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(Tel: 01443 864245 Email: barrerm@caerphilly.gov.uk)

Date: 7th December 2016

Dear Sir/Madam,

A meeting of the **Regeneration and Environment Scrutiny Committee** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 13th December, 2016** at **5.30 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

AGENDA

	Pages
1 To receive apologies for absence.	
2 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: -

- | | | |
|---|--|-------|
| 3 | Regeneration and Environment Scrutiny Committee held on 1st November 2016. | 1 - 8 |
|---|--|-------|

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



- 4 Consideration of any matter referred to this Committee in accordance with the call-in procedure.
- 5 To receive a verbal report by the Cabinet Member(s).
- 6 Regeneration and Environment Scrutiny Committee Forward Work Programme. 9 - 16
- 7 To receive and consider the following Cabinet reports*: -
1. Highway Inspection Manual Endorsement - 16th November 2016;
 2. Highway Asset Management Plan Endorsement - 16th November 2016.

** If a member of the Scrutiny Committee wishes for any of the above Cabinet reports to be brought forward for review at the meeting please contact Rebecca Barrett, 01443 864245, by 10.00 a.m. on Monday, 12th December 2016.*

To receive and consider the following Scrutiny reports:-

- 8 The Management of Trees. 17 - 52
- 9 Annual Performance Report - Planning. 53 - 84
- 10 Charges for Replacement Waste Collection Containers. 85 - 90
- 11 Wellbeing Objective: Carbon Management - Reduce our Carbon Footprint (Six Month Progress Update) - 2016/17. 91 - 108

Circulation:

Councillors M.A. Adams, Mrs E.M. Aldworth (Vice Chair), J. Bevan, Mrs A. Blackman, C.J. Cuss, D.T. Davies (Chair), C. Elsbury, R.W. Gough, L. Harding, S. Kent, Ms P. Leonard, P.A. Marsden, A. Passmore, M.J. Prew, Mrs D. Price and Mrs E. Stenner

And Appropriate Officers

Agenda Item 3



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 1ST NOVEMBER 2016 AT 5.30 P.M.

PRESENT:

Councillor D.T. Davies - Chair
Councillor Mrs E.M. Aldworth - Vice-Chair

Councillors:

M. Adams, J. Bevan, Mrs A. Blackman, C.J. Cuss, C. Elsbury, R.W. Gough, L. Harding,
S. Kent, Ms P. Leonard, Miss A. Passmore, M.J. Prew

Cabinet Members:

K. James (Regeneration, Planning and Sustainable Development), T.J. Williams (Highways,
Transportation and Engineering)

Together with:

C. Harry (Corporate Director – Communities), T. Shaw (Head of Engineering Services),
G. Parry (Highway Operations Group Manager), M. Eedy (Finance Manager - Environment
Directorate), C. Forbes-Thompson (Interim Head of Democratic Services), E. Sullivan
(Scrutiny Officer), L. Lane (Solicitor) and R. Barrett (Committee Services Officer)

1. **BEREAVEMENT**

The Chair referred to the recent passing of Councillor Philippa Marsden's father. All present stood in silence as a mark of respect and extended their condolences to the bereaved family.

2. **WELCOME – NEW MEMBERS**

The Chair welcomed newly elected Councillors Lindsey Harding and Arianna Passmore to their first meeting of the Regeneration and Environment Scrutiny Committee. Members requested that their appreciation to Councillor Dix and Councillor Rees for their valued contribution to the work of the Committee be placed on record.

3. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P. Marsden, Mrs D. Price and Mrs E. Stenner, together with Cabinet Member N. George (Community and Leisure Services).

4. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

5. MINUTES – 20TH SEPTEMBER 2016

RESOLVED that the minutes of the Regeneration and Environment Scrutiny Committee meeting held on 20th September 2016 (minute nos. 1 – 10) be approved as a correct record and signed by the Chair.

6. CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

7. REPORT OF THE CABINET MEMBERS

The Scrutiny Committee noted the contents of the reports received from Councillors K. James, T.J. Williams and N. George, which had been circulated to Members in advance of the meeting. Questions and comments were invited on the report contents.

Discussion took place regarding the update from Councillor K. James (Cabinet Member for Regeneration, Planning and Sustainable Development) in relation to the recent Welsh Government (WG) announcement on the future of the Communities First programme. The Scrutiny Committee acknowledged that these are uncertain times for Communities First and for the many Council staff who are employed to deliver the programme across the county borough.

The Cabinet Member gave assurances that he will provide an update on this matter when further information becomes available. In the meantime, the current position of WG is that a final decision on the programme will not be made until wider engagement with communities, staff and strategic partners has been completed. WG recently launched an online survey to allow people across Wales to have their say in the development of building resilient communities, and the Cabinet Member encouraged all Members to respond to the survey so that their views can be taken into account.

The report also outlined an opportunity for the Council to participate in a collaborative regional project entitled “Business Enterprise and Innovation”, which is due to be considered by Cabinet. Officers have identified two Council-owned sites allocated for business and employment use which satisfy European Regional Development Fund criteria and meet the aims of the project (the Lawns Industrial Estate in Rhymney and Caerphilly Business Park Expansion), with the Rhymney site put forward as the Council’s contribution to the regional bid. Discussion took place regarding the project and the high occupancy levels/demand for units across these sites.

Discussion took place regarding the new Regional Transport Group as highlighted in the report from Councillor T.J. Williams (Cabinet Member for Highways, Transportation and Engineering). The Group recently met for the first time and identified two key areas to progress, namely the development of a transport strategy and plan to support delivery of the City Deal objectives and priorities, and engaging with WG over the procurement and delivery of the Metro. Regular updates will be provided to the Scrutiny Committee as this work progresses.

Christina Harray (Corporate Director – Communities) advised Members that a shortlist of bidders has now been announced for the Metro programme. Members were pleased to note that Clive Campbell (Transportation Engineering Manager) has been seconded to WG to work on the City Deal and progress opportunities for Caerphilly Council within this project.

Members also referred to the report circulated in advance of the meeting from Councillor N. George (Cabinet Member for Community and Leisure Services) and noted that Mike Headington (Acting Parks, Outdoor Facilities and Bereavement Services Manager) had recently been made an Honorary Fellow of the Institute of Cemetery and Crematorium Management in recognition of his work with the South Wales Bereavements Forum. The Scrutiny Committee placed on record their congratulations to Mr Headington for this impressive achievement.

8. REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

Cath Forbes-Thompson (Interim Head of Democratic Services) presented the report, which outlined details of the Regeneration and Environment Scrutiny Committee Forward Work Programme (FWP).

Members were advised that the FWP includes all reports identified at the Scrutiny Committee meeting held on 20th September 2016 and outlines the reports planned for the period November 2016 to April 2017. Members were asked to consider the FWP alongside the Cabinet Work Programme as appended to the report and to suggest any changes prior to it being finalised and published on the Council's website.

Discussion took place regarding the items listed on the Forward Work Programme. It was agreed that the Leisure Review Proposals be rescheduled to 14th February 2017 and that an Annual Planning Performance Report be added for 13th December 2016. It was also agreed that Vibrant Viable Places Proposal be moved to 23rd May 2017 and that a Communities First report be added to 28th March 2017.

Consideration was given to a Member's request for a report in relation to Inspection of Coal Tips and it was agreed that this be scheduled for 28th March 2017. It was also agreed that the City Deal update scheduled for this date be removed from the FWP as it will be considered at a future Members Seminar.

Reference was made to the Car Parking Review scheduled for 14th February 2017, which will bring forward a report and recommendations of the CCBC Car Parks Task and Finish Group. A Member referred to recent membership changes within the Group and expressed concerns that the significant progress that had been made to date could be lost as a result. Several Scrutiny Committee Members expressed interest in joining the Task and Finish Group and the Interim Head of Democratic Services confirmed that the necessary arrangements would be taken forward in this regard.

Members also discussed whether it could be beneficial to invite the Chief Constable for Gwent Police and the Police and Crime Commissioner for Gwent to a future Scrutiny Committee meeting to discuss parking enforcement matters across the Authority. Officers confirmed that clarification would be sought from Members following the meeting on the scope of issues they wish to raise, and that the arrangements would be progressed accordingly.

It was agreed that subject to the foregoing amendments, the final version of the Forward Work Programme be published on the Council's website.

9. CABINET REPORTS

None of the Cabinet reports listed on the agenda had been called forward for discussion at the meeting.

REPORTS OF OFFICERS

Consideration was given to the following reports.

10. HIGHWAY ASSET MANAGEMENT PLAN ENDORSEMENT

Consideration was given to the report, which outlined the background and content of the Caerphilly County Borough Council (CCBC) Highway Operations Group Framework and Highway Asset Management Plan (HAMP), and explained the process by which it is internally reviewed on an annual basis. Members were asked to review the HAMP process and key areas and provide comments for consideration, prior to its presentation to Cabinet and thereafter Council for endorsement.

Officers explained that the Council has a statutory duty to maintain a safe highway network as set out under the Highways Act 1980. The CCBC Highway Asset Management Plan (HAMP) is one of three plans that make up the Highway Operations Group Framework (detailed at Appendix 1 of the report), the others being the Highway Maintenance Plan (HMP) and Highway Operations Plan (HOP). The HAMP is a strategic approach that identifies all the highway assets that are the responsibility of the highway authority (the Council). It assesses highway status and condition, and determines and implements the most appropriate maintenance regime within the most efficient cost parameters.

Members were advised that the working process of the HAMP is split into 4 parts, which offer relevant information and data for any respective asset enquiry and explain how this is reviewed and updated. The HAMP details highway assets with the relevant information and data for their identification and maintenance requirements, and is updated via a number of communication and feedback channels. A copy of the existing HAMP was attached at Appendix 2 of the report. Members were advised of minor typographical errors at paragraphs 4.12 and 9.1 of the report (in that 4.12(b) should refer to paragraphs 4.5 and 4.6, 4.12(c) should refer to paragraph 4.10 and 9.1 should refer to paragraph 4.12). It was also noted that an Officer's name would be amended within the matrix of information contained at Section 3 of the HAMP.

During the course of the ensuing debate, reference was made to several asset categories within the HAMP that have been identified as being under review. It was explained that the information contained within the HAMP is a "living document" that is continuously being updated, and that the HAMP itself is reviewed on an annual basis to ensure that all references and processes and the asset inventory of the highway network are kept up to date.

Discussion took place regarding review arrangements for drains and gullies, with Members encouraged to report to Officers any areas where they are aware of drainage or blockage concerns. It was confirmed that inspection of these assets take place twice a year and it was agreed that the inspection schedule would be circulated to Members. Officers also responded to queries in respect of tips maintenance and recycling and the work carried out by highways inspectors in relation to the assessment of the tip sites.

Following consideration of the report (and subject to the aforementioned amendments), and having given consideration to key aspects of the HAMP as outlined in the report, it was moved and seconded that the following recommendations be referred to Cabinet (and thereafter Council) for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet (and thereafter Council) that:-

- (i) consideration be given to the content and annual review process for the Highway Asset Management Plan and the key aspects contained therein (namely the placement of the HAMP within the Highway Operations Group Framework, coverage of all aspects of highway asset management by the HAMP, and the identification of appropriate communication channels in respect of highway assets);
- (ii) subject to the foregoing, the Highway Asset Management Plan as appended to the report be endorsed.

11. HIGHWAY INSPECTION MANUAL ENDORSEMENT

The report outlined the background and content of the Highway Maintenance Plan and Highway Inspection Manual (HIM) and explained the processes by which these are internally reviewed on an annual basis. Members were asked to consider and comment on the content of the documents and review process, prior to presentation of the Highway Inspection Manual to Cabinet for endorsement.

Officers explained that the Council has a statutory duty to maintain a safe highway network as set out under the Highways Act 1980. The Highway Maintenance Plan (HMP) is one of three plans that make up the Highway Operations Group Framework (detailed at Appendix 1 of the report), the others being the Highway Asset Management Plan (HAMP) and Highway Operations Plan (HOP). The HMP defines a structure under which all asset-related Highway Operation activities are sub-divided into asset groups. The Highway Inspection Manual forms part of the Highway Maintenance Plan and sets out the processes and procedures to inspect, report, undertake necessary actions and record the works carried out on the carriageway and footway asset. It forms the basis of the Council's legal defence against insurance claims, both with personal injury and property/vehicular damage, made on the highway.

Members were advised that the HIM is divided into 4 parts, with Parts 1 and 2 of the existing HIM, which outline background and policy information and inspection procedures, attached at Appendix 2 of the report for Members' consideration. The HIM is annually reviewed by senior Highways Officers and adjusted accordingly, then annotated in the revision box on the title page. Members were asked to consider a number of sections requiring review, namely response times for highway defects, inspection frequency and intervention criteria.

During the course of the ensuing debate, a Member raised a query regarding the inspection and maintenance of double yellow line road markings. Officers summarised the inspection and repainting process and the parking regulations applicable to road markings and encouraged Members to report any issues in respect of road markings or inappropriate parking to the Highways department.

Members were reminded of proposals for the enforcement of civil parking restrictions to be passed from Gwent Police to local authorities. It was explained that a review will be carried out in the near future which will examine all aspects of parking across the county borough and the impact of these proposals on the Council. Discussion also took place regarding the enforcement approaches undertaken by other local authorities who are in receipt of such powers.

A Member queried the map within the HIM which detailed Inspection Areas and Highway Inspectors. It was explained that one of the Officers had recently been replaced and that an updated version of the map detailing the current Officer for each area would be circulated to Members and placed within the HIM. In addition it was stated that these Officers are regularly rotated (every 3-5 years) in order for them to gain experience across all areas of the county

borough Officers also provided clarification on the definitions of Priorities 4 and 5, as outlined in the highway inspections process detailed within the HIM.

Following consideration of the report (and subject to the aforementioned amendment), and in taking into account the content and annual review process of the Highway Inspections Manual, it was moved and seconded that the following recommendations be referred to Cabinet for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that:-

- (i) the 2 hour, 24 hour and 28-day response targets for highway defects be maintained with the management for this current service level being closely monitored, especially for the Priority 3 (non-urgent defect identified) 28 day target;
- (ii) the current inspection intervals be maintained;
- (iii) the current intervention criteria on road and footway defects be maintained;
- (iv) subject to the foregoing, the Highway Inspections Manual as appended to the report presented to the Scrutiny Committee be endorsed.

12. BUDGET MONITORING REPORT 2016/2017

The report outlined the most recent budget monitoring position for 2016/2017 for the Environment Directorate service divisions, namely Regeneration and Planning, Engineering Services, Public Protection and Community and Leisure Services.

It was explained that the most recent projections for 2016/2017 are based on the latest available financial information available. Projected outturn figures for the financial year are compared with the budget to show anticipated under/overspends, with more detailed budget monitoring figures outlined within the report and its appendices. As part of the need to apply further budget efficiency savings in 2016/2017 to meet Medium Term Financial Plan (MTFP) targets and achieve budget strategy aims, the Environment Directorate were targeted to achieve new budget efficiency savings of £2.850m. The most recent figures indicated a total overspend of £667k, but exclusive of ring-fenced budgets this overspend is increased to £869k. Members were advised that this overspend is primarily due to ongoing financial pressures in relation to waste management services. Following presentation of the key underspends and overspends across each service area, Officers responded to queries on each of these in turn.

The Regeneration and Planning division presently have a projected underspend of £120k, incorporating a Planning overspend of £124k and Economic Development and Tourism underspend of £244k. Development Control is reporting a £6k underspend and planning application fee income is projected to be £50k short of the £566k budget target (including pre-application advice income charges of £20k) but is offset by an underspend in staffing due to vacant posts and MTFP savings in advance for 2017/2018. There is an overspend of £64k in Building Control, where income is projected to be £76k below the £302k budget, and search fee income is £11k below the £112k budget. In that Planning income is dependent on the number of applications received, and application numbers and fee levels can vary, it is intended to review these income levels during the next few months.

In response to a Member's query regarding the Community Regeneration Fund (which had an underspend of £128k) Officers explained that the amount to be allocated to this fund for 2017/18 would be reviewed once the budget is confirmed. Discussion took place regarding the filling of vacant posts and Members suggested that it would be helpful for information to be included in future reports to indicated whether there is an intention to fill these posts or

whether they are being held open as a future budget saving. Members were also updated on the latest position regarding the vacant Head of Service post for Regeneration and Planning.

Engineering Services have reported a net overspend of £150k but this is reduced to £149k after excluding ring-fenced budget variations. There is an overspend of £249k for highway reactive maintenance repairs, arising from ongoing pressures on the highway network and a backlog of maintenance works from 2015/2016. The severity of winter weather will impact on the overall outturn position, although it is assumed that the winter maintenance budget of £1.14m will be fully spent, and there is a winter maintenance reserve of £492k which can be accessed if necessary. Members noted that a positive MTFP saving of £350k had been made against the street lighting budget for 2016/17 as a result of capital investment in low energy LED lights. Members were also asked to note an overspend of £100k in relation to the ongoing review and asset management plan development for car parks, which will be funded from the use of unapplied WEFO grant funding.

Members noted the position in respect of Public Protection, which is presently projecting an under spend of £91k across a number of its departments on a revised budget of £7.143m. Although financial information for this service area continues to be reported to the Regeneration and Environment Scrutiny Committee, operational service specific reports are now submitted to the Health, Social Care and Wellbeing Scrutiny Committee.

Community and Leisure Services currently has a projected overspend of £732k on an overall budget of £18.136m, which increases to £935k when the ring-fenced underspend for cemeteries is excluded. The biggest area of financial pressure is within Waste Management and Cleansing which is presently projecting an overall overspend of £1,012k. There is a large projected overspend in relation to dry recycling treatment due to revised treatment contract arrangements, increased waste tonnage and the additional cost of treating materials that cannot be recycled. Additional budget provision of £1,600k is held corporately as contingency funding for overspends in dry recycling initiatives. There is also an overspend of £157k in relation to residual waste treatment and a £172k overspend in relation to Civic Amenity sites due to increased tonnage of waste being processed.

It is anticipated that these overspends will be partly offset by an underspend in staffing costs (£354k) and operational costs (£230k). Volumes of waste tonnage from the various waste streams and the treatment costs per tonne are monitored closely as any fluctuations during the year can have a significant impact on the overall financial position.

It was explained that due to the complexity and current financial position of this service area, a Board will be established, comprising of the Cabinet Member for Community and Leisure Services, Corporate Directors and other senior Officers. The Board will analyse each area of Waste Management and Cleansing and identify appropriate mitigating measures (including the use of corporate reserves) to balance the budget for 2016/2017 and 2017/2018 and develop a business plan for the service area for the medium-term future. Officers outlined the challenges across this area and explained that the Council will continue to examine and refine its recycling processes, and seek to improve the quality of waste product collected, in order for the 64% WG recycling target to be achieved by 2020.

Discussion took place regarding methods of food waste recycling and the recent public engagement exercise that had been carried out in an effort to improve this recycling rate. Officers explained that the response to date and take-up of food waste caddies had been very positive and they were considering whether to carry out this exercise on an annual basis. Members were advised that the revised food and green waste collection arrangements, including the introduction of the new twin pack collection vehicles in early 2017 should help realise savings towards the end of 2016/17.

Members were informed that the Parks, Outdoor Facilities and Cemeteries Service is presently projecting an underspend of £206k, but £203k of this relates to cemeteries where any underspend is ring-fenced for future planned investment to create and enhance cemetery

provision across the county borough (including a new cemetery in Caerphilly). In response to a Member's query regarding the deletion of the Parks Manager post, Officers outlined the interim staffing arrangements in place across a number of service areas and explained that these will be reviewed once consideration has been given to the pressures and MTFP savings requirements across each area.

