2023 'The Caerphilly We Want' will be of particular importance at the local level. This relates to the economic, social, environmental and cultural well-being of Caerphilly County Borough and will have clear links with the LDP where it relates to land use planning.

Strategic Environmental Assessment/Sustainability Appraisal and Integrated Sustainability Appraisal

- 1.9 The provisions of the Strategic Environmental Assessment (SEA) Regulations, 2004, require the Council to assess the significant effects that its plan could have on the environment. In addition Section 62 (6) of the Planning and Compulsory Purchase Act 2004 requires the Council to carry out a Sustainability Appraisal (SA) of its plan. As a matter of good practice the SEA and SA processes have been combined into one iterative SEA/SA process. The SEA/SA process was an iterative part of the preparation process of the Adopted LDP and is reflected in the Plan's proposals and policies.
- 1.10 The Council will continue to adopt of the integrated SEA/SA process in preparing the revised LDP. However, other legislation has introduced additional assessment requirements that should also be addressed as part of the plan preparation process, e.g. health impact assessment, equalities assessment. Consequently, the council will undertake an Integrated Sustainability Appraisal (ISA), which combines the SEA/SA process with the other required assessments as part of the preparation of the revised plan. The ISA will ensure that the revised plan is internally consistent, with economic, environmental, cultural and social issues considered alongside other relevant matters. The appraisal process will run concurrently with the plan making process and forms an iterative part of plan preparation.
- 1.11 The ISA will include the following stage documents:
- The Scoping Report. This will set out the current state of the environment and will identify the existing sustainability issues within Caerphilly County Borough to provide baseline information for assessment and monitoring through a series of Objectives and a Sustainability Framework. It will also set out a review of relevant

plans, policies, programmes and strategies at European, National and local levels, indicating their implications for the LDP process.

- An initial Sustainability Appraisal Report (ISAR). This will predict and evaluate the effects of the LDP options, spatial strategy and strategic policies on the social, environmental and economic objectives as set out in the Scoping Report. The ISAR will be published at the same time as the Preferred Strategy.
- The Environmental Report. This is the Assessment of the policy and allocation framework set out in the Deposit version of the plan against the SA indicators. This report will identify any significant likely effects arising from the plan's implementation and will identify mitigation or amendments to the policy framework where appropriate. This will be published at the same time as the Deposit Plan.
- The Adoption Statement. An Adoption Statement will be published, following the adoption of the LDP, to explain how the sustainability considerations and the Sustainability Assessment have been taken into consideration in the production of the revised LDP.

Habitats Regulation Assessment (HRA)

1.12 In accordance with the Habitats Directive 92/43/EEC, the impacts of any land use plan on the conservation objectives of any European protected site are to be assessed by means of an Appropriate Assessment. The HRA will be prepared concurrently with the Deposit Plan and will be published with both the Deposit Plan and the Environmental Report.

1.13 There are two stages of Habitats Regulation Assessment:

- Screening:- To determine whether any of the conservation objectives of any European Site could be adversely affected
- Appropriate Assessment:- Assessment of the plan proposals on the conservation objectives of all affected European sites.

Evidence

1.14 There is a need to update the evidence base, including undertaking various evidence base assessments throughout the preparation of the revised LDP. At this stage it is envisaged that this will include:

- Population and Housing Growth Options
- Affordable Housing Viability Assessment
- Local Housing Market Assessment
- Gypsy and Traveller Accommodation Assessment
- Larger than Local Economic Review
- Employment Land Review
- Strategic Transport Assessment
- Shopper Attitude Survey and retail analysis
- Renewable Energy Assessment
- Settlement Boundary Review
- Infrastructure Assessment

1.15 This is not a definitive list and additional evidence base requirements may emerge as the plan revision progresses.

Well-Being of Future Generations Act

1.16 The Well-being of Future Generations (Wales) Act (WBFG) gained Royal Assent in April 2015. The Act aims to make a difference to lives of people in Wales in relation to seven well-being goals and also sets out five ways of working. The seven well-being goals relate to:-

- A Prosperous Wales,

- A Resilient Wales,
- A Healthier Wales,
- A More Equal Wales,
- A Wales of Cohesive Communities,
- A Wales of Vibrant Culture and Welsh Language, and
- A Globally Responsive Wales.

1.17 The five ways of working are:

- Long Term,
- Integration,
- Involvement,
- Collaboration, and
- Prevention.

1.18 Given that sustainable development is the core underlying principle of the LDP (and SEA), there are clear associations between the LDP and the WCFG Act. As a requirement of the Act a Local Well-being Plan (LWBP) must be produced. The Council published its Well-being Plan, '*The Caerphilly We Want*', in 2018 and it covers the period up to 2023. Both the WCFG and LWBP will be considered fully throughout the preparation of the revised LDP. The Well-being Assessment will form part of the evidence base of the revised plan.

Tests of Soundness

1.19 As an integral part of the development plan system it is the responsibility of the appointed independent Inspector to consider the soundness of the LDP as a whole during the Examination into the Plan. A straightforward interpretation of "sound" is that it "shows good judgement" and "is able to be trusted". The Local Development Plans Manual provides 3 criteria for assessing 'Soundness'. These tests are:

- a. Does the Plan Fit?
- b. Is the Plan Appropriate?
- c. Will the plan deliver?

1.20 The tests of soundness, in part, relate to the process by which the Local Development Plan has been prepared by the Council, its consistency, coherence and effectiveness. To ensure that time is not spent examining in detail a plan that is procedurally unsound the Inspector will carry out an early screening of the revised LDP to ensure that it has been prepared in accordance with the Delivery Agreement. It is in the Council's interests, therefore, to ensure that the Delivery Agreement has been adhered to throughout the LDP revision process. It is also the responsibility of all stakeholders in the process to facilitate the process by meeting the requirements of them.