Leisure is reporting an overall underspend of £95k, including an overspend across leisure centres of £32k, which is mainly due to a projected £40k under-achievement in income. Officers explained that leisure centres have a challenging combined income target of £3.516m for 2016/2017 which has been increased by £235k over the past few years as part of MTFP savings requirements. This overspend is offset by an underspend in Central Leisure of £90k due to vacant posts and other central costs, and an underspend in Sports and Health Development of £37k. Members were advised that income targets at leisure centres will be monitored closely as income generation is subject to variation depending on customer demand, and that Sports and Leisure Centre services are being reviewed as part of the Business Improvement Programme initiative.

The report also included an update in respect of the targeted MTFP savings of £2.85m for the Environment Directorate for 2016/2017. It was explained that most savings have been achieved or will be achieved by the end of the financial year, which have been reflected in the report. However, there are some targets that may require further review and monitoring as they may not be fully achieved during 2016/2017. These include a shortfall in respect of industrial properties income (which will be reviewed for 2017/18), together with underachieving income targets at Cwmcarn Visitor Centre (which has been attributed to the closure of the Scenic Drive for ongoing tree-felling works).

Having given due consideration to the report, Members noted its contents, together with details of the budget monitoring position contained within the appendices.

The meeting closed at 7.29 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 13th December 2016, they were signed by the Chair.

CHAIR



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 13TH DECEMBER 2016

**SUBJECT: REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE
FORWARD WORK PROGRAMME**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151
OFFICER**

1. PURPOSE OF REPORT

1.1 To report the Regeneration and Environment Scrutiny Committee Forward Work Programme

2. SUMMARY

2.1 Forward Work Programmes are essential to ensure that Scrutiny Committee agendas reflect the strategic issues facing the Council and other priorities raised by Members, the public or stakeholders.

3. LINKS TO STRATEGY

3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation.

4. THE REPORT

4.1 The Regeneration and Environment Scrutiny Committee forward work programme includes all reports that were identified at the scrutiny committee meeting on 1st November 2016. The work programme outlines the reports planned for the period December 2016 to April 2017.

4.2 The forward work programme is made up of reports identified by officers and members and has been prioritised into three priority areas, priority 1, 2 or 3. Members are asked to consider the work programme alongside the cabinet work programme and suggest any changes before it is published on the council website. Scrutiny committee will review this work programme at every meeting going forward alongside any changes to the cabinet work programme or report requests.

4.3 The Regeneration and Environment Scrutiny Committee Forward Work Programme is attached at Appendix 1. The Cabinet Forward Work Programme is attached at Appendix 2.

5. EQUALITIES IMPLICATIONS

5.1 There are no specific equalities implications arising as a result of this report.

6. FINANCIAL IMPLICATIONS

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

7. PERSONNEL IMPLICATIONS

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

8. CONSULTATIONS

8.1 There are no consultation responses that have not been included in this report.

9. RECOMMENDATIONS

9.1 That Members consider any changes and agree the final forward work programme prior to publication.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To improve the operation of scrutiny.

11. STATUTORY POWER

11.1 The Local Government Act 2000.

Author: Catherine Forbes-Thompson Interim Head of Democratic Services
Consultees: Gail Williams, Interim Head of Legal Services and Monitoring Officer
Christina Harry, Corporate Director - Communities

Appendices:
Appendix 1 Regeneration and Environment Scrutiny Committee Forward Work Programme
Appendix 2 Cabinet Work Programme

Regeneration & Environment Scrutiny Committee Forward Work Programme December 2016 to April 2017			
Meeting Date: Special 19 December 2016			
Subject	Purpose	Key Issues	
Draft Budget Proposals for 2017/18	To set out details of draft revenue budget proposals for the 2017/18 financial year was presented to Cabinet at its meeting on the 30 th November 2016.	As part of the consultation process on the draft budget proposals the Scrutiny Committee is asked to consider and comment upon the content of the report.	Stephen Harris

Regeneration & Environment Scrutiny Committee Forward Work Programme

Meeting Date: 14 February 2017			
Subject	Purpose	Key Issues	Witnesses
Environment Budget Update (P1)	Briefing report in relation to Service Revenue Budget Monitoring for 2016/17.	Service provision and delivery remaining within budget funding for the financial year and highlighting any ongoing budget pressures	Mike Eedy
Review of Street Lighting Changes (P2)	A briefing report to encompass the possible and actual effects of the most recent installation of LED (gear-tray replacement) Street Lighting in CBC	The key elements of the report cover the following aspects of this investment: <ul style="list-style-type: none"> • Energy, Financial & Materials savings • Environmental & Maintenance savings • Light pollution • Public response • Possible future trends in Accident & Criminal occurrences 	Terry Shaw
Road Speed Review (P2)	To explain the Speed review process to Members and advise of the outcomes and way forward.	Highlight those stretches of the Council's highway network that will be changing speed restrictions.	Terry Shaw Clive Campbell
Leisure Review Proposals (P4)	To update the Committee on the outcome of the Sport & Leisure Review (s) agreed by the Committee at its June 2016 meeting.	<ul style="list-style-type: none"> • Completion of BIP review and findings/ outcomes. • Next steps in terms of adoption of strategy by the Authority. 	Mark S Williams

Regeneration & Environment Scrutiny Committee Forward Work Programme

Meeting Date: 28 March 2017			
Subject	Purpose	Key Issues	Witnesses
Environment Act – Ecology Plan	To update committee on the preparation of a plan.	The Council’s compliance with the biodiversity and resilience of ecosystems duty required by the Act.	Christina Harry Tim Stephens
Communities First	To advise members on the current position with regards to Communities First Funding	To ensure members are aware of the current WG developments in relation to the Communities First programme and are fully informed on the potential impact.	David Whetter Tina McMahon
Inspection of Coal Tips	Committee Request	An overview of the inspection regime, responsibility and health and safety requirements in respect of Coal Tips in the County Borough.	Terry Shaw
Car Parking Review	To bring forward report and recommendations of the task and finish group.	To be determined from the task and finish group outcomes.	Terry Shaw Chair of Task and Finish group

Regeneration & Environment Scrutiny Committee Forward Work Programme

Meeting Date: 23 May 2017			
Subject	Purpose	Key Issues	Witnesses
Vibrant Viable Places Proposal (P3)	To consult on the Viable Vibrant Places (VVP) grant bid proposals.	The report will outline the Welsh Government (WG) VVP funding criteria and submission timetable which currently waits to be published. It will detail the bid being made by CCBC for funding to engage the local community in a range of social, environmental and economic projects.	Awaiting for confirmation from WG. Anticipated the following officers will attend: Tina McMahon Jane Roberts-Waite Dave Whetter

(Key P1,2,3,4 – Priority 1,2,3 or 4)

Cabinet Forward Work Programme

APPENDIX 2

14TH DECEMBER 2016	Key Issues	Service Area
Council Tax Base Sylfaen Treth y Cyngor	For Cabinet to agree the calculation of the Council Tax Base for 2017/18.	Corporate Finance
Update on Reserves Adroddiad Blynyddol Cronfeydd Wrth Gefn Defnyddiadwy	To present details of the usable reserves held by the Authority and to present details of proposals for the use of reserves.	Corporate Finance
Cabinet Forward Work Programme Blaenraglen Waith y Cabinet	To seek Cabinet endorsement of the Forward Work Programme for the period December 2016 to March 2017.	Democratic Services
Abertysswg/Pontlottyn Primary and Islwyn High School – Revised Proposed Opening Dates Ysgolion Cynradd Abertyswg/Pontlotyn ag Ysgol Uwchradd Islwyn – Dyddiadau Agor Diwygiedig Arfaethedig	To seek approval to notify relevant parties of the delay in implementation dates of the 2 projects.	Education

18TH JANUARY 2017	Key Issues	Service Area
Welsh Language 5-Year Strategy Strategaeth 5 Mlynedd yr Iaith Gymraeg	The Welsh Language Standards require the authority to produce a 5 year Welsh language strategy that sets out a target to maintain, or improve, the number of Welsh speakers in the area and the steps that will be taken to achieve the target. The strategy has been developed with local partners but must be adopted by the local authority.	Public Protection
Treasury Management - Review	This report will set out options for revising the Minimum Revenue Provision (MRP)	Corporate

Cabinet Forward Work Programme

APPENDIX 2

of MRP Policy. Rheolaeth Y Trysorlys – Adolygiad o'r Polisi Isafswm y Ddarpariaeth Refeniw.	Policy to identify potential savings to support the Medium Term Financial Plan (MTFP).	Finance
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1ST FEBRUARY 2017	Key Issues	Service Area
Well Being Assessment Asesiad Lles	The local assessment of well-being is a key Public Services Board document that must be published by early May 2017. The local authority will have a statutory duty to contribute to the PSBs objectives which will follow in the subsequent Well-being Plan	Public Protection

15TH MARCH 2017	Key Issues	Service Area
Rhymney 3-18 All Through School	To apprise Members of the outcome of the consultative process to establish a Rhymney 3-18 All Through School and determine whether to proceed to publish a statutory notice.	Education
Cabinet Forward Work Programme Blaenraglen Waith y Cabinet	To seek Cabinet endorsement of the Forward Work Programme for the period April 2017 to June 2017.	Democratic Services

21ST JUNE 2017	Key Issues	Service Area
Rhymney 3-18 All Through School	To make a final decision on the proposal to establish a Rhymney 3-18 All Through School.	Education



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 13TH DECEMBER 2016

SUBJECT: THE MANAGEMENT OF TREES

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To seek the views of the Scrutiny Committee on the current 'tree management' arrangements, the formal adoption of a tree strategy and a further review of resources (staff and budget) linked to this function.

2. SUMMARY

- 2.1 There are currently circa 260,000 trees across the county borough in the care of this Council.
- 2.2 The draft strategy, set out in Appendix One, sets out a number of policies and actions to help safeguard and enhance the vital tree-scape.

3. LINKS TO STRATEGY

- 3.1 The Wellbeing of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural wellbeing of Wales. It requires public bodies to think more about the long term, working with people and communities, looking to prevent problems and take a more joined up approach. This will create a Wales that we all want to live in, now and in the future. The Act puts in place seven wellbeing goals and the content of this report links into four i.e. "A Healthier Wales, a Globally Responsible Wales, a Resilient Wales and a Prosperous Wales".
- 3.2 In July 2015, Corporate Management Team approved the Local Climate Impacts Profile (LCLIP), which was undertaken for Welsh Government as part of the requirements of the Climate Change Act 2008. Recommendation eleven out of fourteen makes references to the increasing vulnerability of trees as a direct result of climate change and how more proactive and preventative work should be considered.

4. THE REPORT

- 4.1 The "management" of trees on land the council is responsible for is essentially 3 fold:-
1. Reactive – responding to service requests. In these cases a visit by a suitably qualified Arboricultural Officer is generally required (some on an urgent basis and others with less urgency). The outcome of the officer's investigation may or may not result in works to the tree(s) being required.

2. Proactive inspections – scheduled safety inspections of the tree stock at certain frequencies dependent upon location.
 3. Arboricultural comments in relation to planning application.
- 4.2 Currently the Authority has one fully qualified Arboricultural Officer and one dedicated/trained tree maintenance team within the Parks service.
 - 4.3 The number of service requests (SR's) received by the Council via the Contact Centre in relation to trees is increasing year on year. In 2014, 719 requests were received, 762 in 2015 and at the time of preparing this report (1st September), 557 requests have been received. If this continues at the same rate, service requests for this year could reach circa 835.
 - 4.4 Every effort is made to minimise these requests. There is a lot of information already on the Council's website and work has been and still is being undertaken with Contact Centre staff to refine the current systems.
 - 4.5 The increase in service requests can be largely attributed to the fact that our climate is changing. Our Autumn/Winters are becoming much milder and wetter, which can have an adverse effect on trees. During Autumn/Winter 2015, there were a number of storms, which affected South East Wales. Due to the unpredictability of storms this can lead to a "spike" in call-outs, emergency inspections etc., which in turn can delay routine inspection works. The changes to our climate have not only resulted in limbs etc. falling from trees, but there have been regular situations whereby whole trees have been uprooted due to the pressure on the root system and the inability of sodden ground to anchor the roots.
 - 4.6 All inspections undertaken on trees and details of any subsequent works are recorded on a purpose designed software package called Arbortrack.
 - 4.7 In the absence of a formal strategy, detailed below is the proactive inspection regime currently being undertaken (with the existing resources set out within paragraphs 7 and 8 of this report). Also identified are 'weaknesses' in the current regime where inspections are not being proactively undertaken. The minimum recommendation for inspections is based on 'best practice' recommended by the National Tree Safety Group.
 1. OAP and sheltered housing areas – once every 3 years and this is being achieved;
 2. Highways – currently trunk routes have been targeted and surveyed on a road-by-road basis (i.e. Lower Rhymney Valley Relief Road - A469, Risca By-Pass - A467). It is intended to cover at least all of the main trunk routes within the county borough once every three years. However, sufficient funding is not available to undertake arising remedial works. Inspection and subsequent felling of dangerous trees has recently been undertaken on the A467 Risca By-Pass following a number of accidents in recent years involving trees falling onto the carriageway. These works, whilst undertaken by Parks Services will be funded from existing highways budgets (circa £120K over the next 4 years). Inspections have been undertaken and defects identified with trees on the Caerphilly By-Pass (A468). These have not been actioned due to current budget constraints. In relation to the main arterial routes (A469 and A472 etc.) the Authority is now having to deal with inadequate management of the extensive tree planting specified by the former County Councils which should have occurred after the first 5-6 years and 10-12 years of the roads being constructed and the planting undertaken;
 3. Medium priority transport routes (including "B" roads) and busier thoroughfares should be inspected on a 5 year cyclical basis; however insufficient resources and budget are currently preventing this;
 4. The Monmouthshire-Brecon Canal (at Crumlin, Crosskeys and Risca) should be inspected on a 3 year cyclical basis (this is currently being achieved);

5. Cemeteries should be inspected on a 3 year cyclical basis (this is currently being achieved);
6. Key public parks, housing estates etc. should be inspected every 3 years. Some ad-hoc inspections have recently been undertaken within housing estates and these are set to continue. Inspections within key public parks (e.g. Morgan Jones Park, Caerphilly, and Waunfawr Park) are undertaken on an ad-hoc basis and when current resources permit and are not subject to any formal cyclical inspection regime;
7. Schools across the county borough have recently been inspected utilising funding from Insurance/Risk Management and Education. Members should note that many schools have not been inspected since circa 2003/04. Responsibility for resultant works remains with the school along with any cyclical inspections going forward (it is recommended that inspections are undertaken on a 3 year basis);
8. Medium use sites such as smaller public parks, car parks, industrial estates, corporate buildings, social services establishments etc. should be inspected on a 5 year cyclical basis (currently this is not being achieved);
9. Lower use sites such as woodlands and less accessible locations should be inspected on an ad-hoc basis or as and when service requests arise.

In view of the issues identified above in relation to proactive inspections and increase in service requests, the management of trees has been identified as a corporate risk by Corporate Management Team.

- 4.8 Outlined within the table below are the minimum recommendations for proactive inspections if members are minded to recommend the formal adoption of the draft tree strategy.

SITE USAGE TYPE	INSPECTION FREQUENCY
<p><u>Higher user sites:-</u></p> <ul style="list-style-type: none"> • Higher priority transport routes – A roads • Schools • Housing Estates (communal areas) • Key Parks • Cemeteries • Monmouthshire & Brecon Canal 	<p>Every Three Years</p>
<p><u>Medium use sites:-</u></p> <ul style="list-style-type: none"> • Smaller Parks • Social Services Sites • Medium Priority Transport Routes – B roads and ‘main roads’ • Car Parks • Other Council held sites e.g. public buildings, industrial estates and depots etc. 	<p>Every Five Years</p>
<p><u>Lower use sites:-</u></p> <ul style="list-style-type: none"> • Woodlands • Other Council held open spaces • Other adopted highways • Less accessible locations or restricted access sites 	<p>Ad-hoc basis</p>

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the well-being goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that in the long term, the importance of balancing our short-term needs to safeguard the ability to also meet long-term needs. The regular inspection of trees and undertaking resultant remedial works will safeguard their viability for our future generations. In terms of prevention, proactive inspections will ensure the safety and stability of our tree stock, which will reduce any potential accidents in the future. In relation to collaboration, our Arboricultural Officer is a consultee on planning applications and the role is important in terms of the Local Development Plan (LDP) and urban regeneration.
- 5.2 In respect of the seven well-being goals, this report contributes to at least four:-
1. A Globally Responsible Wales – The Authority is taking responsibility for its tree stock and needs to actively undertake pro-active inspections and resultant works. This will have a positive effect on global well-being, in particular absorbing carbon dioxide, which is the key greenhouse gas will reduce the causes of global warming and climate change.
 2. A Resilient Wales – The maintenance and management of our tree stock enhances our biodiverse natural environment with healthy functioning eco systems that will support social, economic and ecological resilience and the ability to adapt to climate change, for example trees take up water and therefore slow the movement of water through systems, thus reducing the likelihood of flooding.
 3. A Prosperous Wales – The pro-active management of our tree stock can improve local employment prospects. In addition, international studies have shown that semi-mature trees (or older) in at least reasonable condition can add between 5 – 15% to the value of a property. A green environment will be more attractive to businesses and will therefore increase the likelihood of inward investment.
 4. A Healthier Wales – Trees have a positive impact on both physical and mental health and are an important public resource for the wider community where they are situated.

6. EQUALITIES IMPLICATIONS

- 6.1 There are no potential equalities implications associated with this report for specific groups or individuals. Therefore, there is no requirement for an Equalities Impact Assessment to be undertaken.

7. FINANCIAL IMPLICATIONS

- 7.1 The overall budget for works relating to the management of trees has stagnated at £55K per annum; with some minimal increase for inflation (this excludes any salary budgets). Historically, an element of this budget was transferred from Engineering Services Division to help support works to trees on the highway.
- 7.2 The table below details spend against budget over the last 3 financial years along with the projection for the current financial year.

YEAR	BUDGET	EXPENDITURE	VARIANCE
2013/14	£55,000	£59,778	- £4,778
2014/15	£55,825	£58,444	- £2,619
2015/16	£56,660	£92,397	- £35,737
2016/17	£56,660	£90,000	- £33,340 *
	£224,145	£300,619	- £76,474

For this financial year (2016/17) a £33K overspend is *projected which equates to a spend of £300K against a budget of £224K, a variance of £76K over 4 years. To date the overspend has been “accommodated” by reducing other frontline maintenance works in the Parks/Grounds Maintenance service, but the consistent increase in expenditure on tree maintenance (largely influenced by our changing climate) is making this position unsustainable and potentially represents an unacceptable risk position for the Authority. This aspect needs further consideration involving colleagues in Risk Management.

- 7.3 In addition to this budget, each Area Parks Officer spends monies from their core grounds maintenance budget on tree maintenance within their respective areas of responsibility. Since 2013/14, this equates to £35K over the 4 financial years, a total spend of £335K (when added to the total in the table above) against a budget of £224K (a variance of £111K). This trend is likely to continue with increased planned maintenance and any storm damage that may arise.
- 7.4 This financial year (2016/17), we have expended the sum of £3,200 to engage the services of a private consultant to undertake tree inspections.

8. PERSONNEL IMPLICATIONS

- 8.1 Currently there is one suitably qualified Arboricultural Officer for the whole of the county borough.
- 8.2 As an interim measure to deal with the escalating number of service requests, an additional resource has been deployed to assist with inspections etc. This has been implemented on a temporary basis via amending existing Area Parks Officers duties. Four Area Parks Officers have recently undertaken a basic (Level 1) Tree Inspection Course, which is endorsed by the Arboricultural Association. This will allow these staff to assist in the event of an emergency or during periods of high workload.
- 8.3 Currently there is only one dedicated tree team within the Parks Operations area (comprising of three trained operatives) to undertake maintenance work, which often means that private contractors are engaged to undertake additional works. In 2015/16 circa £73K was spent with private contractors.
- 8.4 The cost of employing another qualified Arboricultural Officer and a team of qualified frontline staff (including vehicle and equipment etc.) is estimated at circa £128K.

9. CONSULTATIONS

- 9.1 This report reflects the views of the listed consultees.

10. RECOMMENDATIONS

- 10.1 Members views are sought on the following:-

- (i) The current tree management arrangements set out within the body of this report.
- (ii) The proposed draft tree strategy (set out at Appendix One) and in particular the frequency of proposed proactive inspections.
- (iii) To avoid continual overspends, it is recommended that a review of the current tree management budget is undertaken by Parks and other appropriate service areas, with a view to allocating sufficient and appropriate funding (suggested £100K per annum). This will enable the Authority to arrange appropriate inspections and remedial works within areas set out within paragraph 4.7 of this report. This could be achieved by the realignment of existing budgets. Once the review is completed, a further report will be prepared for consideration by the scrutiny committee on how the strategy can be best delivered prior to consideration by Cabinet.
- (iv) To ensure the Authority complies with our legal responsibilities, consideration is given to establishing additional resources within the section to deal with inspections (both proactive and reactive) and subsequent maintenance work. This could be examined as part of considerations on the closer integration of the Parks & Countryside service(s). It is possible that additional resources could be identified that would assist in meeting development control work streams and enabling such works to be given suitable priority. With the current staffing levels, input to the planning process can be difficult to accommodate and as such it is recommended that this is investigated further.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To establish the views of the Scrutiny Committee on the existing 'tree management' arrangements including the formal adoption of the draft tree strategy.

12. STATUTORY POWER

- 12.1 Local Government Acts
 - Highway Acts
 - Education Act
 - Climate Change Act 2008

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CAERPHILLY COUNTY BOROUGH COUNCIL

TREE STRATEGY

NOVEMBER 2016

“A GREENER PLACE”

A guide to how the Council manages trees through its function as landowner, highway authority, and local planning authority.

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DRAFT

1 - Introduction

Trees are good for us. They have many benefits, some of which are more obvious, and others less so. They are an important public resource for the wider communities where they are situated, and are valuable long-term assets to our environment where we live, work, study, and play. Trees can do all of the following:

- Produce oxygen and absorb carbon dioxide.
- Soak up excess rainwater runoff and help to control flooding.
- Absorb pollutants.
- Provide a home, shelter and food for wildlife.
- Retain soils and stabilise slopes.
- Aid sustainable drainage.
- Reduce wind speeds.
- Buffer noise pollution.
- Provide a visual screen or buffer.
- Have aesthetic value and bring 'nature' to urban or semi-urban areas.
- Have historical, educational and cultural importance.
- Relieve the stresses of modern life.
- Lower rates of crime and anti-social behaviour.
- Improve property values.
- Provide shade and shelter to mitigate the effects of climate change.

The list goes on. Being around trees, even for a short while, is known to reduce stress levels, which in turn benefits our health greatly. For example, hospital patients recover better when their windows overlook trees and vegetation. Trees have also been shown to help alleviate depression and reduce aggressive behaviour¹. Trees in our communities also attract other values which can be hard to quantify: They can influence utility bills through their correct positioning by decreasing wind-chill and heating costs. Carefully positioned trees can save up to 25% of the energy a typical household uses. Trees also provide shade, reducing air conditioning costs in summer². Aesthetically, it has long been accepted that trees on a development provide a better impression, an immediate sense of maturity, to the benefit of a site and its surroundings. Estimates vary, but international studies have now shown that trees can add between 5-18% to the value of a property³.

In the UK, the **Environment Act (1995)**, the **Pollution Prevention and Control Act (1999)** and the European emission standards control pollution emissions from transport and industry. There is substantial evidence that urban trees remove large amounts of air pollution and improve urban air quality⁴. Careful maintenance to ensure plant health will increase the leaf area and increase the pollution-scrubbing effect of trees⁵. An increasing number of reports highlight the important role that trees play in our landscape and the need to future proof that treescape with regard to

¹ Forestry Commission (2011) Greenspace design for health and well-being – Practice Guide.

² US Dept. of Energy (2014) Energy Efficiency & Renewable Energy.

³ Research by CABE Space in 'Does money grow on trees?', CABE 2005, reported that, in the 8 UK parks they studied, proximity to them added a premium to house prices of between 5-7%; While a US study of parks claimed house values were between 10-20% higher; The value of US properties in tree lined areas was estimated as being 6% higher by 'Urban Forest Values: Economic Benefits of Trees in Cities', Wolf K, University of Washington College of Forest Resources, Factsheet 29, 1998; 'Benefits of community trees', Nowak DJ, USDA Forest Service General Technical Report; 'The contribution of trees to residential property value', Morales DJ, Journal of Arboriculture 6, 1980.

⁴ Nowak, DJ. (1994) Air pollution removal by Chicago's urban forest.

⁵ Jim, C.Y. and Chen, W.Y. (2003) Assessing the ecosystem services of air pollution removal by urban trees in Guangzhou, China.

appropriate funding and resources, species diversity, and planting goals. [Caerphilly County Borough Council](#) (hereafter “the Council”) has committed itself to producing a Tree Strategy to provide action and policies to help safeguard and enhance this vital treescape.

2 – General Policies

This strategy exists as part of a hierarchy of other relevant tree-related or general strategies, standards and plans. The **Wellbeing of Future Generations (Wales) Act 2015** is an important law about improving the social, economic, environmental and cultural wellbeing of Wales. It is increasingly clear that the reasonable management of existing trees in the landscape, as well as the provision of new planting schemes and replacement planting plans, significantly contributes to all of those important aspects and the well-being goals that the Act is intended to enhance.

The **Climate Change Act (2008)** states that every local authority must produce an appropriate adaptation plan. The Council’s own **Local Climate Impacts Profile (2015)** has stressed the significant impact that the changing climate is having on trees in the landscape. It recommends a more joined up holistic approach to aligning plans and strategies that include the potential benefits of adaptation issues. Further recommendations focus on a number of service areas where appropriate tree management, and resources for increasingly proactive arboriculture, will help to mitigate the negative impact of climate change.

The Council’s Supplementary Planning Guidance (**SPG LDP 4 – “Trees and Development”**) – comprehensively explains the legislative and planning framework that relates directly to trees and woodlands. **British Standard 5837:2012** (“Trees in Relation to Design, Demolition and Construction - Recommendations”) is the key national document that forms the basis for the above SPG. **British Standard 3998:2010** (“Tree Work – Recommendations”) is the key national document that determines the recognisable standards of tree maintenance – be it pruning, felling, pollarding or coppicing – that all reputable tree surgery contractors and foresters are required to work to. It is also the Standard that the Planning Department require any approved tree works on protected trees be carried out to. The Council requires that the arboricultural contractors it employs and its own staff work to this standard.

The **Town and Country Planning Act (1990**, and as amended) is the primary legislation for administering Tree Preservation Orders and Conservation Areas. Works to protected trees are administered according to the nationally recognised procedures of this important legislation.

British Standard 8545:2014 (“Trees: from nursery to independence in the landscape. Recommendations”) assists those involved in planning, designing, resourcing, producing, planting and managing new trees in the landscape. It describes a process for planting young trees that will result in them achieving genuine “independence in the landscape” which the Council requires to achieve desired planting objectives.

The National Joint Utilities Group (NJUG) published “Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees” (known as “**NJUG – Volume 4**”), which echoes and simplifies most of the principles of BS5837:2012; forms the basis for the principles by which the Council carries out works to utilities near trees, or the standard to which other statutory undertakers are expected to adhere to.

The **Highways Act (1980, as amended)** is the primary legislation which determines how the Council manages trees on land either adjacent to or within the public highway. **Occupiers Liability Acts (1957 & 1984)**, the **Health & Safety at Work Act (1974)**, and **Local Government (Miscellaneous Provisions) Act (1976)** all provide further legislation which requires tree owners take reasonable steps to manage trees on their property responsibly. There is a 'Legal Duty of Care'.

This strategy is intended to supplement the above legislation, national and Council guidance, and British Standards; providing advice and guidance relevant to the management of private and Council owned trees within Caerphilly County Borough.

3 – Common Enquiries – ‘nuisance’ trees

The Council receives many complaints or enquiries about trees causing nuisance: A high percentage of calls received by the Council are in relation to trees. A consistent approach is adopted throughout the Council and work is carried out or approved in response to an assessment of the actual problem, and the environmental, amenity, or financial cost of felling trees and/or other arboriculturally appropriate maintenance works. Each tree is assessed on the basis of the merits or defects in its condition at the time of the inspection; and with regard to the tree owner's legal duty of care and whether there might be any legal or 'actionable' nuisance present which the tree owner will be minded to abate.

Many of the nuisance types detailed below have not been found to be 'actionable' in UK courts, and as such the tree owner is not obliged to abate many of those specific nuisances. Those nuisance types, which *have* over the years been found 'actionable' – such as letting a known danger remain in situ within range of a neighbouring property (e.g. a large dead limb overhanging a neighbour's greenhouse), or the nuisance of structural damage, will be addressed elsewhere within this document.

Frequently, the most-often complained about nuisances will be what are known as 'minor' or 'seasonal nuisances'. These are generally those that may cause inconvenience to people, but rarely cause significant discomfort or financial loss. It is very common to hear that trees are generally appreciated, but not wanted in a *particular* location because of this. **Action in response to all minor nuisances would lead to the unnecessary removal or disfigurement of many trees, to the detriment of both public amenity and wildlife.** As well as having a major environmental implication that would clearly be unsustainable and contradictory to Council policies, action by the Council in response to all the minor nuisance complaints it receives would be a waste of resources that would be better spent on *necessary* tree works elsewhere or other Council services.

3A – 'HONEYDEW' – Aphids and related insects feeding on tree sap excrete what they don't use as a sugary substance called 'honeydew'. It is tacky dried on vehicles and slippery when wetted by rain*. Some tree species, such as Lime, Maple, and Oak, are more associated with this issue than others. Contrary to popular perception, it does not damage car paintwork, and is removed by washing with warm soapy water⁶. A car cover will help if alternative parking is unavailable.

Primarily a seasonal problem, honeydew is usually worst in May or June. No amount of pruning will alleviate the problem, and 'biological control' using aphid predators is costly, not always

⁶ DETR Research for Amenity Trees Number 2(2000) – 'Diagnosis of Ill-Health in Trees' by Strouts & Winter

successful, and usually only a temporary reprieve. [Trees are not inspected or maintained in response to honeydew complaints.](#)

**Specific instances of particularly bad patches of pedestrian footway should be reported to the Council as a street cleansing issue and responded to accordingly.*

3B - FALLING LEAVES, SMALL FRUITS, BERRIES, NUTS, SEEDS, FLOWERS, etc. ('SMALL BIOMASS') – The seasonal shedding of leaves, fruits and flowers is a natural function of a tree's biology. Activities such as clearing fallen leaves or berries are part of normal household maintenance and would not obligate a tree owner to be responsible for their clearance. While clearly for some they are a burden or tiresome to deal with, they are a part of normal life and the disadvantages should be weighed against the benefits of the trees to the area. Apart from raking or sweeping, use of textured surfacing may assist with slip hazards if they occur persistently. A range of brushes, guards, meshes or grids are widely available to help stop gutters or drains from blocking. [Trees are not inspected or maintained in response to complaints of falling leaves or other small biomass.](#)

3C – ROOSTING BIRDS – Occasionally large numbers of roosting or perching birds can cause problems due to their droppings causing a mess. Generally, felling a tree will not alleviate the problem as birds will relocate to another tree nearby. For this reason [the Council will not fell, or allow the felling of, trees purely because of roosting or perching birds.](#)

3D – TELEVISION & SATELLITE RECEPTION – Holding a TV license does not give a legal right to reception; it permits the holder to operate receiving equipment. Residents are advised to consult a TV or satellite engineer about moving the aerial or dish, attaching it to an extension pole, or fitting improved receiving equipment. Residents with a broadband internet connection can usually access broadcast TV programming via their computer (which may typically be connectable to a TV). BBC iPlayer, ITV Hub, and Sky Go (and other equivalents) offer such services for free to license holders or subscribers.

Normally, pruning to alleviate an obscured signal would only be approved or consented to if it was arboriculturally appropriate for the tree concerned. Pruning or felling a protected tree, or a tree in a Conservation Area, will need prior consent from the Planning Department, just as any other issue. Applications or notification of works to protected trees will be considered on their merits (as per works to all protected trees). It's recommended that independent professional arboricultural advice be sought prior to an application or to giving notice in a Conservation Area. [Trees are not inspected or maintained in response to complaints specifically of blocked television or satellite reception.](#)

3E – BLOCKED DAYLIGHT – It is inevitable that the positions of some trees in relation to properties within residential areas will at times result in the reduction or loss of natural light within the property. Unfortunately, if all trees were felled or pruned to maximise light levels, there would be very few trees left in the built environment. Even without any trees, many houses and gardens would be at least partially shaded by surrounding buildings. As there is no legal right to daylight as far as deciduous trees, or single evergreen trees, are concerned, [the Council will not normally carry out inspections or maintenance specifically related to a complaint of this nature.](#) However, the obstruction of street lighting by trees *does* warrant action, and branches would be pruned accordingly, or occasionally even whole trees removed if it were necessary in order to improve visibility and/or safety in a public location (see section 5B below).

3F – OBSTRUCTED VIEWS – As there is no legal right to a view (unless specifically cited in title deed easements; typically rare), the obstruction of views is considered a minor nuisance and [the Council will not remove or severely prune trees of amenity value purely for the creation or reinstatement of views](#), except in very exceptional circumstances. An example might be trees of significant size, but limited amenity value, blocking a public view of, say, Caerphilly Castle, that was felt to possess greater public amenity value.

3G – ‘HIGH HEDGES’ – The High Hedge Regulations, under Part 8 (High Hedges) of the **Anti-Social Behaviour Act (2003)** form the only UK legislation specifically giving a legal right to light where obscured by trees. The definition of a ‘High Hedge’ is “...*a barrier to light or access as is formed wholly or predominantly by a line of two or more evergreen or semi-evergreen trees or shrubs and rises to a height of more than 2 metres above ground level.*” The Act only offers control over hedges that affect domestic properties. [The role of the Council is to act as an independent and impartial 3rd party.](#) The official guidance document – “Over the Garden Hedge” (available at <http://www.communities.gov.uk/publications/planningandbuilding/overgardenhedge>) - details the process that **must** be exhausted before a complaint is officially made via the Council as a last resort. The complaint procedure is a fee-payable service.

Once the Council is in receipt of a complaint form and the fee has been paid, and the Council is satisfied that the complaint meets the legal tests and other possible remedies have been exhausted, the Council will invite the hedge owner to set out their case. Once the Council has heard both sides of the issue, an officer of the Council will visit the site to assess the hedge and surroundings for themselves. The Council will also obtain any other relevant facts about the site that might be needed to help determine the outcome of the complaint. A Council officer might, for example, need to measure the size of the garden, or the hedge distance from the house windows. Once all relevant information has been gathered, the Council will consider the complaint. It shall be determined whether or not the hedge adversely affects the reasonable enjoyment of the home and garden, and what, if anything, should be done about it.

If it is decided that action is necessary, the Council shall issue a formal notice to the hedge owner which sets out what they must do to the hedge, and by when. This is known as a “remedial notice”. It may also require the hedge owner to keep the hedge maintained at its new size. High Hedge complaints are administered by the Council’s Environmental Health department.

3H – OVERHANGING VEGETATION & ENCROACHING ROOTS – There is no legal obligation to prune or reduce foliage from vegetation on your property if it overhangs a neighbouring property. However, if overhanging vegetation is causing damage to a neighbouring property it can be deemed a ‘legal’ or ‘actionable nuisance’. The same principle may apply to roots beneath the ground. (Contrary to popular belief the vast majority of tree roots growing beneath adjoining properties do not cause a legal nuisance or structural damage. **Please see sections 4C & 4D for further details concerning ‘direct’ and ‘indirect’ damage by roots.**)

In the case of legal nuisance the vegetation/root owner would be obliged to abate the nuisance. The same principle applies to any Council-managed tree. In most cases [the Council is unlikely to undertake pruning works solely as a result of overhang – unless there is direct physical contact causing a legal nuisance, or a reasonably foreseeable danger.](#) The Council does not reduce or remove overhanging branches as a result of falling leaves, seeds, fruits, blossom, etc., nor as a result of blocked light or blocked TV reception, as discussed in the sections above.

3J - POLICIES FOR ALL TREES:

P1	Transparency of Action	<i>The Council will aim to achieve a transparency in its action and all its decision-making on trees.</i>
P2	Public Safety	<i>Public safety is of foremost importance when making decisions about trees in the county borough.</i>
P3	Arboricultural Standards	<i>The Council will take a similar approach in assessing their own and private trees, and will require inspection to the highest standards of the arboricultural profession.</i>
P4		<i>The Council will require continued professional development for staff operating at both a professional, supervisory and practical level so as to help ensure that trees are managed appropriately and in accordance with current best practice in modern arboriculture.</i>
P5		<i>The Council will require that all the work for which it has responsibility is carried out according to BS3998:2010 British Standard "Tree Work - Recommendations" and/or in the European Tree Pruning Guide published in 2001 by the Arboricultural Association as a minimum standard. Any subsequent revisions or replacements of these recognised standards will be similarly adhered to.</i>
P6	Tree-related Nuisance	<i>The Council will not carry out or authorise any tree work to alleviate a nuisance which is contrary to any other adopted tree policy.</i>
P7	Minor and Seasonal Nuisances	<i>The Council will resist felling or severe pruning of its own or protected trees purely because of minor or seasonal nuisances such as honeydew, bird droppings, leaf-fall and the shedding of seeds, fruits, nuts or flowers.</i>
P8	TV or Satellite Reception Obstruction	<i>The Council will resist the removal or pruning of trees in order to improve television or satellite reception. There is no legal right to TV or satellite reception, and service providers are normally able to reposition or provide improved receiving equipment.</i>
P9	Daylight or View Obstruction	<i>The Council will resist the removal or pruning of trees in order to increase daylight admittance to a property or for the creation (or reinstatement) of a view.</i>
P10	Evergreen 'High Hedges'	<i>Complaints may be submitted about a privately held 'High Hedge' where it is shown that all reasonable attempts to resolve the situation have been made and the hedge affects reasonable enjoyment of a home because of its height. The Council will consider the complaint and sustainable height reductions may be enforced as necessary.</i>
P11	Tree Size and Amenity	<i>Trees should be placed for mainly uninterrupted growth, except where there are over-riding historical or design needs to do otherwise.</i>
		<i>Wherever there is space to allow a tree to grow to full size without the need for disfiguring pruning, or it causing a serious nuisance, the Council would seek the largest tree possible, notwithstanding the need to select trees for reasons of character or design.</i>
P12	Arboricultural By-products	<i>The Council will dispose of all timber and tree-work arisings in an environmentally sustainable manner, and encourage others to do so.</i>
P13	Trees and Wildlife	<i>In all its dealings with trees the Council will aim to carry out, approve or encourage management of trees that protects and enhances wildlife. Work will not take place to trees found to contain nesting birds during the nesting season where the work would destroy or disturb nesting. When works are proposed to trees, or near to trees, suspected as bat roosts or being near to badger setts, prior guidance will be sought from the Council's Ecologists, and the recommended actions followed. Works will be postponed as necessary in all but the most severe of emergency situations.</i>

4 – Council-held Trees

The Council is directly responsible for all the trees growing on land that it owns or holds in the county borough. This ‘estate’ is very diverse and includes urban parks, country parks, housing areas, highway land, cemeteries and care homes etc. Each site has its own requirements, opportunities and constraints in relation to trees. As of 2016 the current *estimated* number of trees is 260,000 though this number is expected to rise as wider-reaching surveys are undertaken in the future.