1.21 Following the Examination, the Inspector will prepare a report that sets out the Inspector's findings and conclusions. The conclusions reached by the Inspector are binding and, unless Welsh Government intervenes, the Council can either adopt the plan including the Inspector's recommendations or resolve not to adopt the plan.

2. Part 2 - Timetable

- 2.1 The Council has established a timetable for the delivery of the plan, summarising the key stages in plan preparation (Table 1). While the timetable is challenging, it provides a realistic timeframe for preparation of the revised LDP having regard to the resources available. In preparing the timetable, regard has been given to Welsh Government's expectation that a revised plan can be prepared within 3 years and 6 months. Moreover, it has regard to the fact that the adopted LDP expires in December 2021 and there is a pressing need to maintain plan coverage.
- 2.2 The timetable in Table 1 is split into definitive and indicative stages:
- Definitive Stages – This part of the timetable provides information up to and inclusive of the statutory Deposit stage. The progress of the Plan over this period is under the direct control of the Council and therefore target dates, while challenging, are considered realistic and every effort will be made to adhere to these dates.
 - Indicative Stages – This part of the timetable provides for the stages of plan preparation beyond the statutory Deposit stage. These stages are increasingly dependent on a wide range of external factors (e.g. the number of representations received, number of examination hearing sessions, time taken to receive Inspector's Report) over which the Council has far less control. Those dates will be reconsidered after reaching the Deposit stage when definitive timings for the remaining stages will be prepared and submitted to Welsh Government for agreement and publication.

Table 1 – Key stages in Replacement Plan Preparation

Key Stages	Timescale	
	From	To
Definitive	Jan 2020	June 2020
Delivery Agreement	Full Council – 4 th June 2020 Submission to WG by 18 th June 2020 (response to LPA to be received within 4 weeks)	
Pre-Deposit Participation	Feb 2020	July 2021
	Update evidence base Call for Candidate Sites Hold participation events Prepare ISA report Prepare Preferred Strategy Report to Council on Preferred Strategy – 19 th July 2021	
Preferred Strategy (Pre-Deposit) Consultation	August 2021	July 2022
	Preferred Strategy – 6 week consultation Report to Council on draft Deposit Plan – 18 th July 2022	
Statutory Deposit Plan Consultation	August 2022	May 2023
	Deposit Plan – 6 week consultation Report to Council on submission of Deposit Plan to Welsh Government – May 2023	
Indicative		
Submission of LDP to Welsh Government	Summer 2023	
Independent Examination	Autumn 2023	
Inspector's Report	Early 2024	
Adoption	Spring 2024 (must be adopted within 8 weeks of receiving the Inspector's binding report)	

2.3 A detailed project plan outlining the timescale for each of the stages of plan preparation is included in Appendix 1.

Resources

2.4 The Planning Services Manager will be responsible for the overall delivery of the LDP, with the Team Leader, Strategic Planning being responsible for the day to day project management. The Strategic Planning Team will lead in the preparation and delivery of the revised LDP with Member engagement and political reporting at appropriate stages. The existing staff resources are set out in Table 2 below. Approximately 90 to 95% of officer time will be dedicated to the preparation of the LDP. Additional time will be dedicated by the Planning Services Manager, the Head of Regeneration and Planning and the Interim Director Communities to ensure the efficient delivery of the replacement LDP. It will also be necessary to call upon staff resources from other service areas across the council to assist in undertaking various evidence base updates/assessments. This is likely to include officer support from; Development Management, Housing, Infrastructure, Education, Environmental Health, Community and Leisure Services, Corporate Policy, Democratic Services and Legal Services. Significant input will also be required from technical support in preparing LDP documentation.

Table 2 – Strategic Planning Team Staff Resources

Officer Job Title	Number of posts
Team Leader	1
Principal Planner	2
Planning Officer	1
Assistant Planner	1

2.5 The Council recognises that additional specialist input will also be required to progress and establish a robust evidence base to inform the revised LDP. While it is anticipated that a considerable amount of evidence base work will be undertaken by CCBC officers, predominately the Strategic Planning Team, the use of external consultants is likely to be necessary, particularly in relation to highly technical or specialist elements of the evidence base. An initial assessment has been carried out of the elements of plan preparation that are likely to require external consultant input and financial resources have been agreed by Council.

2.6 The Delivery Agreement has been prepared on the basis of a revised Caerphilly County Borough Local Development Plan only. Work is however on-going on a regional basis. Collaboration with neighbouring authorities will be fundamental to the preparation of the revised LDP, particularly with regard to a joint evidence base, where appropriate. The South East Wales Strategic Planning Group (SEWSPG) is working towards a set of regionally agreed methodologies for key topic areas to ensure a consistent evidence base throughout the Cardiff Capital Region. In addition, Caerphilly, Blaenau Gwent, Torfaen, Monmouthshire and Newport have identified a number of topic areas where studies could be, and are being, commissioned jointly.

2.7 The Council has agreed a budget to progress the revised LDP to adoption within the prescribed timetable. It is anticipated that this will cover expenditure relating to all elements of preparation of the revised LDP and its Examination.

Risk Management and Analysis

2.8 Whilst the timetable for preparation of the revised LDP is realistic, it is acknowledged that it will also be very challenging and could be put at risk from even minor issues. It is recognised that there are a number of factors that could result in plan preparation deviating from the proposed timetable. Consequently the LDP Manual provides flexibility by allowing a single 3-month slippage, before a formal revision to the Delivery Agreement is required. Appendix 2 sets out a risk assessment identifying potential issues that could cause difficulties in keeping to the proposed timetable, together with the Council’s proposed approach to managing them.