4A - DUTY OF CARE

Under UK law the occupier of land has a duty of care to take reasonable steps to prevent or minimise the risk of personal injury or damage to property arising from the presence of any tree on the land, or from its breakage or uprooting.

In England and Wales, liability is governed by the **Occupiers' Liability Acts (1957) and (1984)**. The earlier Act deals with the liability relating to visitors; i.e. persons who enter the land or premises either by invitation or permission. The later Act deals with the liability to other persons, including trespassers. Occupiers can be held negligent in their duty of care even if injury or damage occurs on land where people do not have access by right or invitation. In the event of a claim arising from personal injury or other damage involving a tree, the occupier of the land will in most cases be liable if found negligent in meeting their duty of care. For proof of negligence, it will usually have to be shown that it was reasonably foreseeable that the tree might do damage. Where negligence is not proven, the failure of a tree would be an accident, or “Act of God”.

If a tree is located where it could either fail in whole, or part, and cause injury or damage, the occupier is expected to ensure that it is subject to periodic expert inspection and that the inspection is recorded and any recommendations acted upon. The purpose of the inspection is to determine whether it is foreseeable that the tree could cause harm by virtue of its location, size and physical condition. The occupier must take action to remedy any defects found in the inspection. The courts have recognised that the occupier of land may not have the necessary expertise to make such a determination. It is therefore accepted that employing a suitably qualified expert to do this work can fulfill the occupiers’ duty of care.

The National Tree Safety Group (NTSG) is a broad partnership of organisations that have come together to develop nationally recognised guidance on tree safety management that is proportionate to the actual risk from trees. [The Council refers to the National Tree Safety Group’s 2011 report Common Sense Risk Management of Trees as best practice with regard to managing its duty of care.](#)

Meeting the Council’s duty of care in respect of trees: Inspections

The Council employs professional staff suitably qualified and experienced in arboriculture (the care and management of trees). To assist with the management of the tree stock, and to meet the Council’s duty of care, a computerised tree management database has been introduced. The recorded information includes details of a tree’s location, species, age & useful life expectancy, condition, recommendations for any necessary works, and the value of an individual tree as an amenity & environmental asset (see “CAVAT” system at section 4D below). It is an auditable archive of previous inspections and resulting works undertaken.

Tree inspections are undertaken in those areas where trees pose the greatest risk to people or property, but other management issues are also identified and addressed as far as possible. Based on the condition of the tree, and the severity of any defects present, a priority for action and timetable for maintenance is allocated (see below).

Prioritisation for *planned* inspections is made according to the usage category that a site falls into. “Higher-use” sites include those roads determined as ‘Priority Transport Routes’ (A-roads), schools, housing estates (communal areas) and OAPs/Sheltered Housing provision, key parks, cemeteries, and the Monmouthshire & Brecon Canal. **The Council inspects trees at “higher-use” sites on a three year cycle.** “Medium-use” sites include smaller parks, medium priority transport routes, car parks, and Social Services sites and other Council-held public buildings and industrial estates. **The Council inspects trees at “medium-use” sites on a five year cycle.** Trees at “lower-use” sites such as woodlands and other open spaces, or other adopted highways are inspected on an ad-hoc basis according to expediency and/or dependent on Service Requests as they arise:

SITE USEAGE TYPE	INSPECTION FREQUENCY
<p><u>HIGHER-USE:</u></p> <ul style="list-style-type: none"> - Higher Priority Transport Routes – A-roads - Schools - Housing estates (communal areas) and OAPs/Sheltered Housing provision - Key parks - Cemeteries - Monmouthshire & Brecon Canal 	<p>EVERY THREE YEARS</p>
<p><u>MEDIUM-USE:</u></p> <ul style="list-style-type: none"> - Smaller public parks - Social Services sites - Medium Priority Transport Routes – B-roads and ‘main roads’ - Car parks - Other Council-held public facilities & industrial estates 	<p>EVERY FIVE YEARS</p>
<p><u>LOWER-USE:</u></p> <ul style="list-style-type: none"> - Woodlands - Other Council-held open spaces - Other adopted highways - Less accessible locations, or restricted access sites 	<p>AD HOC – based on expediency</p>

Meeting the duty of care in respect of trees: Maintenance

In addition to the rolling programme of planned inspections, and ongoing cyclical works (e.g. street tree re-pollarding), some works will also arise from unplanned events such as severe weather conditions or insurance claims. Trees which threaten public safety will always be given higher priority. Instructed works are given appropriate target completion dates which may correspondingly lead to other less urgent works sometimes being postponed:

TREE CONDITION	WORKS PRIORITY	TIME SCALES
<p><u>Highly Dangerous Trees</u> in public areas or along 'Higher Priority Transport Routes'.</p> <p>For example:</p> <ul style="list-style-type: none"> • Root Movement (loose tree in ground; excludes saplings & small trees). • Detached or split large branch. 	<p>EMERGENCY</p> <p>Immediate / Dangerous</p>	<p>Within 24 hours;</p> <p>ASAP during extreme weather conditions.</p>
<ul style="list-style-type: none"> • Dead Trees. • Trees causing imminent structural damage. • Trees causing highway obstructions on 'Higher Priority Transport Routes'. • Major obstruction caused by trees at lower priority transport routes. • Trees affecting Community Safety e.g. CCTV. 	<p>HIGHER PRIORITY</p>	<p>0-3 months</p>
<ul style="list-style-type: none"> • Trees implicated in Insurance Claims. • Other Trees causing highway obstructions. • Routine maintenance at 'higher-use' sites 	<p>MEDIUM PRIORITY</p>	<p>3-18 months</p>
<p>Other work requests not of a safety related nature such as:</p> <ul style="list-style-type: none"> • General pruning to improve tree structure for nuisance; or routine maintenance at 'low-use' sites. • Removal of unsuitable trees • Tree planting requests 	<p>LOWER PRIORITY</p> <p>Minor in nature & subject to resources.</p>	<p>18 months to 5 years;</p> <p>and subject to higher priority works taking precedent.</p>

4B - INSURANCE CLAIMS

Where a Council owned tree is implicated in personal injury or damage to property and a claim against the Council is made, all details must be sent in writing to the Council's Insurance and Risk Manager. A recommendation for the pruning or removal of trees implicated in insurance claims will only be considered where sufficient technical evidence is submitted so that a suitably informed decision can be made. The Council will Investigate all tree related insurance claims when instructed by the Council's Insurance and Risk Manager.

DAMAGE BY TREE ROOTS

Roots may occasionally cause damage to properties either 'directly' or 'indirectly'. The roots of trees exploit soil and ground conditions in various ways dependent on the tree species and local conditions.

4C – DIRECT DAMAGE BY ROOTS

In cases of 'direct' damage (where roots of Council-held trees are actually *physically* damaging a structure) the affected property owner is advised to consult with their building insurer before making a claim against the Council for any damage suffered as outlined above in section 4B. In cases where drains or pipes are blocked or damaged: Old pipes with weak joints or cracks cause leaks, and roots may follow the water gradient into the pipe. Condensation on a pipe surface may increase root growth, giving the impression that they're 'attacking it'. Damage can sometimes occur when roots sheath around pipes, pulling on them in winds. Replacing or re-lining pipes with modern materials is the best solution since root pruning, root barriers, and mechanical/chemical clearance is usually only a temporary solution. Public drains are the responsibility of Water & Sewerage Undertakers, even if they are blocked by roots from a privately-owned tree.

4D – INDIRECT DAMAGE BY ROOTS

In cases of 'indirect' damage, tree roots may have contributed to a drying-out of soil so as to lead to ground movement or settlement known as '*subsidence*'. It is important to note that subsidence may be caused by a variety of non-tree related factors (e.g. leaking or collapsed drains; underground tunnelling or mining; ground vibrations; nearby construction or demolition activity; natural settlement; sub-standard building specifications, etc.), and may also be caused by other vegetation nearby such as other trees or shrubs, and creeping or climbing perennial plants.

In 2008 the London Tree Officers Association approved a 3rd edition of its **Risk Limitation Strategy** ("RLS"). The RLS was produced as a response tool for local authorities across the country to follow agreed procedures and principles with regard to tree-related subsidence damage to properties, and the management of those implicated trees. Along with an increasing number of UK local authorities, the Council will follow the core recommendations and principles of the RLS. They will allow the Council to save considerable sums of public money that might otherwise have been paid out in management and settlement of claims. A copy of the RLS may be downloaded from the LTOA website at <http://www.ltoa.org.uk/resources/risk-limitation-strategy> .

One key element of the RLS is that local authorities should adopt methods of assigning a monetary valuation of its trees so that the Council can specify the levels of evidence required in substantiating a claim dependent on the value of the implicated tree. The Council has incorporated the internationally recognised method of Capital Asset Valuation for Trees ("**CAVAT**") into its tree management database and applies a valuation to individual Council-held trees during inspection, or when implicated in an insurance claim.

The **Joint Mitigation Protocol (2008)** (also produced by the LTOA, together with representatives of the national insurance sector) gives further detail in the procedure and necessary levels of evidence and works in conjunction to the RLS. A copy of the JMP may be downloaded from the LTOA website at <http://www.ltoa.org.uk/resources/joint-mitigation-protocol> .

The Council endorses and will act upon the procedures and criteria recommended within the Risk Limitation Strategy (2008) and Joint Mitigation Protocol (2008) with regard to the management of trees under its management which are implicated in cases of subsidence damage.

4E – FOOTWAY, FOOTPATH, OR HIGHWAY DAMAGE

In some instances roots can deform the surfaces of footpaths or roads. To constitute a ‘trip hazard’ the deformation will be assessed against Highway Authority guidelines for the given location type. Where a hazard exists *and* is attributable to tree roots, engineering options will be explored before viable root pruning (which is often associated with simultaneous crown reduction pruning) or tree removal options are considered.

4F – ‘FOREIGN OBJECTS’ IN TREES

Unlawful placement of signs or advertisements on Council-held trees is not tolerated, and they will be removed. This is because the damaged bark which arises from the nailing or fixing of signs to the tree can often allow for ready access for pests and diseases. Similarly, ropes, strings, cables or other ties around stems or branches will usually be removed as these can girdle the stem or branch and cause premature decline and ultimately failure of the stem or branch in question.

4G – DAMAGE TO COUNCIL TREES

Malicious damage or vandalism to Council owned trees and woodlands, or unlawful works to Council owned trees is a criminal offence. The Council takes acts of malicious damage to trees very seriously and seeks prosecution whenever appropriate.

4H – STUMP GRINDING

This is the practice of removing a tree stump to below ground level by mechanical means. Where replacement planting is desirable, such as in highway verges or in pavement ‘tree pits’, stumps will be ground out. Where stump removal is not necessary, tree stumps will be removed close to ground level so as not to leave any trip hazard. Where necessary (often dependent on tree species and potential for re-generative sprouting) stumps shall be treated so as to prevent regrowth.

5 – Highways

The county borough’s highway trees are mostly found in linear woodlands where the highway adjoins the countryside. Relatively few conventional street tree plantings exist within the county borough at present. Many of the street trees that have been planted are those trees on what is known as a ‘pollarding’ regime. Highway trees are very visible and their presence gives them an amenity value that surpasses many other trees in the county borough. In some streets, they are the only significant living thing (beside humans!) and their shape can provide a contrast to an otherwise harsh street-scene.

All the Council’s general policies for its own trees will apply to the dealing of highway trees (see section 3J above).

5A – HIGHWAY OBSTRUCTION AND HAZARD

Through its responsibilities as highway authority the Council is responsible to ensure the safe unobstructed passage of vehicles, pedestrians and all lawful users of the highway. Where they grow in or near the adopted highway, trees often require management to allow visibility of signs, signals and street lamps. The Council manages its own trees to ensure sufficient highway visibility. Where visibility or physical passage is obstructed by privately-held roadside trees, the Council will continue to enforce the pruning, or occasional felling, of trees and hedges under the **Highways Act (1980)**. In an emergency situation the Council will carry out any immediately necessary works, and recharge the tree owner accordingly. The Council is not responsible for trees in an adopted

highway that might be causing an actionable nuisance to a neighbouring property unless the tree is on Council-held land. The responsibility for the tree remains that of the owner of the land where it stands.

In exceptional cases, where trees on privately-owned land represent a danger to users of the Highway, the Council has discretionary powers under the **Local Government (Miscellaneous Provisions) Act (1976)** to require trees be made safe. These *discretionary* powers will be used when necessary to ensure that the primary objective of public safety is upheld.

5B – CCTV SURVEILLANCE, STREET LIGHTING & ROAD SIGNAGE

Closed circuit television (CCTV) cameras are installed in a number of locations to increase public safety. In new developments tree planting and CCTV systems can be designed together to ensure conflicts are minimised. However, conflicts can occur where cameras are installed in an area with pre-existing trees. In these areas, total surveillance coverage cannot be achieved without some tree work. Arboricultural Officers within the council will be consulted to ensure that any felling and severe pruning is minimised. The Council aims to avoid felling or severe pruning of existing mature trees but recognises that greater public benefit in terms of safety will accrue from camera placement, subject to it being mitigated with appropriate replacement planting nearby.

The Council will allocate resources to ensure that where vegetation obscures street lighting or road signage, pruning maintenance works shall be carried out accordingly to abate any obstruction.

5C – TRENCH WORKS, EXCAVATIONS, AND ROADWORKS NEAR TREES

In contrast to the common misconception of a tree with a deep tap root, most trees actually possess a relatively shallow root system with most of the roots in the upper seam of soil. Such roots in the top 1-1.5 metres of soil are easily damaged by trench works that are required to repair existing services and lay new facilities. Significant damage to the roots will have an obvious and severe effect on the health of a tree. The damage may be worse than expected particularly for highway trees as they are often already stressed and severance of the roots on the non-road side (such as where the services run along the pavement and the tree lies between this and the roadway) will destroy a disproportionate number of roots.

Guidance is available on service maintenance and installation near trees. The **National Joint Utilities Group 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees' (NJUG, Issue 2, 2007)**, (the tree-related section is known as "NJUG Volume 4"), provides guidance to minimise damage and advises when careful hand-digging, or the use of tunnel boring technology is appropriate.

The Council requires the guidance of NJUG Volume 4 to be followed by all underground service maintainers and providers. The Council requires utilities to enforce their contractors take a responsible attitude when working adjacent to trees. Unfortunately, under the terms of the New Roads and Street Works Act, the Council are not given notice of all utility works. Where major works are planned, the Council will take appropriate action to ensure that contractors are taking precautions to protect highway trees. In all cases the Council requires appropriate supervision of staff and sub-contractors involved in trench works near trees and that action be taken to prevent, correct, and educate those ignoring the guidelines of NJUG Volume 4.

The Council undertakes its own trench works through its maintenance of sewers. The council will protect trees to at least the standard of NJUG Volume 4. Consultation will continue to take place between the appropriate council engineering team and a council Arboricultural Officer when trenching works are proposed near trees. An Arboricultural Officer will be consulted whenever it is proposed to cut roots greater than 25mm in diameter. Sometimes it may prove necessary to

undertake remedial crown reduction pruning in conjunction with viable root pruning in order to maintain a tree's functionality and stability. On rare occasions, when sustainable root pruning is not viable, or a tree's condition does not warrant extensive remedial works, a tree may be removed subject to its loss being mitigated with appropriate replacement planting nearby where feasible.

5D – THE GROWTH ENVIRONMENT

Road de-icing salt potentially poses a serious, albeit unquantifiable, threat to some street trees or trees near the highway. The Council will continue to minimise its salt use, as it already does for cost reasons.

Another significant stress on highway trees is the laying of tarmac or resin-bonded gravel surfacing up to the very base of a tree. To exploit rainwater runoff, trees often concentrate fine roots around the base. Unfortunately, where the laying of impermeable hard surfaces extends up to the base, the water runs into the street drain and is not available to a tree possibly stressed by drought conditions. Repeated relaying of tarmac near tree buttresses will also cause damage. Creating even a very narrow ring, or 'tree pit', of a permeable bed around highway tree stems has a significantly beneficial effect on a tree's health and long term retention value. This will not always be appropriate where trees take a disproportionate amount of pavement space, or if a trip hazard is created, but it will be considered and carried out wherever appropriate.

In new or planned developments in the built environment the Council's Arboricultural Officers will advise designers and landscape architects on the appropriate design specifications for new tree planting within existing or proposed hard standing. [Minimum soil volume requirements for tree planting within hard surfaced areas shall be recommended, and no smaller than 4m³, so as to ensure that long term success rates of new planting are significantly improved.](#)

5E – PUBLIC RIGHTS OF WAY & CYCLEWAYS

Trees in or adjacent to a Public Right of Way ("PRoW") or cycleway are managed in the same way as would be privately-owned trees in or adjacent to the highway. Many PRoWs pass across privately-held land. Typically though, the priority levels for inspecting or maintaining a tree in a PRoW will be less than those of trees in the highway as there will normally be a lower 'target risk factor' (related to the quantity and frequency of pedestrian use, or other traffic). Where Council officers become aware of a tree-related obstruction or hazard to the PRoW they will enforce any necessary action to abate the obstruction or hazard. In an emergency situation the Council will carry out any necessary works, and seek to recharge the tree owner accordingly. The Council is not responsible for trees in a PRoW that might be causing an actionable nuisance to a neighbouring property unless the tree is on Council-held land. The responsibility for the tree remains that of the owner of the land where it stands.

6 – Parks and Public Open Spaces

All of the general policies and actions for Council-held trees apply (see section 3J above).

6A – PARKS AND CEMETERIES

Trees are an integral and important part of all of the county borough's parks and cemeteries, and their management by the Council should be aided by the production of individual management plans. Trees at the Council's cemeteries have already been placed on a cyclical inspection and maintenance regime. [Planned surveys at higher-use sites \(including key parks and all cemeteries\) are currently conducted on a three-yearly basis.](#)

6B – OTHER OPEN SPACES

In contrast to formal parks and cemeteries often dominated by exotic species, public open space is predominately characterised by native species, whether original rural hedges and trees that have been incorporated, or newer 'urban forestry' plantations characterised by dense stands of native planting. The management of trees in these areas will reflect the urban forestry vision, with lower input management characterised by coppicing, group felling, and mass planting of small stock.

6C – ALLOTMENTS

There is considerable scope on council allotments for the development of small-scale 'allotment forestry' as a partnership between council and tenants as part of the Allotment Forum Initiative. Ideally this would involve the planting of useful trees in positions which would not affect the site's primary function as a place to grow vegetables. The planting of fruit trees and other perennial crops on allotments by the tenant has previously been opposed by the Council because of the potential claim for compensation that could be made by a tenant on leaving. In the future, the Council will encourage tenants to plant appropriate fruit trees where they will not significantly interfere with vegetable production, although tenants will have to formally "give" their trees to the council, so removing the possibility of a compensation claim.

Besides fruit trees, there is also the potential for the planting of small coppice areas if it was supported by tenants. These could be planted on plots that, because of shading, or say waterlogged conditions, are less suitable for vegetable growing. Coppicing of species such as hazel, willow, or sweet chestnut would produce valuable products such as bean poles, pea sticks, or fencing materials, which could be harvested communally and would represent a sustainable use of these plots while maintaining wildlife value. As the trees would be cut on a short rotation (approximately every 3-5 years), any nuisance to adjacent plot holders would be minimal.

6D – BRECON & MONMOUTHSHIRE CANAL

The Crumlin Navigation arm of the "Mon. & Brec." canal passes through a substantial swathe of the county borough's eastern Ebbw valley. The Council holds responsibility for the upkeep of the canal and this includes the management of its trees. It is a substantial amenity resource for the wider community and attracts walkers, joggers, cyclists (NCN Route 47), anglers, bird-watchers and nature lovers alike. Parts of it are navigable and most of the many mature trees lining its banks are protected by Tree Preservation Orders. The Council's Arboricultural Officers provide ongoing professional advice and instruction to the canal's management, in much the same way as they do for other Council-held trees. [The canal is a high-use site and the Council undertakes planned inspections on a three year cycle.](#)

7 – Council Housing

All of the general policies for Council trees will apply to the Council's treatment of trees associated with council housing (see section 3J above).

7A – COUNCIL HOUSE GARDENS

The Council has responsibility for many houses that have important trees in their gardens. Responsibility for trees in the gardens of Council-owned houses rests with the Area Housing office - though tenants' responsibilities for their normal garden maintenance is clarified in tenancy

agreements. Any uncertainty regarding the responsibilities of tenants or the Council should be clarified with Area Housing officers. If tenants have any concerns about the safety of trees in their gardens, in the first instance they should contact their Area Housing office to request an inspection by the Council's qualified staff.

Trees are surveyed and an inspection database is being developed as per trees in other areas of the county borough held by other departments. Following inspection, the Council will carry out tree works where there is an imminent danger of personal injury or damage to property. Routine maintenance works are carried out to other trees where it is arboriculturally appropriate and/or to prevent a reasonably foreseeable hazard or obstruction.

If, under the terms of the tenancy agreement, an unreasonable tree-related nuisance arises as a result of any action or inaction by a tenant, the tenant may be recharged for the works.

The Council may also carry out ad hoc non-safety works considered essential to enable reasonable enjoyment of the garden by tenants. Any arboriculturally appropriate works will be recommended by the Council's Arboricultural Officers to the Area Housing office, and carried out at the discretion of the Area Housing Manager. In empty properties, Area Housing officers may request tree maintenance works.

7B – HOUSING ESTATES (COMMUNAL AREAS)

The Council's Housing Department manages several large housing estates in which there are often trees found in the landscape. Many will have been planted near to housing, schools, and shops; so as to contribute to the appearance of those locations, and to enhance amenity value for the wider community. [Trees in the communal areas of housing estates are subject to a regime of regular planned three yearly inspections from which a programme of scheduled works is drawn up for each estate.](#) Any surveyed trees found warranting urgent or higher priority maintenance will usually be highlighted and the details forwarded to the Council team which carries out grounds maintenance on housing estates.

7C - COUNCIL HOUSING SALES AND TREE PROTECTION

Government policy has led to many previously council owned houses being sold. The council may place a TPO on some of the important trees prior to sale. In order to protect trees at the point when they are sold, the planning department will be notified of all council houses being sold where trees are present so that the trees can be assessed for their public amenity value.

8 – Privately-owned Trees & The Planning System

8A – PRIVATELY-OWNED TREES

As explained in section 2 above - "General Policies" – A tree owner's legal duty of care means that there is legislation which expressly requires tree owners take reasonable steps to prevent or minimise the risk of personal injury or damage to property arising from the presence of any tree on the land, or from its breakage and uprooting.

The Council strongly recommends that owners of trees, especially if they are large trees or are trees which are adjacent to or near to a neighbouring property, or a public highway or PRoW, have those trees professionally surveyed on a regular basis by a suitably qualified tree inspector. A reasonable period for regular inspections of trees in reasonable condition might be once every three to five years. Trees with known defects or diseases may warrant more frequent inspections, and owners should follow professional arboricultural advice within any given timeframes provided as far as is possible, in order to fully meet their duty of care. In exceptional cases, where trees on privately-owned land represent a danger to public spaces the Council has discretionary powers under the **Local Government (Miscellaneous Provisions) Act (1976)** to require trees be made

safe. These *discretionary* powers will be used when necessary to ensure that the primary objective of public safety is upheld.

The Council keeps a list of local reputable consultants (and tree surgery contractors) which is available on request. It is not a definitive list and residents are able to engage whichever professional service meets their needs, but they are advised that inspectors must be suitably qualified and hold professional indemnity insurance to provide written reports or management recommendations for tree maintenance. Contractors must also be fully insured for public liability and should also be suitably qualified to use a chainsaw and carry out tree surgery or felling operations to British Standard 3998:2010. (See also section 12F below – “REPUTABLE” CONTRACTORS OR CONSULTANTS.)

8B – TREES AND THE PLANNING SYSTEM

Local planning authorities have legal powers to protect trees and woodlands in the interests of amenity by making **Tree Preservation Orders** (“TPOs”). The **Town and Country Planning Act (1990, and as amended)**, is the principle legislation concerning TPOs and it is the same planning legislation that allows the local planning authority to designate **Conservation Areas** in respect of the built environment. There are currently sixteen Conservation Areas within Caerphilly County Borough and the trees within them are protected. Prior consent from the planning authority must be obtained before maintenance or removal of protected trees. (See paragraphs 8C to 8F below for further details.)

The retention of individual trees, tree groups, or areas of woodland can provide many benefits to both the proposed development and the adjacent area. Trees are a ‘material consideration’ in any development. The Council’s Local Development Plan incorporates **Supplementary Planning Guidance (SPG) (LDP4 - “Trees and Development”)**. The following policies of the Council’s Local Development Plan will be implemented:

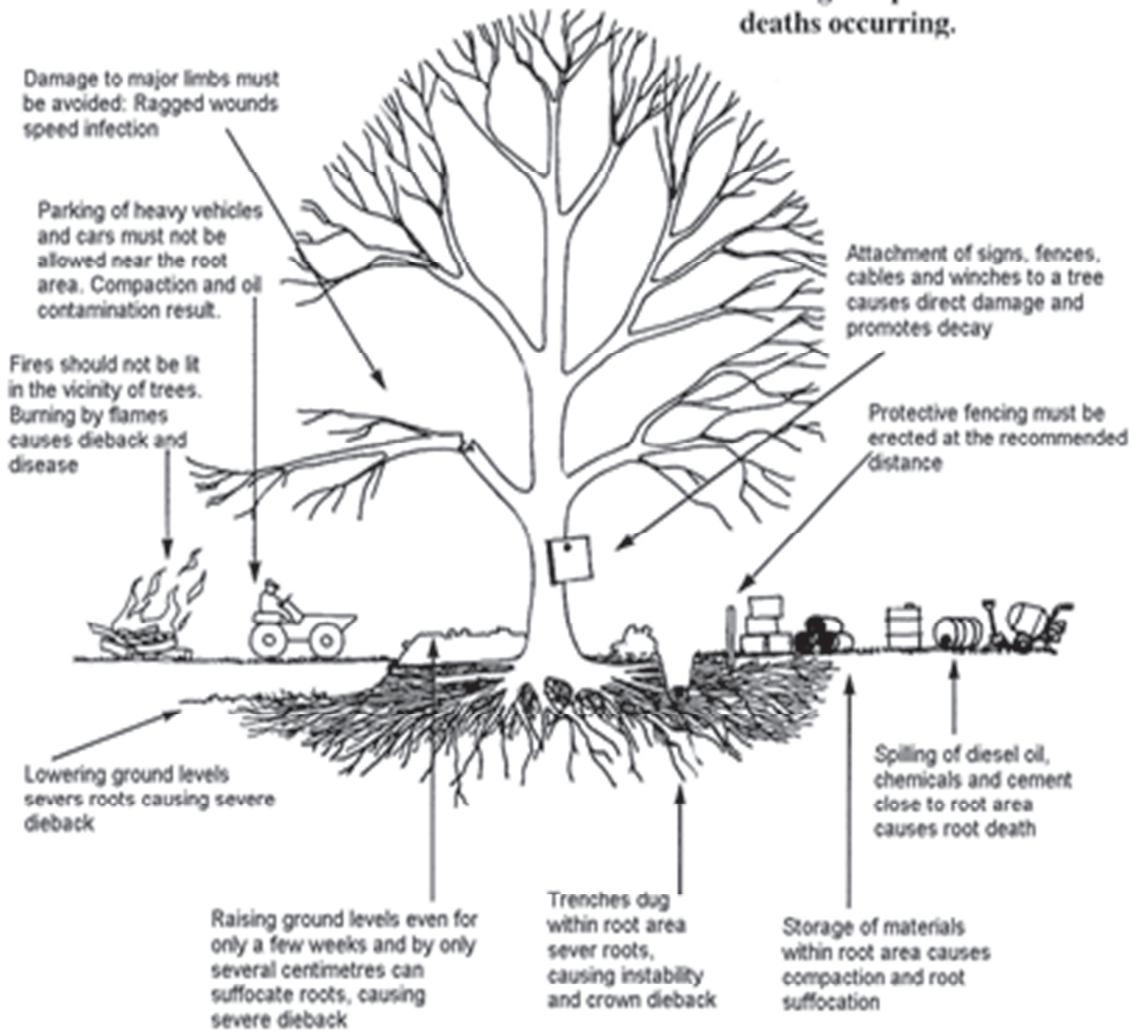
- **SP10 Conservation of Natural Heritage**
- **CW6 Trees, Woodland and Hedgerow Protection**

In addition, SPG LDP4 provides guidance in terms of **Criterion G of Policy SP6** insofar as it relates to the incorporation of natural features within new development. Policies SP10 & CW6 facilitate the provision and protection of trees within development sites within the county borough. LDP4 seeks to ensure that trees are adequately addressed throughout the development process by seeking the protection and integration of trees into the design of new development from an early stage in the development process.

The key component document in the Council’s approach to the retention and protection of trees at or near to development sites is **British Standard 5837:2012 “Trees in Relation to Design, Demolition, and Construction – Recommendations”**. The SPG LDP4 specifically cites this document (and any later revision or updated edition of it) as the Standard to which all development applications, or proposed developments, shall be fully compliant with whenever possible. Its recommendations and procedures shall be the default tree-related condition to the approval of any planning application where on-site trees, or nearby off-site trees, may potentially be impacted upon by the development.

Common causes of Tree Death

The use of properly positioned protective fencing can prevent tree deaths occurring.



Please use copies of this as an on-site poster for personnel



8C – TREE PRESERVATION ORDERS (TPOs) & CONSERVATION AREAS

A TPO is an order made by the Council, giving legal protection to trees or woodland. The TPO prevents the cutting down, uprooting, “topping”, “lopping”, wilful damage or destruction of trees (including cutting roots) without prior planning authority permission.

It does not mean that a tree may never be pruned or removed – if those actions are applied for in the prescribed way, and they are found to be reasonable and appropriate they will be approved. If the works applied for are found to be unreasonable or inappropriate then they will be refused, or may be approved with a modified specification.

All of the general policies (see sections 2 & 3 above) apply to the Council’s treatment of TPOs, particularly those that apply to tree-related nuisance, and arboricultural standards. The Council is able to offer informal verbal advice to owners on the management of their trees, particularly if they are protected trees, but it is always recommended that tree owners seek formal written advice from a suitably qualified independent arboriculturist (“tree consultant” or “consulting arborist”). The list referred to at section 12F below includes some reputable local consultants.

When considering the suitability of serving a new TPO, the Council’s Arboricultural Officers will use the nationally recognised TEMPO method for assessing each tree’s, or group/woodland of trees’ suitability for protection. TEMPO is the widely used “**Tree Evaluation Method for Preservation Orders**” and was developed as a method to assist tree assessors to systematically consider all of the various factors of a tree’s character that collectively combine to give a points ‘score’ of the overall amenity value offered by the tree(s) to the wider community. The factors that determine the amenity value include the tree’s size; general condition and form; public prominence; useful life expectancy; threats to the tree; and any other unusual or notable characteristics such as species rarity or historic or cultural significance.

The party responsible for proposed works to an already-protected tree (either the tree owner, a tenant, or an affected neighbour) must apply in writing using an application form which is available from the planning authority’s offices or via the Council website at the ‘Protected Trees’ page - <http://www.caerphilly.gov.uk/Services/Trees-and-conservation/Protected-trees> . Guidance notes may also be found there.

Where trees are located within the boundary of a **Conservation Area** the land owner (or tenant, or affected neighbour) is required to notify the local planning authority before undertaking any felling or pruning works. The same application form as works to trees protected by TPO is used (see the link above). **The Council may either consent to the notified works, or may serve a new TPO if it considers it expedient to do so in the interests of visual amenity.**

8D – POLICIES FOR PRIVATLY-OWNED TREES & THE PLANNING SYSTEM:

P14	Dangerous Privately-owned Trees	<i>The Council will use its discretionary powers, as a last resort, to make safe dangerous trees where public safety is threatened on land with public access. The Council will not use these discretionary powers where danger is presented on private land without public access, except in exceptional circumstance.</i>
P15	TPOs:- Works Application Quality	<i>The Council will not consider unspecified pruning and would require the submission of arboricultural reports where appropriate.</i>
P16	TPOs:- Unnecessary Works	<i>The Council will resist applications for any pruning where this is considered to be unnecessary</i>
P17	TPOs:- Replacements	<i>Where permission is given to fell a protected tree, the Council will always seek replacement except in exceptional circumstances</i>
P18		<i>Where permission is given to fell a protected tree, and replacement on site is not possible, the Council will seek funds for tree planting elsewhere.</i>
P19		<i>The Council will encourage advance planting of replacement trees where space permits and it will accept such trees as replacements when felling is necessary.</i>
P20	TPOs:- Groups and Woodlands	<i>Where trees are protected as a group or woodland, the Council recognises that it is generally beneficial to encourage irregularity of age and species, and will accept planned felling and regeneration to achieve this where appropriate to do so.</i>
P21	TPOs:- Unauthorised Works	<i>On encountering unauthorised works to trees, the Council will invite tree-owners or contractors to submit proof of exemption or technical justification of the work. Where this is not forth-coming or the Council's Planning Committee would not have been minded to approve the unauthorised work, the Council will always seek prosecution.</i>
P22	TPOs:- Tree Root Damage	<i>Permission will not be considered for the felling or major pruning of protected private trees to avoid or correct subsidence unless the application is accompanied by professional and appropriate technical reports that satisfactorily substantiate the claim of tree-related subsidence against the relevant tree(s).</i>
P23		<i>The Council will adhere to the recommendations and principles of the Risk Limitation Strategy(2008) and Joint Mitigation Protocol (2008) – as detailed in section 4D of the Council's Tree Strategy document - with regard to its response to any applications made citing tree-related subsidence as the reasoning behind the applied for works.</i>
P24	TPOs:- Permitted Development	<i>The Council will not approve the felling or disfiguring pruning of protected trees to accommodate permitted development other than in exceptional circumstances.</i>
P25	TPOs:- Rationalisation - Assessment	<i>TPOs not to be made or retained on trees that are not visible from public space (or sufficient usage to confer public amenity benefit) except in exceptional circumstances where the trees possess very high ecological or historical value. The Council's Arboricultural Officers will use the recognised TEMPO method for assessing a tree's suitability, or group/woodland suitability for protection.</i>
P26	Conservation Areas	<i>The Council will continue to place TPOs on trees in conservation areas where it receives notification of tree work that it judges to be detrimental to public amenity. As in Policy P25, trees will be assessed for suitability using TEMPO.</i>

8E – PENALTIES AND EXEMPTIONS

The **Town & Country Planning Act (1990)**, as amended) provides the legislation for protected trees and Conservation Areas. Within the legislation there are some exemptions that apply to trees in particular circumstances, where the normal need to apply for written permission may not be necessary. Residents or tree-owners are advised to obtain independent professional arboricultural advice before taking action under any of those exemptions, as technical expertise may be required to ascertain whether an exemption applies or not. The Council's Arboricultural Officers will also give advice where it is appropriate to do so. A Welsh Government pamphlet titled "Protected Trees" is available on request. This pamphlet fully details all of the exemptions as well as the penalties that may be applied if a party is found to be responsible for unlawful actions to protected trees and subsequently prosecuted. It is also a good overall summary of everything one might wish to know about TPOs in an easily comprehensible document.

Anyone who cuts down, uproots, "tops", "lops", wilfully destroys, or wilfully damages a protected tree – by TPO or in a Conservation Area – without having the necessary consent from the Council's Planning Department is guilty of an offence. The same penalties apply to Conservation Area tree works without consent as those for contravening a TPO:

Anyone who cuts down a protected tree without having given notice in a Conservation Area, or without written Planning Permission if the tree has a TPO, is liable, if convicted in a Magistrates' Court to a fine of up to **£20,000**. Anyone who carries out unlawful work in a way that is not likely to destroy the tree is liable to a fine in the Magistrates' Court of up to **£2500**.

8F – INTERACTIVE MAP OF TPOS

The Council now has an online searchable database of TPOs and Conservation Areas. It is a publicly-accessible and interactive map which gives the user the locations of trees currently protected by TPOs, and their TPO file or reference numbers. The interactive map also shows if a Conservation Area is in effect at a given location. The searchable database is available at a link found at the foot of the 'Protected Trees' page at the Council's website (see section 12E below).

9 – Schools

Trees on school-held land are the responsibility of each school's own management. The Council maintains a database of historic tree inspections and maintenance records so as to *assist* schools in managing their tree stock appropriately. The Council has a health & safety responsibility towards schools and so provides appropriate professional arboricultural advice as may be sought or considered necessary by the school's management.

A framework of approved independent tree consultants has been created and is available to schools' management to instruct as and when needed. Schools are encouraged to liaise with the Council's Arboricultural Officers so that any new survey details at their site are either entered directly into the Council's tree management database, or are forwarded to the Council's Arboricultural Officers at a later date for the benefit of reference and record-keeping (which assist and inform future inspections).

Neighbours affected by trees at school sites are advised to approach the school's management in the first instance if they wish to make an enquiry or request an ad-hoc inspection. The school's management may then choose to consult with the Council's Arboricultural Officers on how best to proceed, and will then be advised accordingly.

All of the general policies (see sections 2 & 3 above) apply to the Council's recommendations for treatment of trees at schools, particularly those that apply to tree-related nuisance, and arboricultural standards.

10 – Woodlands or 'Country Parks'

Around 60 Sites of Importance for Nature Conservation ('SINCs') have been declared by the Council with respect to their woodland habitat. These include the priority habitats of 'Upland Oak Woodland', 'Upland Mixed Ash Woodland', 'Lowland Beech & Yew Woodland', 'Wet Woodland', and 'Lowland Wood Pasture & Parkland'. Where woodland or other trees at SINCs are situated on Council-held land, then the trees will be managed according to the same general policies outlined in sections 2 & 3 above, as well as in accordance with current better woodland management practices. The advice and expertise of Natural Resources Wales ('NRW' – formerly Forestry Commission Wales, Environment Agency (in Wales), & Countryside Council for Wales) shall be sought whenever appropriate to do so. The Council has its own ecologists and landscape architects available to assist with the appropriate management of these sites, as well as providing professional services to Council departments.

10A – FELLING LICENSES

NRW is responsible for administering Woodland Grant Schemes and Felling License applications, though the Council is occasionally a consultee in such applications (where protected trees are concerned, or areas of planting greater than 10 ha are proposed). Felling Licenses are required by law if more than 5 metres³ of timber is to be felled in any continuous 3 month period. A Felling License would also be needed if more than 2 metres³ of timber are to be sold in a 3 month period.

It is not easy to estimate timber quantities accurately, so for this reason tree owners are strongly advised to consult with NRW before commencing any felling works. There are some exemptions to the need to apply for a Felling License, and a NRW/Forestry Commission Wales produced leaflet is available to assist with the details and provide contact details should further assistance be required.