Supplementary Planning Guidance

2.9 The revised LDP will contain sufficient policies to provide the basis for determining planning applications. However, Supplementary Planning Guidance (SPG) has an important supporting role in providing more detailed or site specific guidance on the way in which LDP policies will be applied. While SPG does not form part of the development plan it should be derived from and be consistent with the relevant LDP. The SPG should also be clearly cross referenced to the policies and proposals it supplements.

2.10 Since the adoption of the current LDP a number of SPG documents have been prepared and adopted to support existing LDP policies. The SPG cover the following topic areas:

- Affordable Housing
- Trees and Development
- Car Parking Standards
- Building Better Places to Live

- Householder Developments
- Protection of Open Space
- Buildings in the countryside
- Shop Fronts and Advertisements
- Planning Guidance for Smaller Scale Wind Turbine Developments – Landscape and Visual Impact Assessment Requirements
- Smaller Scale Wind Turbine Development – Landscape Sensitivity and Capacity Study

2.11 It is anticipated that the SPG topics listed above will continue to be necessary and relevant, and so will be carried forward with any amendments necessary to support the revised LDP, and/or the updated evidence base.

2.12 It should nevertheless be noted that SPG to the LDP cannot be formally adopted until after the Inspector's Report has been received and it is clear that there are no changes to the policy approach set out in the revised plan. It is not anticipated that any new/additional SPG will be prepared or consulted on in parallel with the revised LDP, primarily due to the challenging timescales.

Monitoring and Review

2.13 The Council will monitor and regularly review progress of the replacement LDP against the requirements of the DA to ensure the timetable is being adhered to and the public engagement, as set out in the Community Involvement Scheme, is being met. As noted in paragraph 2.8 the timetable allows for a marginal degree of flexibility, however, any amendments to the DA will require approval by the Council prior to Welsh Government agreement. The DA may need to be amended if the following circumstances, which are beyond the LPA's control, occur during the preparation of the revised LDP:

- Significant change to the resources available to undertake preparation of the revised LDP.
- Preparation of the revised LDP falls behind schedule i.e. more than 3 months.
- Significant changes to European, UK or Welsh legislation directly affecting the revised LDP preparation process.
- Any other change in circumstances that will materially affect the delivery of the revised LDP in accordance with the DA.
- Significant changes to the Community Involvement Scheme.

2.14 An updated timetable will be submitted to Welsh Government following the Deposit stage. This will provide greater certainty of the timescales for the remaining stages (i.e. replacing indicative stages with definitive stages). The indicative timetable will be redefined within 3 months of the close of the formal Deposit period and will be submitted to Welsh Government for agreement.

3. Part 3 – Community Involvement Scheme

- 3.1 The Community Involvement Scheme (CIS) sets out how the Council proposes to proactively involve the community and stakeholders in the preparation of the replacement LDP. Whilst it is the Council's decisions that determine the content of the revised LDP, one of the aims of the LDP system is that plan production is based on effective community involvement in order that a range of views can be considered promoting consensus on the plan's strategy and policies.
- 3.2 The five ways of working prescribed by the Well Being of Future Generations (Wales) Act are integral to the CIS. The CIS describes the ways in which the community can influence the LDP at the different stages of the plan preparation process. The Council has also prepared a timetable for the production of the LDP (Part 2, Appendix 1), which should be read in conjunction with the CIS.
- 3.3 Caerphilly County Borough Council's core purpose, as set out in its major new strategy *#Team Caerphilly – Better Together*, is to support sustainable and resilient communities across the County Borough. This is intrinsically linked to land use planning and is therefore key to the delivery of the LDP.
- 3.4 Caerphilly County Borough Council is also committed to ensuring the ten national principles for public engagement in Wales are utilised. Public engagement in the preparation of the LDP will take place in accordance with CIS. The Council recognises that engagement must be designed to make a difference. The main objectives for involving the community in the LDP preparation process can be identified as:
- Effectively design engagement to make a difference, to influence plan preparation and delivery from an early stage;
 - To encourage and enable everyone affected to be involved, if they so choose;
 - To plan and deliver engagement in a timely and appropriate way to ensure that the process is clear, communicated to everyone in a way that is easy to understand within a reasonable timescale, using the most suitable method/s for those involved;
 - To communicate and work with relevant partner organisations to ensure that people's time is used effectively and efficiently;
 - To provide appropriate and understandable information so that people are well placed to take part in the engagement process;
 - To identify and address any barriers for different groups to make it easier for people to take part;
 - To enable people to take part effectively, the engagement processes should try to develop the skills, knowledge and confidence of all participants;
 - To ensure appropriate training, guidance and support are provided to enable all participants, including staff, to effectively engage;
 - To provide two way dialogue by responding to comments received and publishing the Council's response in a report of consultation; and
 - To learn and share lessons to improve the process of engagement.

Who will we involve?

- 3.5 Effective involvement of people and communities and collaboration with other organisations are two of the five ways of working set out in the Well-being Future Generations Act and are key aspects of preparing the revised LDP. The council will seek to involve the following parties in their plan preparation process for the 2nd Replacement LDP:

Members of the public, interested persons and organisations

- 3.6 For both the Adopted LDP and the withdrawn Replacement LDP the Council maintained a consultation database that included members of the public, interested persons and organisations who had requested to be kept informed at each stage of the LDP process. The primary purpose of this database was to allow for those who are not included on the Welsh Government list of consultees for LDPs to be involved and informed throughout the LDP process.
- 3.7 The General Data Protection Regulation (GDPR) came into force in May 2018 placing new restrictions on how organisations can hold and use personal data and defining rights with regard to that data. As a result of GDPR we are unable to contact those individuals who previously expressed an interest in the LDP process. Consequently the Council is now required to establish a new stakeholder database of parties wanting to be involved in the preparation of the 2nd Replacement LDP.
- 3.8 Anyone interested parties will be required to give their consent, in writing, if they wish to be added to the LDP stakeholder database. Anyone who makes representations at any of the stages of LDP revision will automatically be added to the stakeholder database in order to administer their comments and for them to be adequately informed of further opportunities to participate at a later date. In accordance with the GDPR, by commenting on the LDP, individuals and stakeholders give their consent for their details to be held throughout the LDP revision process for consultation and notification purposes.
- 3.9 If any person, group or organisation wishes to be involved in the preparation of the revised LDP, they can request to be added to the stakeholder database by providing their contact details to the Strategic Planning Team by email, phone or in writing using the contact details as set out in paragraph 3.30.

Elected Members

- 3.10 It is recognised that the involvement of Members of Caerphilly County Borough Council throughout the preparation of the plan will be of key importance. Members have a unique position, as not only do they represent the communities within their individual ward, they also represent public interest and are involved in decisions for the wider benefit of the County Borough as a whole. Accordingly, Members will play an essential role in the revised LDP process by providing information to local residents, informing us of issues/opportunities within their local area and more fundamentally making decisions on matters affecting Caerphilly County Borough as a whole.
- 3.11 The Cabinet Member for Finance, Performance and Planning has responsibility for planning policy, including the preparation of the revised LDP. Close liaison with the Cabinet Member, and all other council Members, is an essential part of the LDP process. Consequently Member seminars will be undertaken where appropriate, in particular at key stages of the revised LDP including, but not limited to; the Preferred Strategy, Deposit LDP and at Adoption. Members will be fully informed throughout the process and notified prior to every participation/consultation stage.

Community and Town Councils

- 3.12 Town and Community Councils also play a key role in disseminating information to the residents within their area on matters of local importance and will be a key link to communities across Caerphilly County Borough. Community and Town Councils will be consulted at every stage of the LDP revision process and through their individual communication methods will help raise awareness of the revised LDP to local communities. They also have the ability to provide up to date local information, opinions on any proposals within their areas and more importantly are able to provide detail of any land use based aspirations they have for their community.

Partnership Groups

- 3.13 Partnership groups act as single contact points for groups of people and are, consequently, an important point of contact for engaging the wider community in the preparation of the

revised LDP. This particularly the case during the early stages of public participation when structured discussion is desirable.

- 3.14 The Caerphilly Public Service Board (PSB), and its partners, will be of particular importance to ensure the revised LDP aligns with the Local Well-being Plan. As such the PSB will be actively involved during the preparation of the plan.
- 3.15 The Strategic Planning Team will also work closely with the Council's Corporate Policy Team who support the delivery, co-ordination and administration of the Public Services Board and lead the Council's contribution to the Well-being Plan.

Businesses, Land Owners, Developers and Agents

- 3.16 As outlined previously, extensive engagement will be undertaken at each key stage of the LDP revision process. Efforts will be made to engage with the business community at an early stage, which can be facilitated through liaison with the individual Chambers of Commerce across the County Borough. We will also engage with planning agents, who are regular customers of Caerphilly's planning service. Anyone can request for their details to be included on the LDP stakeholder database. Landowners, agents and prospective developers who wish to put land forward to be considered for development will therefore also be included on the LDP revision database.
- 3.17 The Candidate Site process will provide the opportunity for those who have an interest in land to submit sites the wish to be considered for development in the LDP. A common methodology for considering such sites has been established across the South East Wales region for local planning authorities to utilise for their respective revised LDPs. A 'Call for Candidate Sites' will be undertaken and all candidate sites will need to be submitted via a standardised form. The form will set out the criteria required to assist in the assessment of the suitability of sites for inclusion as potential allocations in the revised LDP. A threshold for accepting candidate sites will be set in order to ensure the plan remains strategically focused. This threshold will be provided at the outset in order to provide clarity for the process and avoid unnecessary work being undertaken for sites that will not be considered for inclusion in the LDP. Accordingly, all candidate sites will need to be submitted during the appropriate period.

Additional Consultation Bodies

- 3.18 Appendix 3 provides a list of the specific and general consultation bodies along with UK Government departments and other consultees. The specific consultees are comprised of Welsh Government and those bodies with specific functions that apply to the revised Plan area, e.g. the Aneurin Bevan Health Board and Dŵr Cymru Welsh Water. The Authority must also consult UK Government Departments where aspects of the plan appear to affect their interests. These consultation bodies will be engaged throughout the LDP revision process at each of the formal stages and informally, as appropriate.

Hard to Reach Groups

- 3.19 Hard to reach groups, and those that are seldom heard, are those groups who have not traditionally taken part in the plan preparation process. Additional effort will, therefore, be required to ensure these groups are engaged in the revised LDP process. A flexible approach will need to be undertaken in relation to engagement with these groups, albeit within the parameters of the specified participation/consultation periods and resource limits.
- 3.20 Hard to reach groups include:-
- Young people and children
 - People with disabilities
 - Older people
 - People with learning difficulties

- Homeless people
- Ethnic minorities
- Gypsies and Travellers

3.21 Engagement with these groups may be achieved by using existing partnerships and groups wherever possible. It is nevertheless recognised that the very principle of a hard to reach group is that they may not be involved in existing groups and that this may not, therefore, always be achievable. Trusted intermediaries will also be used, as appropriate, in order to gain the views of particular groups of people who do not have the confidence to engage directly in the process.

LDP Focus Group

3.22 In order to guide the LDP revision process, the Council will set up the LDP Focus Group. This group will be comprised of Cabinet Members, members from opposition groups and service area heads will facilitate continued engagement with senior members and officers throughout the plan preparation process. The LDP Focus Group will be engaged through specific workshops and meetings where appropriate.

Planning Aid Wales

3.23 Planning Aid Wales is an independent service providing planning advice to groups and individuals, particularly in disadvantaged areas, helping them to understand the planning system and influence what happens in their local area. Where appropriate we will work with Planning Aid on consultation/training activities.

How we will involve you?