10B – COUNTRY PARKS & CWMCARN FOREST

The Council currently manages Country Parks at Parc Coetir Bargod; Parc Cwm Darran; Parc Penallta; Pen-y-Fan Pond; and Sirhowy Valley; as well as the Forest Drive attraction at Cwmcarn. Each has its own management plan, and trees on site are managed and maintained by the Country Parks' own teams of rangers on a week to week basis. Specialist or detailed arboricultural advice is sought when necessary from the Council's own Arboricultural Officers. There are also management plans for the notable sites of Aberbargoed National Nature Reserve and Bedwas Riverside Park. In addition, some 300 other sites across the county borough are managed by the Council.

Cwmcarn Forest is a haven for people and wildlife. The hills of this previously mined area have been transformed into peaceful forests with impressive views where nature has reclaimed the majority of the former industrial past. As with Country Parks, the Forest team carry out their own routine tree maintenance on a regular basis as and when needed. Specialist or detailed arboricultural advice is sought when necessary from the Council's own Arboricultural Officers.

All of the general policies (see sections 2 & 3 above) apply to the Council's recommendations for treatment of trees at woodlands or Country Park sites, or Cwmcarn Forest, particularly those that apply to tree-related nuisance, and arboricultural standards.

11 – Hedgerow Management and 'Veteran' Trees

Hedgerows, and parkland trees, are all important habitats and, like woodlands, often possess considerable historical and ecological value.

11A - HEDGEROWS

UK Government legislation offers protection namely by the **Hedgerow Regulations (1997)**. Anyone intending to remove a hedgerow must (except in limited circumstances) inform the Council first. The Council can protect the hedgerow if it meets certain "importance" criteria. These criteria provide an indication of the ecological or historical value of the hedgerow. The Council will aim to protect all hedgerows meeting these criteria and resists all unwarranted removals.

Along the network of adopted highways, where privately-owned hedgerow vegetation encroaches into the carriageway, or obstructs drivers' sightlines or street signs or street lighting, or obstructs a footway; the Council's Highways Inspectors will enforce hedge trimming or vegetation removal works as necessary, as per the Highways Act (1980).

Where the Council owns hedgerows it will wish to see them managed according to current best practice in order to maintain their ecological, historical and amenity importance while possibly managing their size. [The Council carries out hedgerow maintenance on established routes once per year.](#)

11B – 'VETERAN' OR 'ANCIENT' TREES

A veteran tree is more than a single organism. It is home to a wealth of interdependent plants, animals and micro-organisms that interact with and can contribute to the longevity of the tree. The county borough is fortunate in containing a number of old and characterful former hedgerow and field trees. As with hedgerows, these trees have a considerable historical value as they may typically be hundreds of years old, and reveal a former agricultural land-use that has now practically disappeared from Britain. The Council will seek to promote the value of these old or 'veteran' trees. Veteran trees (also known as 'ancient' trees) are being incorporated into the Council's tree management database, and being flagged for their special status.

When veteran trees require maintenance (for example if they are causing an obstruction in the highway), and tree surgery is required, the Council will encourage the tree owner to, or will itself (in cases of trees on Council-held land, or trees in the highway) identify the minimum work necessary to reduce risk to an acceptable level. Effort will be made to retain the maximum habitat value while addressing the requirements to maintain adequate safety. When older or veteran trees are removed for safety or other legal nuisance reasons, the Council will recommend the retention of 'hulks' or remnant standing stems – provided it is appropriate to the setting, and to a safe size - in situ for the very significant habitat value that such stems have to the local ecology.

12 – Tree Management Information and Assistance

12A – BIOSECURITY

Biosecurity includes a set of precautions to prevent the introduction and spread of harmful organisms – pests, pathogens, or invasive species. The threat to our forests and woodlands has never been greater. The changing climate, increased global trade, and the movement of goods between countries means an increased risk of spreading pests and diseases, which may travel hidden in plant products, packaging, and shipping crates. Trees and plants in Britain are now vulnerable to a range of new pests and diseases, and outbreaks can seriously threaten sustainable forest management. In addition to economic losses for forestry and related industries, outbreaks can disrupt other sectors such as tourism. The Council will adhere closely to the principles of the Forestry Commission’s Tree Health Strategy, and will promote good biosecurity practices within its own departments and in the wider local commercial and private sectors.

12B – CUSTOMER SERVICE

Subject to seasonal variations, adverse weather conditions, unforeseen emergencies, and ongoing schedules, the Council’s Arboricultural Officers will aim to answer any reasonable tree-related enquiry within the given timeframes for responding to Service Requests. Customer Services staff and departmental administration teams will be minded to assist the Arboricultural Officers in the processing of new enquiries by referring to the policies listed above at sections **3J (POLICIES FOR ALL TREES)** and **8D (POLICIES FOR PRIVATELY-OWNED TREES & THE PLANNING SYSTEM)** as answers to many of the most commonly asked questions, or enquiry-types may be found there. If a new Service Request warrants either an inspection or immediate action, then it will be forwarded to the correct officer to deal with accordingly, and the Service Request updated in due course post-action. Correspondingly, if the Service Request does not warrant an inspection or immediate action, (for example – if a resident calls up requesting a tree be cut back because it is dropping leaves on their property) then the enquirer will be informed (with reference to the relevant Council policy) and the Service Request be closed off.

12C – EMERGENCY CALL-OUTS

The Council operates an out-of-hours service that deals with emergencies involving trees. The out-of-hours desk will contact the appointed duty-officer from the Parks department and forward details of any tree-related emergency. The officer will attend to site and assess the situation. If necessary, they will call on the Council’s tree team operatives on standby, or an appointed contractor, to attend to site if immediate and urgent tree works are required. If trees or branches have fallen and are blocking the road, or obstructing it, or otherwise causing an immediately foreseeable hazard, then the works necessary to abate the obstruction or hazard shall be undertaken. Tree works arising, or remnant parts, may be left at the roadside temporarily until such a time as they can be cleared away by their owner.

The Council will seek to recover costs of emergency operations to privately-held trees, or may place a charge against the property concerned if costs cannot be recovered.

The Council’s emergency call-out service is strictly for emergency works only, where trees in public locations are concerned, or an adopted highway or PRoW is affected. The Council’s emergency call-out service does not attend to private property owners wishing to have their trees

maintained. If there is a known emergency or immediately foreseeable hazard to a privately-held tree that is not affecting a public location, then the Council may forward to the enquirer the details of those local reputable contractors referred to in section 12E below.

12D - “EMERGENCY” ENQUIRIES

Most tree-related Service Requests received by the Council have a target response time of 4 weeks. There is provision for an emergency-level response, to which the Council will respond within 24 hours. What determines an “emergency” enquiry is dependent on different factors. Unfortunately, and especially during times of inclement weather, the Council has in the past received an extraordinarily large number of “emergency” enquiries, the vast number of which were not genuine emergencies that warranted an immediate response. Most would typically be genuine issues that needed attention in due course, but that were not immediate emergencies where people’s lives or property may be at immediate risk of harm. For this reason, criteria have been established that seek to clarify, at the point of contact with the Council, exactly whether the nature of the enquiry is genuinely an emergency or a routine Service Request.

“Emergency” criteria essentially relate to the size of the tree, and whether the tree is either *visibly cracked or splitting in its trunk or main scaffold limbs, or visibly rocking or moving at the ground.* This latter scenario would imply that the trees’ roots were either loose or damaged, and that the tree may therefore imminently fail. This is not the same thing as a tree swaying at the trunk, or its canopy moving in the wind – trees are supposed to move in the wind as they need to absorb, or dampen, the effects of the wind upon them. If a small tree were cracked or rocking at the ground, then it might warrant attention in the near future, but not as an “emergency” as the tree’s size would be unlikely to cause more than minor damage.

At times of severe and extreme weather conditions, the 24-hour response time for emergency enquiries may not always be met due to the sheer volume of calls, emails, enquiries, and incidentally-spotted emergencies (previously unreported to the Council) received or observed during such periods of high demand. The Council’s Arboricultural Officers in practice carry out a ‘triage’ system of evaluating the level of urgency suspected, based on the given or known information concerning the tree’s location, size, and condition; the nature of the hazard or obstruction; any Police or other emergency service information; combined with any local knowledge or inspection/maintenance history associated with a certain tree or group of trees.

12E – THE COUNCIL’S WEBSITE

<http://www.caerphilly.gov.uk/Services/Trees-and-conservation> is in effect the Council’s ‘home page’ for trees. There are links there to Frequently Asked Questions (many of which echo those issues addressed by the policies listed above at sections 3J and 8D), and there are also dedicated pages addressing the following subjects:

- Report a tree issue
- Street and park trees
- Protected trees
- High hedges
- Overhanging vegetation

It is hoped that these pages, as well as the FAQs, will assist residents and other parties in learning what services the Council may provide, and what issues it may or may not respond to. Within

those pages are contained further links that will assist the user in gaining further information, or downloading any necessary forms or other information that might be needed. For example – the application form (and guidance notes on how to fill them out) for consent to works on protected trees are available to download from the ‘Protected trees’ page. The interactive county borough map of TPOs may also be found there. Details of who to contact and how, may also be found at those pages.

12F – REPUTABLE CONTRACTORS OR CONSULTANTS

As previously mentioned, the Council has a list of local reputable contractors and consultants. It is not an “approved contractor” scheme as such, as the Council does not wish to specifically endorse one firm above others, and there is a nationally recognised “Approved Contractor” scheme run by the lead UK body on tree care and tree management – the **Arboricultural Association** (“the AA”). The AA scheme ensures a minimum level of professional competence and also regularly checks that the contractor’s equipment is appropriately cared for and managed, fit for purpose, and within all safety longevity limits. It also ensures that contractors have all the necessary insurances in place for professional tree surgery, and that their business record keeping is in good order. (See <http://www.trees.org.uk/> for further details.) There are other good contractors though who may not have achieved the AA “Approved Contractor” rating for a variety of reasons.

The Council’s tree pages at the website refer users to consult with the AA Approved Contractor scheme, as there are local firms with that accreditation, but we also have a list of local reputable contractors who we have direct experience with in the area, and whom we can vouch for as having the necessary insurances and competencies in place, and suitably qualified staff as well. The Council’s list is not a closed one, and new contractors in the area are welcome to contact the Arboricultural Officers with a view to future inclusion. A copy of the list is available to any resident or local business owner upon request. The list also includes local reputable *consultants* who are similarly known to have all the necessary training, competency, and professional insurances in place to practice as a consulting arborist or tree consultant (“arboriculturist”). A tree consultant must be suitably qualified in order for their written report to meet the requirements of the courts should their professional opinion ever be questioned.

12G – GENERAL ADVICE

When requested, and if available, the Council’s Arboricultural Officers provide advice over the telephone concerning other general tree-related issues of concern. For matters relating to trees on privately-held land, enquirers are recommended to seek professional advice from an independent tree consultant, or woodland agent, concerning the management of trees in their care.

12H – TREE STRATEGY

It is envisaged that the Tree Strategy shall be reviewed and revised accordingly at least once every five years. New or amended legislation shall be incorporated where necessary, and advances in arboricultural understanding shall be included where relevant. It is intended that this document shall be a continually evolving statement of Caerphilly County Borough’s policies with regard to the management of trees in its care for the benefit of the whole community, and the generations in the future who will live, work, study, and play in these beautiful valleys.

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 13TH DECEMBER 2016

SUBJECT: ANNUAL PERFORMANCE REPORT - PLANNING

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To advise members of the contents of the Annual Performance Report (APR) for the Planning service of the Planning and Regeneration Division, which encompasses the Development Management and the Strategic Development Plan groups.

2. SUMMARY

- 2.1 The APR was proposed by Welsh Government as a result of the 'Positive Planning' consultation in December 2013. They consulted on a series of proposals for measuring the performance of key stakeholders in the planning service and proposed that stakeholders should prepare an annual report, discussing how their organisation had performed against the indicators, identifying what it had done well so that this can be shared with others, and what steps might be taken to address areas of performance in need of improvement. The first reports were submitted in November 2015. A draft report, attached as an appendix to this report, was submitted at the end of October 2016.

3. LINKS TO STRATEGY

- 3.1 The Single Integrated Plan Caerphilly Delivers has been prepared by the Local Service Board, and it represents a determined commitment by all partners to accelerate change, strengthen partnership working, multi-agency collaboration, and accountability for delivery.
- 3.2 The Local Development Plan is the statutory framework for the development and use of land within Caerphilly County Borough and is the key mechanism for delivering the land use elements of Caerphilly Delivers.
- 3.3 The Future Generations Act 2014 has 7 national goals which all public bodies are expected to contribute towards. An APR that reflects a good planning service will accord with those goals.

4. THE REPORT

- 4.1 The Annual Performance Report is attached as an appendix. In summary it shows that there are areas for improvement in terms of the perception of the development management service by the public, but also that efficiency measures have been introduced and are already delivering improvements.

5. EQUALITIES IMPLICATIONS

- 5.1 An Equalities Impact Assessment is not required as the report is for information.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications to this report although there may be some in respect of identified risks as part of performance.

7. PERSONNEL IMPLICATIONS

- 7.1 None

8. CONSULTATIONS

- 8.1 None

9. RECOMMENDATIONS

- 9.1 Members note the contents of the APR.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To allow members the opportunity to review, question and comment upon the performance of the Planning Service.

11 STATUTORY POWER

- 11.1 Town and Country Planning Act 1990

Author: Tim Stephens - Interim Head of Planning
Consultees: Christina Harray - Corporate Director Communities

Appendices:
Appendix 1 Caerphilly LPA - Planning Annual Performance Report (APR) - 2016-17

Caerphilly LPA

PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2016-17

PREFACE

To be completed

1. CONTEXT

- 1.1 The Single Integrated Plan (SIP) Caerphilly Delivers is the overarching policy framework for the Council and its partners. It was prepared by the Local Service Board and replaces a number of existing plans that were previously required, such as the Community Strategy, the Health, Social Care and Well-Being Strategy, Children and Young People's Plan, and the Community Safety Plan, it represents a determined commitment by all partners to accelerate change, strengthen partnership working, multi-agency collaboration, and accountability for delivery.
- 1.2 The Caerphilly County Borough Local Development Plan up to 2021 was adopted in November 2010 and is the key mechanism for delivering the land use elements of the SIP. It was decided in 2013 to review the LDP with a view that the Replacement LDP up to 2031 would have an adoption date of 2017. However, the Council resolved in July 2016 to withdraw the review as part of a package of initiatives including further discussions with Welsh Government (WG) and LPAs within the Cardiff Capital Region regarding the possible development of a strategic development plan, and to discuss the importance of WG funding to help unlock the remaining brownfield sites across the county borough.
- 1.3 Towards the end of the 20th Century the population of the County Borough remained relatively stable. The Census indicated that there had been remarkably little variation in population between the 1981 at 171,700, and 2001 at 169,500. However the 2011 Census indicated that the population of Caerphilly was considerably higher than had previously been estimated, at 178,806 people. This was over 5,400 higher than the LDP projections had assumed for 2011 and nearly 5,000 higher than the Welsh Government 2008 based projections indicated for that year. Notably Caerphilly had one of the highest differences in Wales in the anticipated population (as per the MYE) and the actual Census figures.
- 1.4 The 2011 Census also indicated that there has been significant change in the distribution of the population within the County Borough, and significantly, the population decline in the Heads of the Valleys Regeneration Area has generally been halted, with a slight increase in the population from 30,626 in 2001 to 31,087 in 2011.

- 1.5 Twelve of the 110 statistical areas in Caerphilly County Borough are in the top 10% of the most deprived areas in Wales (Welsh Index of Multiple Deprivation 2014). St. James 3, Caerphilly is the most deprived small area in Wales; it was previously ranked 2 in the WIMD 2011. The highest overall concentration of deprivation in the County Borough is located in the Upper Rhymney Valley and the Upper Sirhowy Valley areas (Heads of the Valleys Regeneration area), although there are pockets of deprivation in the Mid Valleys Corridor and Southern Connection Corridor as defined in the LDP.
- 1.6 Despite seeing large declines, the manufacturing sector remains the largest employment sector in the county borough. The sector remains overrepresented when compared to Wales and the UK, so increasing the significance of these declines to the Caerphilly economy. The sector is in long-term decline in the UK and its significance to the Caerphilly economy in terms of employment is likely to gradually decrease over the coming years. The structure of the manufacturing sector in Caerphilly has been changing. Those in decline have been the traditional/basic manufacturing activities, whilst more high-value activities have been growing, particularly small and medium size operations. It should be noted that a significant proportion of jobs are not located on industrial estates, but in for example the retail sector.
- 1.7 Only 70% of working age men (16 to 64) and 59.9% of working age women (16 to 59) are economically active in the county borough (Census 2011). 38.3 % of the economically active population are in full-time work whilst, 13.2% are in part-time work. Notably 5% of the workforce is unemployed (Census 2011). Over 9% of the population of Caerphilly were unemployed in 2012 (higher than the 8.3% figure for Wales). Male unemployment was 9.5% and female unemployment was 8.5%. Unemployment figures for both Caerphilly and Wales were higher than the UK average (7.9%) (NOMIS 2013).
- 1.8 Nearly 80% of the borough is countryside, which forms an important visual and recreational resource for both residents and visitors. Caerphilly has one European designated Special Area of Conservation (SAC), namely Aberbargoed Grasslands. This grassland area is of importance for the Molinea Meadows, and the Marsh Fritillary Butterfly. The borough has 11 nationally important SSSIs, four Local Nature Reserves (LNR), and 190 Sites of Importance for Nature Conservation (SINC). Furthermore, six Special Landscape Areas (SLA) have been designated in order to protect those areas considered to be important to the overall landscape, history, culture, biodiversity and geology of the borough, along with four Visually Important Local Landscapes (VILLs), designated to protect the visual and sensory landscape. There are 14 Conservation Areas, 411 listed buildings, 47 scheduled ancient monuments and 4 historic parks and gardens.

2. PLANNING SERVICE

- 2.1 The planning service (i.e. development management and the preparation of the LDP and associated documents) is within the Council's Regeneration and Planning division, within the Communities directorate. The Council has three directorates: Education, Social Services, Communities, along with a separate department of the Chief Executive.

- 2.2 Development management and forward planning are located in the same building, and historically their respective managers reported to the Head of Planning and Regeneration, who was part of the directorate senior management team. In early 2016 the then HoPR left the Council to take up other employment, and since then two existing senior employees have been appointed as interim heads of separate planning and regeneration services, although in recognition of the close links between the two disciplines, they still conduct an integrated manage team. Full time heads to these two posts are likely to be appointed in late 2016 early 2017. Development management and forward planning are the responsibility of the Interim Head of Planning.
- 2.3 Budget constraints have had a significant impact on the planning service in the past few years, the main response being the reduction in staff numbers with leavers not being replaced, and senior posts being replaced by junior ones on a lower salary. At present there are twelve professional members of staff in the development management team, four of whom are enforcement officers, although that will drop to three in 2017/18 as part of the savings required by the Council's medium term financial plan. There are eight officers in the forward planning team including the team leader. They are supported by the divisions' administration team. The Interim Head of Planning is also responsible for the Building Control service which consists of four officers, Land Charges, and the Local Land and Property Gazetteer
- 2.4 The budget of the development management team over the past four years has been as follows:

	Budget
2015/16	£867,911
2014/15	£1,028,639
2013/14	£1,052,923
2012/13	£932,439

The budget of the forward planning team over the past four years has been as follows:

	Budget
2015/16	£480,815
2014/15	£468,577
2013/14	£548,789
2012/13	£514,530

- 2.5 The income of the development management team over the past four years has been as follows:

	Income
2015/16	£598,236
2014/15	£457,297
2013/14	£455,681
2012/13	£527,459

The first two years are based on planning application fees alone, but the last two include fees received for pre-application advice. The steep increase over the last year reflects the submission of a number of applications for major residential and industrial developments. This income is retained by the service. The income of the forward planning team over the past four years has been as follows:

	Income	Community Infrastructure Levy (CIL)
2015/16	£5,017	£39,673
2014/15	£4,059	
2013/14	£4,928	
2012/13	£6,723	

As of 2015/16, CIL will show up as part of the forward planning team's income, but in due course this will be redistributed to the Council's various services to fund infrastructure.