3.24 We will seek to publicise the LDP revision process at every stage and reach as much of the community, and other stakeholders, as possible, to advise people about the revised LDP and how they can get involved. This will be done by:

- Direct contact (i.e. by letter or e-mail, the preference of which as indicated by the stakeholder through consultation).
- Through use of Twitter, by utilising the corporate @CaerphillyCBC account.
- Via Facebook on the Caerphilly County Borough Council page.
- Engagement with Elected Members through specific workshops, Member drop-in sessions and in reports to appropriate Council meetings.
- All LDP information and documents will be made available on the Council's website, which will be updated regularly.
- Deposit of documents at the Council's headquarters, libraries/Customer Service Centres.
- Press releases for the local media, where appropriate.
- Public information exhibitions, drop in sessions and meetings in accessible and neutral locations.
- Site notices will be displayed regarding proposed land allocations at relevant stages and letters will be sent to adjacent properties (excluding Candidate Site's submitted as these relate to submissions for consideration rather than proposals).

Availability of Documents

3.25 The revised LDP documents will be made available at each of the relevant stages. All documents will be made available electronically on the Council's website. Electronic representation forms will also be made available during periods of consultation. In addition to online availability the documents will also be made available in paper format in the following locations:

- Tredomen House, Tredomen Park, Ystrad Mynach
- Penallta House; and

- All local libraries/Customer Service Centres in the County Borough.

3.26 Paper copies of documents will not be sent out during the revised LDP process as they will be made publicly available in the locations listed above, as well as being made available electronically. In exceptional circumstances paper copies may be offered, however this will be assessed on a case by case basis depending on the specific needs of the relevant individual.

Welsh Language and Bilingual engagement

3.27 The Welsh Language Standards place a legal duty on Councils to make it easier for people to use services through the medium of Welsh. The Council has published a Welsh Language Strategy for 2017 – 2022, the requirements of both the corporate strategy and Welsh Language Standards will be maintained at each stage of the replacement LDP.

3.28 Bilingual engagement will be carried out in the following ways:

- We welcome correspondence in both Welsh and English. Where correspondence is received in Welsh and a reply is necessary, this will be sent in Welsh.
- All consultation letters, comments forms, public notices (including site notices) and newsletters will be bilingual.
- Any pages on the Local Development Plan website and social media posts published on twitter will be bilingual.
- Any public meetings will be conducted bilingually where a request has been made ahead of time. Prior notification is required in order to provide a translation service.
- Draft LDP documents can be made available in Welsh if requested. The Adopted Revised LDP will be available in both Welsh and English format.

What we expect from you

3.29 In order to ensure any comments and representations on the revised LDP are considered, they must be submitted within the prescribed timescales. The Delivery Agreement sets out the timetable of relevant stages and provides a guideline of when we seek your involvement. More detailed information is set out in Part 2 and Appendix 1. This will ensure that individual views are considered and taken into account throughout the process.

3.30 It is also important that you notify the planning policy team should your contact details change during the LDP revision process in order for us to keep you fully informed of progress. With regard to candidate sites, land ownership changes may also occur during the process and it is imperative that these are communicated to the Strategic Planning team in order to ensure progress is not delayed.

Building Consensus

3.31 The Council will seek to build consensus through the various engagement and consultation methods set out within the CIS. Consensus building can only be achieved if the community and other interested parties are kept fully informed and effectively engaged throughout the LDP revision process. This is of particular importance in the early stages of plan preparation. It is nevertheless recognised that there will be occasions where consensus cannot be achieved and a difference in opinion between certain parties occurs. A clear audit trail of decisions will be maintained in order to ensure that there is transparency in the decision making process, and to provide assurances to those that disagree that the decisions have been made in an informed and balanced way. However, the LDP preparation process is progressive and is required to be completed within a 3 and a half year period. As a result it is not possible to revisit decisions that have already been made previously in the process, as this would cause unreasonable delays. Participants are, therefore, requested to focus their input on the matters being considered at that stage.

Late Representations

- 3.32 The LDP process is subject to statutory and non-statutory consultation/involvement periods which have defined periods for submissions. Responses are required by the specified deadline of these consultation periods in order for them to be considered. Any comments/representations submitted after the deadline dates will not be considered as part of the LDP process and will be classed as ‘not duly made’ for the purposes of the LDP Examination. The timescale to produce the revised LDP is already challenging, the acceptance of late representations could result in further delay which would not be acceptable.

Contact Details

- 3.33 Further information can be gained by contacting the following:-

E mail: ldp@caerphilly.gov.uk

Telephone: 01443 866772

www.caerphilly.gov.uk/ldp

Strategic Planning Team,
Caerphilly County Borough Council
Tredomen House
Tredomen Park
Ystrad Mynach
Hengoed
CF82 7WF

- 3.34 Comments are welcome in English or Welsh

Timetable and Methods of Engagement

- 3.35 The following tables set out the detailed timetable for community engagement and the proposed engagement methods for the key stages in the LDP preparation process. The list is not exhaustive and may need to be adapted to ensure the community and stakeholders are appropriately involved at each stage.

- 3.36 The tables identify the following key stages:

- **Definitive Stages**
 - Pre-Deposit Participation (Table D1)
 - Pre-Deposit Public Consultation (Table D2)
 - Statutory Deposit of Proposals (Table D3)
- **Indicative Stages**
 - Submission of LDP to Inspectorate for Examination (Table I1)
 - Independent Examination (Table I2)
 - Publication of Planning Inspector’s Recommendations (Table I3)
 - Adoption (Table I4)

Definitive Stages

Pre-Deposit Participation

3.37 Purpose of Pre-Deposit Participation

- To develop an evidence base for the preparation of the revised LDP;
- To identify suitable sites for inclusion in the revised LDP;
- To develop and agree an updated Vision Statement for Caerphilly County Borough;
- To develop objectives, alternatives and the Preferred Strategy for the revised LDP (Strategy Options);
- Build consensus with key stakeholders on the objectives, alternatives and Preferred Strategy of the revised LDP with the intention of producing a sound revised Plan; and
- To ensure the Pre-Deposit documents are consistent with the Well-being Plan and the emerging LDP 'Vision' for Caerphilly County Borough.

Table D1 Pre-Deposit Participation

Caerphilly County Borough Council – Delivery Agreement

Stage in the document preparation process	Purpose	Timescale (when?)	Who will be involved	How? Consultation, Dissemination and Notification mechanism	Reporting, Dissemination & Notification
Delivery Agreement	To set out timetable for plan preparation and process and methods of community involvement.	Jan 2020 – Jun 2020	<ul style="list-style-type: none"> • Specific Consultation Bodies • General Consultees • LDP Focus Group • Elected members • General public • Existing Local Forums • Hard to reach groups • Community and Town Councils 	<ul style="list-style-type: none"> • Email/letter • Website • Social media • Press release 	<ul style="list-style-type: none"> • All documentation placed on the Council's website
Review and update existing evidence base	To inform development of the LDP Strategy and policy framework	Feb 2020 – May 2021	<ul style="list-style-type: none"> • Internal Officers • Neighbouring LAs • Additional Consultation Bodies • Consultants 	<ul style="list-style-type: none"> • LDP Monitoring • Specialist Surveys/data collection analysis • meetings 	<ul style="list-style-type: none"> • LDP Monitoring reports • Topic Papers • Survey Reports
Call for Candidate Sites	To establish land availability and landowners' willingness to release land for development to inform the identification of potential development sites	Apr – Sept 2020	Consultation database, including: <ul style="list-style-type: none"> • Landowners • Agents • Developers • Home Builders Federation 	<ul style="list-style-type: none"> • Email/letter • Website • Social media • Press release 	Candidate Sites Register
Review of existing vision, objectives and options	To develop consensus on options including growth levels and spatial distribution and inform development of the Preferred Strategy	May 2020 – May 2021	<ul style="list-style-type: none"> • Members • LDP Focus Group • Public Service Board • Existing Local Forums • Internal Officers • Other consultees 	<ul style="list-style-type: none"> • Workshops • Meetings • Email/letter 	All documentation placed on the Council's website
ISA					
Review/Update ISA baseline and framework	To update the baseline information and framework	July 2020 – Oct 2020	<ul style="list-style-type: none"> • Internal Officers • Specific Consultation Bodies • Neighbouring LAs 	<ul style="list-style-type: none"> • Meetings • Email/letter 	Report as part of SA/SEA Scoping Report

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ISA Scoping Report including the Review of Relevant Plans, Programmes and Policies	To give stakeholders the opportunity to comment on the SA/SEA	Nov - Dec 2020	<ul style="list-style-type: none"> • Internal Officers • Specific Consultation Bodies • Neighbouring LAs • SEA/SA Statutory Consultees 	<ul style="list-style-type: none"> • Email/letter • Website 	Report of Consultation
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Pre-Deposit Consultation

3.38 Purpose of Pre-Deposit Public Consultation (Regulations 15 & 16)

- To provide an opportunity for all stakeholders and the wider general public to consider and comment on the Preferred Strategy and Options;
- To make the various documents publicly available and widely accessible for inspection;
- To undertake participation over a statutory 6 week period;
- To consider representations made at the participation stage and provide feedback;
- To consider whether any changes are needed to the Preferred Strategy and Option for the emerging revised plan; and
- To consult on the Sustainability Assessment of the Preferred Strategy.

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Table D2 Pre-Deposit Public Consultation

Stage in the document preparation process	Purpose	Timescale (when?)	Who will be involved	How? Consultation, Dissemination and Notification mechanism	Reporting, Dissemination & Notification
6 week Public Consultation on Preferred Strategy and assessment of representations received	To enable anyone to make representations to the Council's pre-deposit document.	Aug – Sept 2021	<ul style="list-style-type: none"> • Specific Consultation Bodies • General Consultees • LDP Focus Group • Elected members • General public • Existing Local Forums • Hard to reach groups • Community and Town Councils 	<ul style="list-style-type: none"> • Email/letter • Press releases • Social media • Website • Drop in sessions/exhibitions • Copies of the pre-deposit documents available in the Council Offices and all public libraries 	Report of Consultation and recommendations to Council
Further call for candidate sites/Request for detailed information	To identify potential development sites and obtain detailed site information	Oct - Dec 2021	Consultation database, including: <ul style="list-style-type: none"> • Landowners • Agents • Developers • Home Builders Federation 	<ul style="list-style-type: none"> • Email/letter • Website • Social media • Press release 	Candidate Sites Register
ISA					
6 week consultation on ISA Scoping Report and Initial Sustainability Appraisal Report	To enable anyone to make representations on the Scoping Report and Initial Sustainability Appraisal Report.	Aug – Sept 2021	<ul style="list-style-type: none"> • Specific Consultation Bodies • General Consultees • LDP Focus Group • Elected members • General public • Existing Local Forums • Hard to reach groups • Community and Town Councils 	<ul style="list-style-type: none"> • Email/letter • Press releases • Social media • Website • Drop in sessions/exhibitions • Copies of the pre-deposit documents available in the Council Offices and all public libraries 	Report of Consultation and recommendations to Council

Statutory Deposit of Proposals (Regulation 17)

3.39 Purpose of this stage:

- To undertake a Statutory Consultation on the Deposit Plan over a 6 week period;
- To provide an opportunity for all stakeholders and the wider general public to consider the plan in its entirety;
- To make the various documents publically available and widely accessible for inspection;
- To consult on the Environmental and Sustainability Appraisal Reports and Habitats Regulations Assessment.