- 2.6 The constraints imposed by the need to find budget savings has had an impact on the efficiency of the development management service, and measures have been introduced, and further ones are being considered to overcome that problem. As set out below, this LPA has always had a good record of dealing with householder applications, but it is now turning its attention to improving its performance in dealing with minor applications. Weekly meetings are now held with internal consultees to allow issues to be identified and discussed at an early stage, quick wins identified, and targets for determination (including committee dates) identified. The next step is to improve target monitoring i.e. that applications are reported to the identified committee, and that householder applications are determined at consultation expiry, not at the end of the statutory eight week period.
- 2.7 The local planning authority has always provided a pre-application advice, but it introduced charges in April 2014, which were partially superseded by the statutory charges introduced in 2016. There were 278 such queries in the financial year 2015/16.
- 2.8 Dealing with information submitted in respect of conditions on planning permissions has always formed a significant part of the workload, but the introduction of the statutory fees for the service, and the potential for the return of fees means that the local planning authority has to ensure that the appropriate resources are dedicated to this work.

OUR LOCAL STORY

3.1 Development management

Year	Applications received	Applications determined
2015/16	1163	1034
2014/15	1187	995

The workload has remained steady over the two years set out above, with a good improvement in the number of applications determined. The majority of applications received are for householder development, but major applications have been

received in the renewable energy, industrial and residential sectors. The LPA's five year housing land supply has been down to 1.9 years over this APR period, resulting in seven of the thirteen major residential applications received being on unallocated sites, or sites allocated for other development.

- 3.2 The enforcement arm of the team has seen a reduction in the number of staff over the past five years, from a maximum of six to the current four posts, one of which is vacant and will be deleted in 2016/17. A review of procedures is planned in the coming year to identify which type of complaint should be prioritised and pursued, and which should be less of a priority, taking account of the interests of any complainant, and material planning considerations.
- 3.4 During 2015/16, 5 enforcement notices, 1 section 215 notices, and 7 planning contravention notices were served. The ethos of the service has always been to try to find acceptable solutions where a contravention has taken place, often through the submission of a planning application. That takes time and may require reconsideration as part of the review.
- 3.5 A significant input into the development management service is provided by other officers of the Council, including ecologists, environmental health officers, highway engineers, and drainage engineers. There are similar pressures on them with their respective teams reducing in size, but still having to provide the same level of service.
- 3.6 Strategic Planning

It is a statutory requirement that the Council submits an Annual Monitoring Report (AMR) for the Caerphilly County Borough Local Development Plan up to 2021 to the Welsh Government by the 31st October each year. The AMR monitors whether or not the Adopted LDP is being implemented successfully. The overall purpose of the AMR is to identify whether the LDP Strategy, or any Strategy Policies, are not being implemented, and if they are not, to identify steps to rectify this.

- 3.7 During this review period, i.e. 2015/16, the Council prepared the fifth AMR to be prepared for the Adopted LDP. This monitors the period from 1st April 2015 to 31st March 2016. The 2016 AMR is currently being taken through the committee reporting process in readiness for submission to WG. A copy of the 2016 AMR is attached.
- 3.8 The team had embarked on the process of preparing a Deposit Replacement Local Development Plan that would have superseded the Adopted LDP and covered the plan period up to 2031. However, in July of this year a report was taken to Council, a copy of which is attached which recommended the following:
- Seek further discussions with WG and local authorities within the Cardiff Capital Region regarding the possible development of a strategic development plan.
 - Subject to Ministerial Approval formally withdraw the Deposit Replacement Caerphilly County Borough Local Development Plan up to 2031.
 - Seek an urgent meeting with the WG Minister:

- To advise on the intention to withdraw the Deposit Replacement LDP
- To seek support for the preparation of the SDP as a matter of urgency
- To discuss the importance of Welsh Government funding to help unlock the remaining brownfield sites across the county borough

Those meetings have taken place, and Council officers, including the Community Services Director, the Interim Head of Planning, and the Team Leader - Strategic and Development Planning, have had discussions with WG officers and officers of other LPAs about the preparation of an SDP. Other team members are continuing to work on the preparation of an evidence base for an eventual review of the LDP and the preparation of the SDP. It is likely that the LDP will be prepared jointly with neighbouring LPAs.

4. WHAT SERVICE USERS THINK

- 4.1 In 2015-16 we conducted a customer satisfaction survey aimed at assessing the views of people that had received a planning application decision during the year.
- 4.2 The survey was sent to 368 people, 14% of whom submitted a whole or partial response. The majority of responses (42%) were from both local agents and members of the public. 15% of respondents had their most recent planning application refused.
- 4.3 We asked respondents whether they agreed or disagreed with a series of statements about the planning service. They were given the following answer options:
- Strongly agree;
 - Tend to agree;
 - Neither agree not disagree;
 - Tend to disagree; and
 - Strongly disagree.

Table 1 shows the percentage of respondents that selected either 'tend to agree' or 'strongly agree' for each statement for both our planning authority and Wales.

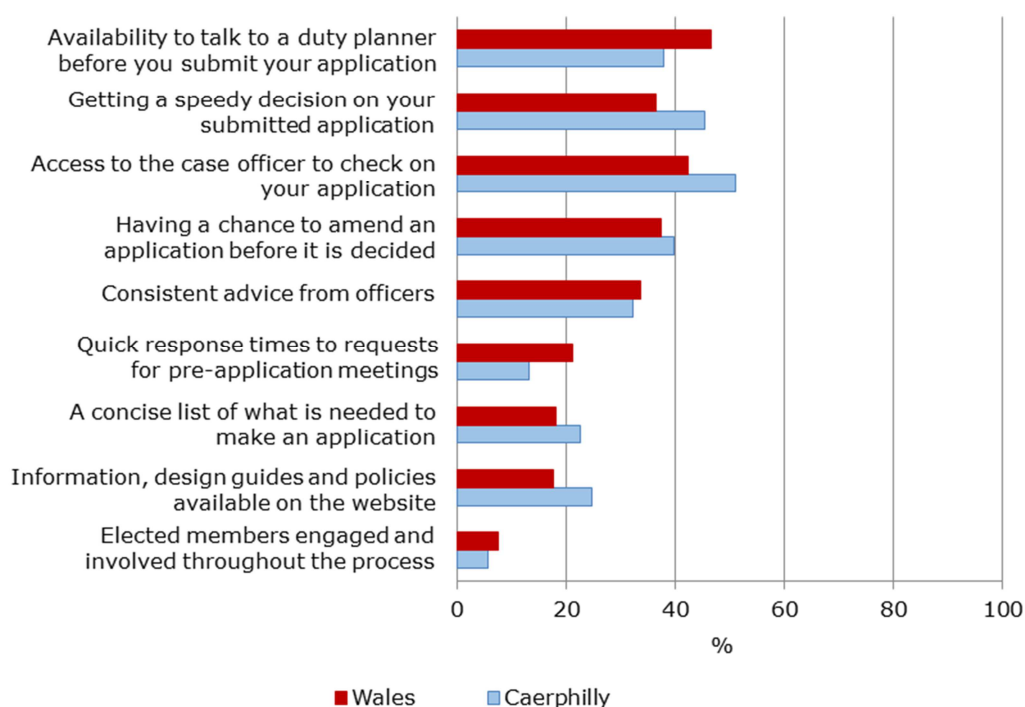
Table 1: Percentage of respondents who agreed with each statement, 2015-16

Percentage of respondents who agreed that:	%	
	Caerphilly LPA	Wales
The LPA enforces its planning rules fairly and consistently	41	47
The LPA gave good advice to help them make a successful application	48	58
The LPA gives help throughout, including with conditions	45	49
The LPA responded promptly when they had questions	47	58
They were listened to about their application	50	57

They were kept informed about their application	35	49
They were satisfied overall with how the LPA handled their application	53	61

4.4 We also asked respondents to select three planning service characteristics from a list that they thought would most help them achieve successful developments. Figure 1 shows how often each characteristic was selected as a percentage of the total number of selections. For us, 'having access to the case officer to check on applications' was the most popular choice.

Figure 1: Characteristics of a good planning service, Caerphilly LPA, 2015-16



4.5 Comments received include:

- “Good aspects the front of house, validation team and planning customer call centre provide one of the politest and friendliest services of all LPAs in the whole of the UK. They are a pleasure to speak to. Overall good communication lines to internal consultees and senior managers for general discussions less desirable aspects. Quite a slow LPA (from case offers but especially consultees) & lack of communication between internal departments. Slow at issuing formal responses”
- “The case officer responded quickly to queries and provided updates on progress. Responses from statutory consultees were less prompt in some instances, which led to imposition of a condition that could have been avoided if a response had been received before the determination date.”

- “Caerphilly were the best planning authority in the area but their approach and quality are not as good recently. Slower and less communicative.”

ACTIONS

- Arrange stakeholder forums with local applicants and agents to discuss the results in Table 1 above
- Participate in regional forum with national developers and agents to discuss the results in Table 1 above (arranged for 21 November 2016)
- Where possible introduce changes in response to those discussions
- Introduce where necessary procedures to address the characteristics identified in Figure 1 above.

OUR PERFORMANCE 2015-16

- 5.1 This section details our performance in 2015-16. It considers both the Planning Performance Framework indicators and other available data to help paint a comprehensive picture of performance. Where appropriate we make comparisons between our performance and the all Wales picture.
- 5.2 Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:
- Plan making;
 - Efficiency;
 - Quality;
 - Engagement; and
 - Enforcement.

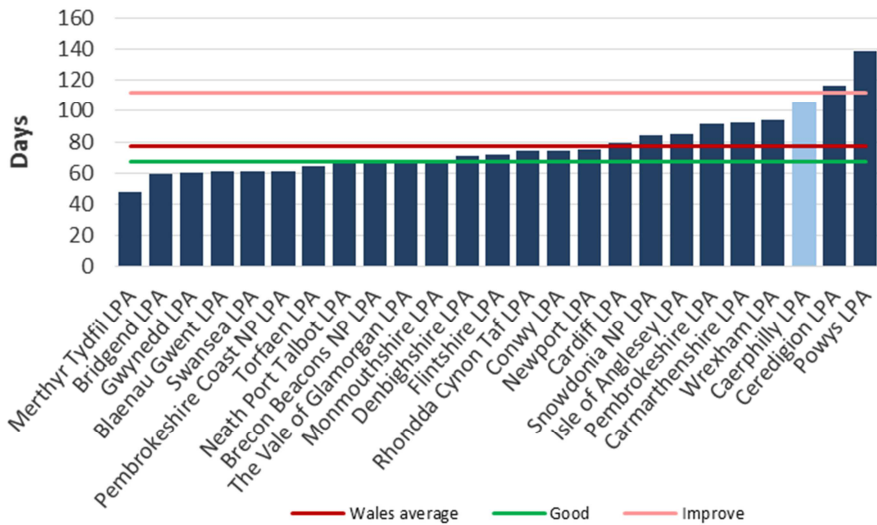
Plan making

- 5.3 As at 31 March 2016, we were one of 22 LPAs that had a current development plan in place. We are required to submit an Annual Monitoring Report in October 2016. This document has been prepared. During the APR period we had 1.5 years of housing land supply identified, making us one of 17 Welsh LPAs without the required 5 years supply.

Efficiency

- 5.4 In 2015-16 we determined 1034 planning applications, each taking, on average, 105 days (15 weeks) to determine. This compares to an average of 77 days (11 weeks) across Wales. Figure 2 shows the average time taken by each LPA to determine an application during the year.

Figure 2: Average time taken (days) to determine applications, 2015-16

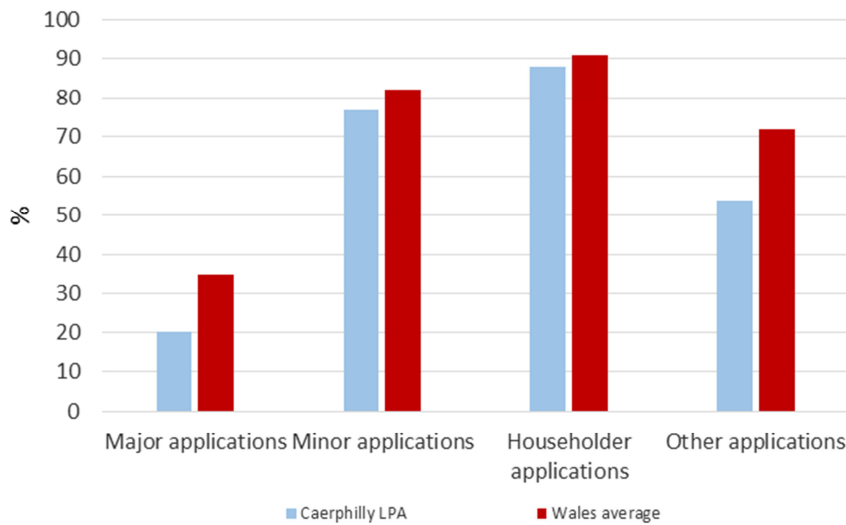


5.5 66% of all planning applications were determined within the required timescales. This was the third lowest percentage in Wales and was below the 80% target. Only 8 out of 25 LPAs met the 80% target. However, CCBC’s average masks the significant improvements made in the last two quarters of 2015/16, and are continuing to be made in the first quarter of 2016/17 as shown in the table below.

Quarter	Percentage of applications determined within the statutory timescale
Apr/Jun 2016	86.1%
Jan/Mar 2016	79.3%
Oct/Dec 2015	68.6%
Jul/Sep 2015	59%
Apr/Jun 2015	62%

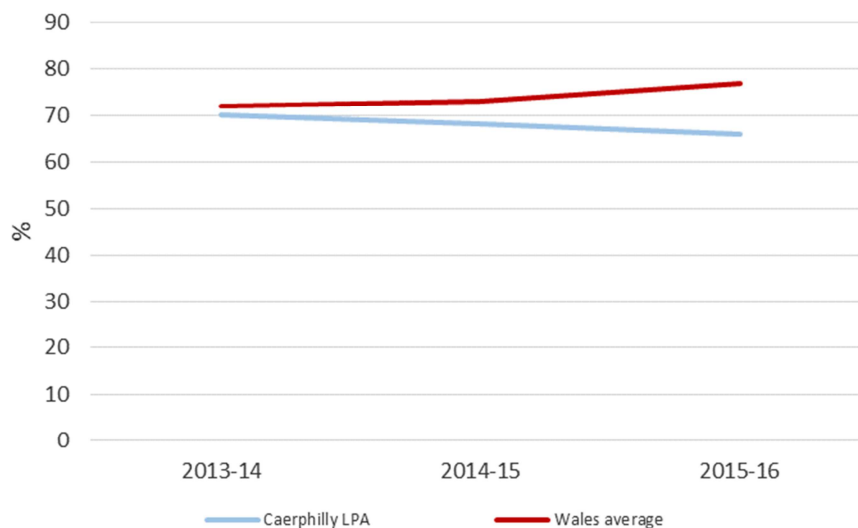
5.6 Figure 3 shows the percentage of planning applications determined within the required timescales across the four main types of application for our LPA and Wales. It shows that we determined 88% of householder applications within the required timescales.

Figure 3: Percentage of planning applications determined within the required timescales, by type, 2015-16



5.7 Between 2014-15 and 2015-16, as Figure 4 shows, the percentage of planning applications we determined within the required timescales decreased from 68%. Wales saw an increase this year. As indicated above CCBC’s figures will improve in the next year.

Figure 4: Percentage of planning applications determined within the required timescales

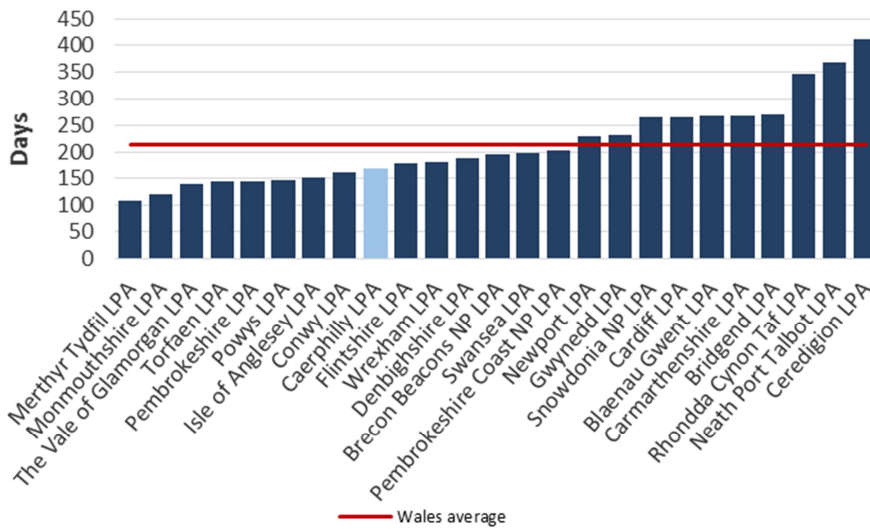


- 5.8 Over the same period:
- The number of applications we received decreased but only by 24;
 - The number of applications we determined increased by 192; and
 - The number of applications we approved increased.

Major applications

5.9 We determined 45 major planning applications in 2015-16, 7% (3 applications) of which were subject to an EIA. Each application (including those subject to an EIA) took, on average, 170 days (24 weeks) to determine. As Figure 5 shows, this was shorter than the Wales average of 213 days (30 weeks).

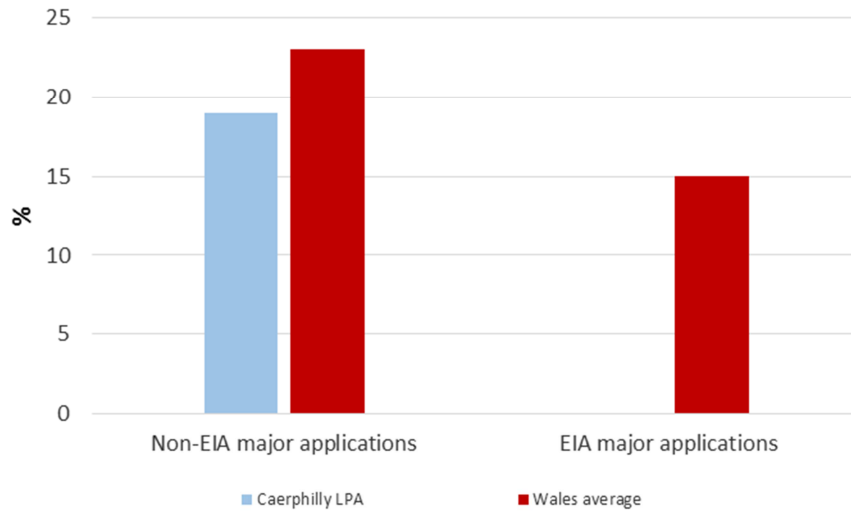
Figure 5: Average time (days) taken to determine a major application, 2015-16



20% of these major applications were determined within the required timescales, compared to 35% across Wales.