Table D3 Statutory Deposit of Proposals

Stage in the document preparation process	Purpose	Timescale (when?)	Who will be involved	How? Consultation, Dissemination and Notification mechanism	Reporting, Dissemination & Notification
6 week Deposit Consultation exercise	To enable all interested persons and organisations to make representations in respect of any policies and proposals in the Deposit Plan	Aug – Sept 2022	<ul style="list-style-type: none"> • Specific Consultation Bodies • General Consultees • LDP Focus Group • Elected members • General public • Existing Local Forums • Hard to reach groups • Community and Town Councils 	<ul style="list-style-type: none"> • Email/letter • Press releases • Social media • Website • Drop in sessions/exhibitions • Copies of the pre-deposit documents available in the Council Offices and all public libraries 	<p>Hard copy of representations placed in Council Offices and copies available on website</p> <p>Representations and comments to be included in a report of consultation which will be available on the website</p> <p>Representations submitted to WG for consideration by the Inspector</p>
ISA					
Environment Report and Habitat Regulations Assessment	To consult on findings of the ISA and HRA processes	Aug – Sept 2022	<ul style="list-style-type: none"> • Specific Consultation Bodies • General Consultees • LDP Focus Group • Elected members • General public 	<ul style="list-style-type: none"> • Email/letter • Press releases • Social media • Website • Drop in sessions/exhibitions • Copies of the pre- 	<p>Hard copy of representations placed in Council Offices and copies available on website</p> <p>Representations and comments to be included in a report of consultation which</p>

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			<ul style="list-style-type: none">• Existing Local Forums• Hard to reach groups• Community and Town Councils	deposit documents available in the Council Offices and all public libraries	will be available on the website Representations submitted to WG for consideration by the Inspector
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Indicative Stages

Submission of Local Development Plan to Inspectorate for Independent Examination (Regulation 22)

3.40 Purpose of the stage:

- To consider the representations received during the statutory consultation period and provide a response to them that can be considered by the Inspector at the Examination; and
- Provide notice to all interested stakeholders of the submission of the LDP and associated documents to Welsh Government.

Table I1 Submission of Local Development Plan to Inspectorate for Independent Examination

Stage in the document preparation process	Purpose	Timescale (when?)	Who will be involved	How? Consultation, Dissemination and Notification mechanism	Reporting, Dissemination & Notification
Undertake work necessary for formal submission to WG for Examination	To enable examination of the Plan	Indicative date May 2023	<ul style="list-style-type: none"> • Consultation Database • Representors Database • Candidate Site Database • Elected Members • Internal Officers 	<ul style="list-style-type: none"> • Social Media • Email/letter • Website • Provide copies of relevant supporting documents at Council offices and libraries 	

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Independent Examination (Regulation 23)

3.41 Purpose of this stage:

- To undertake an Independent Examination of the LDP;
- To examine the LDP in its entirety and test its ‘soundness’;
- Consider representations seeking changes to Deposit Plan;
- For the Planning Inspector to consider all relevant evidence and prepare recommendations in the form of the Inspector’s Report;
- To undertake any further work requested by Inspector.

Table I2 Independent Examination

Stage in the document preparation process	Purpose	Timescale (when?)	Who? Possible community involvement	How? Consultation, Dissemination and Notification Mechanism	Reporting, Dissemination & Notification
Notification of Independent Examination	To ensure that interested persons/organisations are aware that an Independent Examination into the LDP is taking place.	Indicative Jun – July 2023	<ul style="list-style-type: none"> • Consultation Database • Candidate Site Database • Elected Members • General Public 	<ul style="list-style-type: none"> • Formal notification given by email/letter to any person who has made (and not withdrawn) a representation. • Notice placed in the local press and on the website. 	None
Pre-Examination meeting	To advise on examination procedures and format	Indicative Aug - Oct 2023	<ul style="list-style-type: none"> • Consultation Database • Candidate Site Database • Elected Members • General Public 	<ul style="list-style-type: none"> • Email/letter to all Representors • Notice on website 	Statements of Common Ground and Papers as necessary
Consideration of all representations to the plan by the independent Planning Inspector appointed to consider the evidence	To provide an impartial planning view on the soundness of the Plan, and the representations made in respect of it.	Indicative Oct 2023 - January 2024	All those interested individuals and organisations that have made representations at the Deposit Stage of the Plan	<ul style="list-style-type: none"> • Round Table Discussions. • Formal hearings (if requested and agreed by Inspector) • Written submissions. 	Inspectors report.

Publication of the Planning Inspector’s Recommendations (Regulation 24)

3.42 Purpose of this stage:

- To publish the recommendations of the Planning Inspector, and the reasons for those recommendations and make them generally available for inspection.
- To give notice to all interested persons and organisations that the Inspector’s Report is available.

Table I3 Publication of the Planning Inspector’s Report

Stage in the document preparation process	Purpose	Timescale (when?)	Who? Possible community involvement	How? Consultation, Dissemination and Notification Mechanism	Reporting, Dissemination & Notification
Publication of the Inspector’s Report	To make the Inspector’s Report publically available.	Indicative Feb – 2024	<ul style="list-style-type: none"> • Consultation database • Candidate Site database • Representors database • Elected Members • General public 	<ul style="list-style-type: none"> • LDP documents including the adoption statement and the Sustainability Appraisal Report made available on the website • Formal notification given by email/letter to specific consultation Bodies and Elected Members • Copies of all relevant documents available in the council offices and all public libraries • Press Release 	None
SA/SEA					

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<p>Formal publication of Environmental Statement (contained within Environment Report)</p>	<p>Identify any adjustments arising from the Examination</p>	<p>Indicative Feb – 2024</p>	<ul style="list-style-type: none"> • Consultation database • Candidate Site database • Representors database • Elected Members • General public 	<ul style="list-style-type: none"> • LDP documents including the adoption statement and the Sustainability Appraisal Report made available on the website • Formal notification given by email/letter to specific consultation Bodies and Elected Members • Copies of all relevant documents available in the council offices and all public libraries • Press Release 	
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Adoption (Regulation 25)

3.43 Purpose of this stage:

- To adopt the LDP within 8 weeks of receipt of the Inspector’s report

Table I4 Adoption

Stage in the document preparation process	Purpose	Timescale (when?)	Who? Possible community involvement	How? Consultation, Dissemination and Notification Mechanism	Reporting, Dissemination & Notification
To formally adopt the Revised LDP as the Development Plan for the County Borough within eight weeks of receipt of the Inspectors Report.	To inform stakeholders of adoption	Indicative Apr 2024	<ul style="list-style-type: none"> • Specific Consultation Bodies LDP Focus Group • Elected Members • general public 	<ul style="list-style-type: none"> • LDP documents including the adoption statement and the Sustainability Appraisal Report made available on the website • Formal notification given by email/letter to specific consultation Bodies and Elected Members • Copies of all relevant documents available in the council offices and all public libraries • Press Release 	

Appendix 1: Delivery Timetable

	2020												2021												2022												2023												2024				
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	
Key Stage Definitive																																																					
Delivery Agreement (DA)																																																					
Preparation of Draft DA																																																					
Reporting of Draft DA and agreement to submit to WG																																																					
Submission to Welsh Government																																																					
DA agreed by Welsh Government																																																					
Update Evidence Base																																																					
Review Evidence Base																																																					
Update ISA baseline																																																					
Pre-Deposit Participation																																																					
Call for Candidate Sites																																																					
Candidate Sites - Initial Assessment																																																					
Statutory Consultee Involvement on Draft Scoping Report																																																					
Identification & assessment of vision and objectives																																																					
Identification & assessment Strategy options																																																					
Preparation of Initial SA Report																																																					
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Consultation on Initial SA Report																																																					
Analyse consultation responses																																																					
Prepare Initial Consultation Report																																																					
Candidate Site Assessment - Call for further information																																																					
Candidate Site Assessment of Further Information																																																					
Prepare Deposit Plan																																																					
Prepare Environmental Report																																																					
Prepare HRA & Appropriate Assessment																																																					
Reporting of Deposit Plan																																																					
Statutory Deposit																																																					
Consultation on Deposit Plan, Environmental Report and HRA																																																					
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Examination																																																					
Inspector's Report - Preparation																																																					
Inspector's Report - Publication																																																					
Inspector's Report - Adoption																																																					

Appendix 2: Risk Assessment

Risk	Potential Impact	Mitigation	Probability and Impact
Council			
No Plan coverage after expiry of current LDP in December 2021.	Due to flexibility within the timetable and 3 month degree of tolerance there may be a gap in Plan coverage from 1st January 2022 until Plan adoption in April 2024.		High Likelihood
			Medium Impact
Change in staff resources available to undertake preparation of revised LDP.	Programme slippage	Ensure revised LDP process maintains highest level corporate priority.	Medium Likelihood
			Medium Impact
Staff turnover in small team	Programme slippage	Consider additional resources (including support from other sections within the Council) and ensure robust structure.	Low Likelihood
			Medium Impact
Reduction and lack of financial resources	Programme slippage	Ensure plan preparation process is adequately costed with in-built capacity for unforeseen costs.	Medium Likelihood
			Medium Impact
Council decision making reporting cycle	Programme slippage	Streamline decision-making procedures and ensure timetable is realistic.	Medium Likelihood
			Medium Impact
Political Change / Elections	Programme slippage	Early Member training	Medium Likelihood
			Medium Impact
Lack of support from officers / other departments in production of the evidence base	Programme slippage	Ensure organisation wide support of plan process and timetable from outset.	Low Likelihood
			Medium Impact
National / Regional Issues			
Additional requirements arising from new legislation/national guidance e.g. revised Planning Policy Wales and LDP Manual	Programme slippage	Monitor emerging legislation/guidance and respond to changes as soon as possible.	High Likelihood
			High Impact
Involvement in preparation of Strategic	Programme slippage. Resource	Ensure sufficient resources are made available to	High Likelihood

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Development Plan	implications as extent of input into SDP is currently unknown.	support SDP process and ensure corporate support for SDP process and timetable from the outset.	Medium Impact
Planning Inspectorate unable to meet target dates	Examination and/or report delayed.	Maintain close liaison with the Planning Inspectorate to ensure early warning of any potential problems	Medium Likelihood
			High Impact
Printing and production delays	Programme slippage	Consider additional resources to undertake process in house	Low Likelihood
			Medium Impact
Local Issues			
Insufficient information to undertake SA/SEA	Programme slippage	Identify and manage expectation of consultation bodies	Medium Likelihood
			Medium Impact
Large volume and / or highly significant levels of objections to proposals e.g. site allocations	Programme slippage. Plans cannot be submitted without significant work.	Ensure close liaison and early/continued involvement of community, statutory bodies & stakeholders throughout the plan preparation process	High Likelihood
			Medium Impact
ISA/HRA implications on plan strategy / proposals	Programme slippage	Ensure process is fully integrated with LDP preparation	Low Likelihood
			Low Impact
Need to amend emerging Plan to align with emerging National Development Framework (NDF) and Strategic Development Plan	Programme slippage	Ensure involvement in progress of regional work. Keep up to date with progress on NDF.	Medium Likelihood
			Medium Impact
Plan fails test of 'soundness'	Plan cannot be adopted without considerable additional work	Ensure Plan and Community Involvement are 'sound'. Close liaison with WG Planning Division.	Low Likelihood
			High Impact
Legal challenge	Programme slippage. Quashing of adopted LDP.	Ensure good knowledge of statutory requirements to ensure compliance	Low Likelihood
			High Impact

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