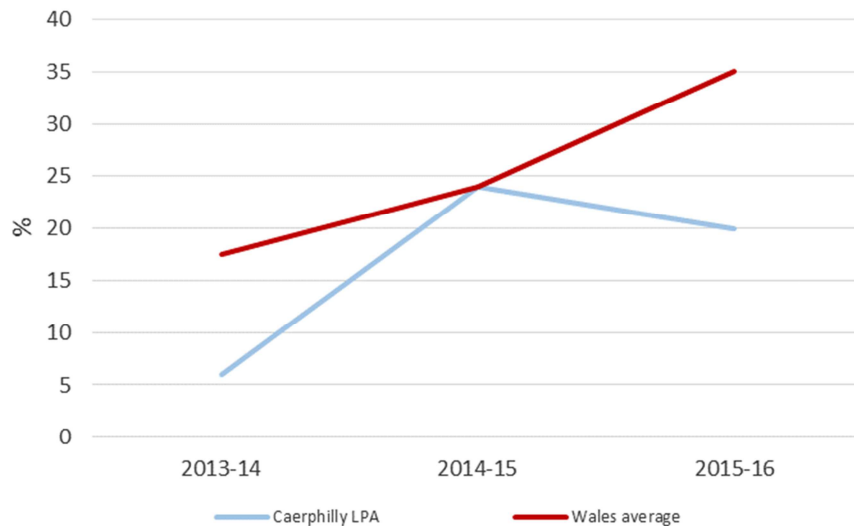
5.10 Figure 6 shows the percentage of major applications determined within the required timescales by the type of major application. 19% of our ‘standard’ major applications i.e. those not requiring an EIA, were determined within the required timescales during the year.

Figure 6: Percentage of Major applications determined within the required timescales during the year, by type, 2015-16



5.11 Since 2014-15 the percentage of major applications determined within the required timescales had decreased from 24%. In contrast, the number of major applications determined increased as had the number of applications subject to an EIA determined during the year. Figure 7 shows the trend in the percentage of major planning applications determined within the required timescales in recent years and how this compares to Wales.

Figure 7: Percentage of major planning applications determined within the required timescales



5.12 Over the same period:

- The percentage of minor applications determined within the required timescales increased from 75% to 77%;

- The percentage of householder applications determined within the required timescales decreased from 90% to 88%; and
- The percentage of other applications determined within required timescales decreased from 58% to 54%.

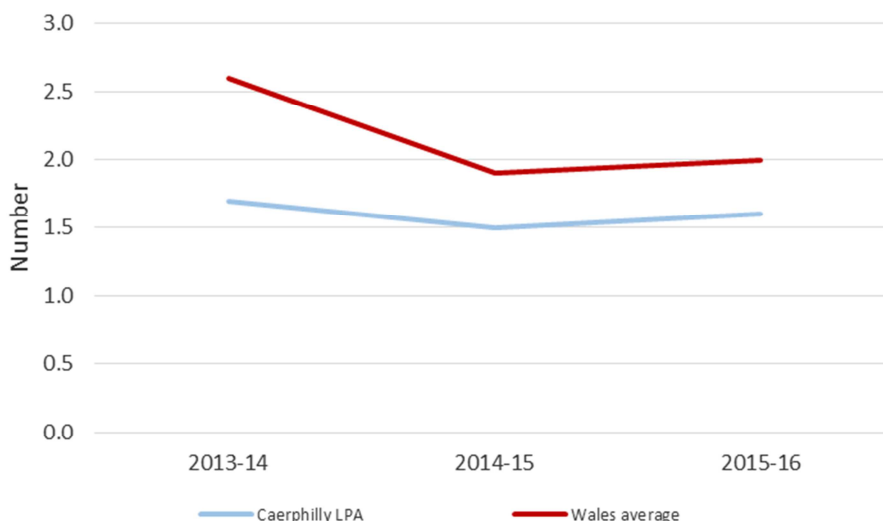
ACTIONS

- Continue to drive through improvements to performance by
 - Carrying on with our weekly meetings with case officers and internal consultees to identify key issues, quick wins, and targets for reporting applications to Planning Committee
 - Improving the targeting of applications to Planning Committee to ensure applications do not 'slip through the net', and are unnecessarily delayed to a later committee
- Arrange meetings with internal consultees to discuss their role in the planning process, and the importance of prompt replies to consultations.

Quality

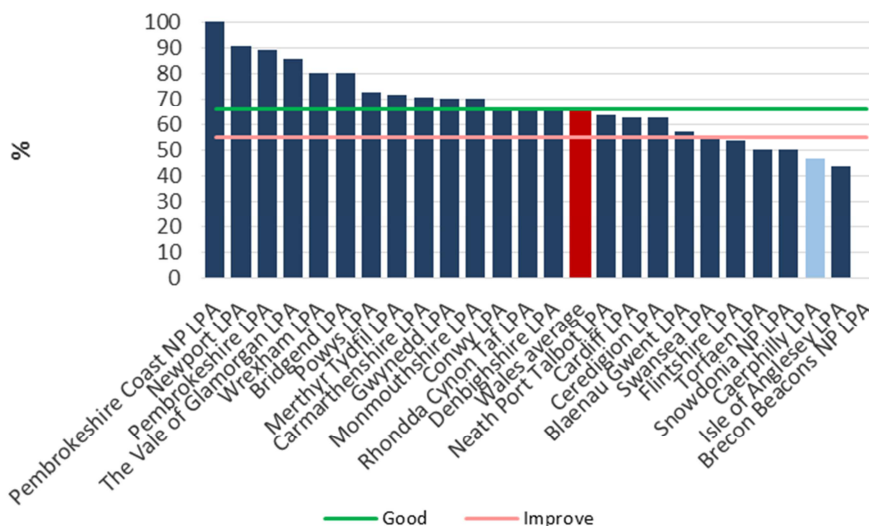
- 5.13 In 2015-16, our Planning Committee made 89 planning application decisions during the year, which equated to 9% of all planning applications determined. Across Wales 7% of all planning application decisions were made by planning committee. 8% of these member-made decisions went against officer advice. This compared to 9% of member-made decisions across Wales. This equated to 0.7% of all planning application decisions going against officer advice; 0.6% across Wales.
- 5.14 In 2015-16 we received 18 appeals against our planning decisions, which equated to 1.6 appeals for every 100 applications received. Across Wales 2 appeals were received for every 100 applications. Figure 8 shows how the volume of appeals received has changed since 2014-15 and how this compares to Wales.

Figure 8: Number of appeals received per 100 planning applications



5.15 Over the same period the percentage of planning applications approved decreased from 91% to 89%. Of the 15 appeals that were decided during the year, 47% were dismissed. As Figure 9 shows, this was the third lowest percentage of appeals dismissed in Wales and was below the 55% threshold. However, when the number of appeals is so low, it is difficult to draw any meaningful statistical trends from the information because a small number of decisions in favour or against the LPA can significantly skew the average.

Figure 9: Percentage of appeals dismissed, 2015-16



During 2015-16 we had 1 application for costs at a section 78 appeal upheld, making us one of the 5 LPAs to have at least one such application upheld in the year.

ACTIONS

The picture on quality overall is good, although in view of the small numbers involved, the statistics can be unreliable. There are no actions evident at present, apart from monitoring

the various indicators over a longer term where larger, aggregate numbers may be give a better idea of any good or bad trends.

Engagement

5.16 We are:

- one of 24 LPAs that allowed members of the public to address the Planning Committee; and
- one of 20 LPAs that had an online register of planning applications.

As Table 2 shows, 48% of respondents to our 2015-16 customer satisfaction survey agreed that the LPA gave good advice to help them make a successful application.

Table 2: Feedback from our 2015-16 customer satisfaction survey

Percentage of respondents who agreed that:	%	
	Caerphilly LPA	Wales
The LPA gave good advice to help them make a successful application	48	58
They were listened to about their application	50	57

ACTIONS

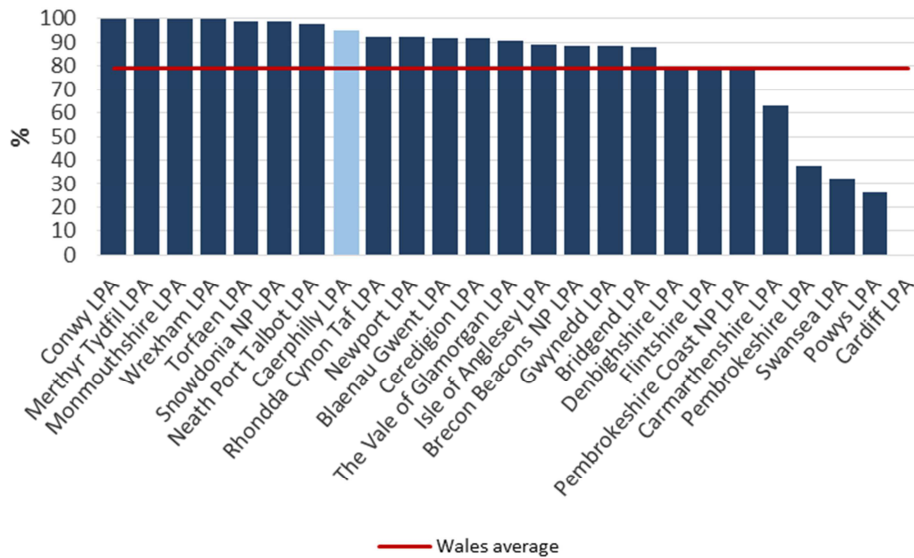
- Arrange stakeholder forums with local applicants and agents to discuss the results in Tables 1 and 2 above
- Participate in regional forum with national developers and agents to discuss the results in Tables 1 and 2 above
- Where possible introduce changes in response to those discussions

Enforcement

5.17 In 2015-16 we investigated 247 enforcement cases, which equated to 1.4 per 1,000 population. This compared to 1.9 enforcement cases investigated per 1,000 population across Wales. We took, on average, 43 days to investigate each enforcement case.

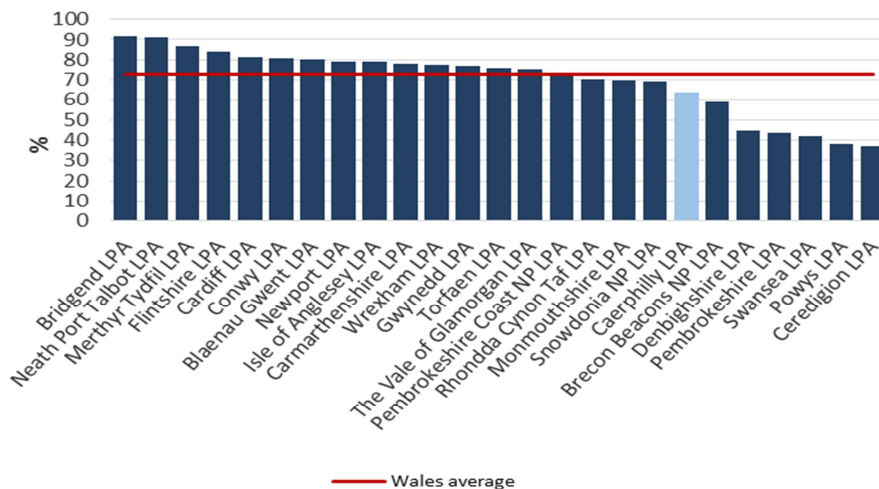
5.18 We investigated 95% of these enforcement cases within 84 days. Across Wales 79% were investigated within 84 days. Figure 10 shows the percentage of enforcement cases that were investigated within 84 days across all Welsh LPAs.

Figure 10: Percentage of enforcement cases investigated within 84 days, 2015-16



Over the same period, we resolved 237 enforcement cases, taking, on average, 239 days to resolve each case. 64% of this enforcement action was taken within 180 days from the start of the case. As Figure 11 shows this compared to 73% of enforcement cases resolved within 180 days across Wales.

Figure 11: Percentage of enforcement cases resolved in 180 days, 2015-16



ACTIONS

- Review enforcement procedures to improve the time taken to resolve each case.

Conclusion

6.1 The overall performance of the development management team has declined in recent years, but measures are now in place which are already securing improvements. That should improve the perception of the LPA amongst applicants

and their agents, but further engagement is needed to understand why some consider that planning rules are not enforced fairly and consistently, and so forth.

- 6.2 Whilst the decisions on what to do in enforcement cases are taken promptly compared to other LPAs, the time taken to finally resolve each case shows room for improvement.
-

ANNEX A - PERFORMANCE FRAMEWORK

OVERVIEW

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	Caerphilly LPA LAST YEAR	Caerphilly LPA THIS YEAR
Plan making						
Is there a current Development Plan in place that is within the plan period?	Yes		No	Yes	Yes	Yes
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+	47	N/A	N/A
Annual Monitoring Reports produced following LDP adoption	Yes		No	Yes	Yes	Yes
The local planning authority's current housing land supply in years	>5		<5	3.9	2.5	1.9
Efficiency						
Percentage of "major" applications determined within time periods required	Not set	Not set	Not set	35	24	20
Average time taken to determine "major" applications in days	Not set	Not set	Not set	213	150	170
Percentage of all applications determined within time periods required	>80	60.1-79.9	<60	77	68	66

MEASURE	GOOD	FAIR	IMPROVE
Average time taken to determine all applications in days	<67	67-111	112+
Quality			
Percentage of Member made decisions against officer advice	<5	4.9-8.9	9+
Percentage of appeals dismissed	>66	55.1-65.9	<55
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2
Engagement			
Does the local planning authority allow members of the public to address the Planning Committee?	Yes		No
Does the local planning authority have an officer on duty to provide advice to members of the public?	Yes		No
Does the local planning authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?	Yes	Partial	No
Enforcement			

WALES AVERAGE	Caerphilly LPA LAST YEAR	Caerphilly LPA THIS YEAR
77	92	105
9	2	8
66	76	47
0	0	1
Yes	Yes	Yes
Yes	Yes	Yes
Yes	Yes	Yes

MEASURE	GOOD	FAIR	IMPROVE
Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	Not set	Not set	Not set
Average time taken to investigate enforcement cases	Not set	Not set	Not set
Percentage of enforcement cases where enforcement action is taken or a retrospective application granted within 180 days from the start of the case (in those cases where it was expedient to enforce)?	Not set	Not set	Not set
Average time taken to take enforcement action	Not set	Not set	Not set

WALES AVERAGE	Caerphilly LPA LAST YEAR	Caerphilly LPA THIS YEAR
79	66	95
88	31.5	43
73	71	64
210	182	239

SECTION 1 – PLAN MAKING

Indicator	01. Is there a current Development Plan in place that is within the plan period?	
“Good”	“Fair”	“Improvement needed”
A development plan (LDP or UDP) is in place and within the plan period	N/A	No development plan is in place (including where the plan has expired)

Authority’s performance	Yes
Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010	

Indicator	02. LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	
“Good”	“Fair”	“Improvement needed”
The LDP is being progressed within 12 months of the dates specified in the original Delivery Agreement	The LDP is being progressed within between 12 and 18 months of the dates specified in the original Delivery Agreement	The LDP is being progressed more than 18 months later than the dates specified in the original Delivery Agreement

Authority’s performance	N/A
Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010 The LDP was progressed within 12 months of the dates specified in the original Delivery Agreement.	

Indicator	03. Annual Monitoring Reports produced following LDP adoption	
“Good”		“Improvement needed”
An AMR is due, and has been prepared		An AMR is due, and has not been prepared

Authority’s performance	Yes
During this review period, i.e. 2015/16 the Council has prepared the fifth AMR to be prepared for the Adopted LDP. This monitors the period from 1 st April 2015 to 31 st March 2016. The 2016 AMR is currently being taken through the committee reporting process in readiness for submission to WG. A copy of the 2016 AMR is attached.	

Indicator	04. The local planning authority's current housing land supply in years	
"Good"		"Improvement needed"
The authority has a housing land supply of more than 5 years		The authority has a housing land supply of less than 5 years

Authority's performance	1.9
<p>The Council is actively working to increase the supply of housing land through a number of measures including:</p> <ul style="list-style-type: none"> • Considering proposals for new residential development on their relative planning merits on a site-by-site basis and have due regard for the need to increase the housing land supply in line with national planning policy and guidance; • Lobby Welsh Government to establish funding mechanisms to incentivise sites in low viability areas and promote remediation of suitable brownfield sites for development; • Utilise the Model For Increasing Affordable Housing Provision (agreed by Cabinet on 21st January 2015) to bring forward Council owned sites with viability issues; • Lobby the Welsh Government to make changes in respect of the housing land availability process. 	

SECTION 2 - EFFICIENCY

Indicator	05. Percentage of "major" applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	20
<p>The LPA is already seeking to improve this figure by setting up development team meetings on a weekly basis consisting of case officers and Council based consultees. The purpose of the meetings are to review the applications on the previous week's weekly list with the emphasis on non-householder applications with a view to:</p> <ol style="list-style-type: none"> Review validation based on 1app forms to see whether we should invalidate any applications and ask for more information Identify a minimum of 80% of applications to be determined within 8 weeks and set targets for their determination Identify the applications that should be a straight refusal, Identify likely committee cases, and the committee to which they will be reported Identify the additional information required to assist the determination of the applications bearing in mind the 80% target Review all applications that become over 8 weeks old as of that week and decide on a course of action <p>Improvements are needed in target setting and turnaround of householder applications</p>	

Indicator	06. Average time taken to determine "major" applications in days
------------------	---

“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	170
See above	

Indicator	07. Percentage of all applications determined within time periods required	
“Good”	“Fair”	“Improvement needed”
More than 80% of applications are determined within the statutory time period	Between 60% and 80% of applications are determined within the statutory time period	Less than 60% of applications are determined within the statutory time period

Authority’s performance	66
See above	

Indicator	08. Average time taken to determine all applications in days	
“Good”	“Fair”	“Improvement needed”
Less than 67 days	Between 67 and 111 days	112 days or more

Authority’s performance	105
The LPA is satisfied with its performance in respect of this indicator, but as set out above, is seeking to improve its performance in respect of other types of planning application.	

SECTION 3 - QUALITY

Indicator	09. Percentage of Member made decisions against officer advice	
“Good”	“Fair”	“Improvement needed”
Less than 5% of decisions	Between 5% and 9% of decisions	9% or more of decisions

Authority’s performance	8
The LPA is generally satisfied with its performance in this respect, especially at a time when the Council’s LDP is being tested due to the low five-year housing land supply.	

Indicator	10. Percentage of appeals dismissed	
“Good”	“Fair”	“Improvement needed”

More than 66% (two thirds) of planning decisions are successfully defended at appeal	Between 55% and 66% of planning decisions are successfully defended at appeal	Less than 55% of planning decisions are successfully defended at appeal
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Authority's performance	47
On the face of it this performance is unsatisfactory, and the LPA scrutinises each decision to see what lessons can be learned. However, However, when the number of appeals is so low, it is difficult to draw any meaningful statistical trends from the information because a small number of decisions in favour or against the LPA can significantly skew the average. This LPA has had a good performance in past years, and there is no reason why in general it should deteriorate.	

Indicator	11. Applications for costs at Section 78 appeal upheld in the reporting period	
"Good"	"Fair"	"Improvement needed"
The authority has not had costs awarded against it at appeal	The authority has had costs awarded against it in one appeal case	The authority has had costs awarded against it in two or more appeal cases

Authority's performance	1
The LPA would seek to avoid costs in all cases by ensuring that the correct decision is made in the first place based on the development plan and other material considerations, and by not behaving unreasonably through the appeal process.	

SECTION 4 – ENGAGEMENT

Indicator	12. Does the local planning authority allow members of the public to address the Planning Committee?	
"Good"		"Improvement needed"
Members of the public are able to address the Planning Committee		Members of the public are not able to address the Planning Committee

Authority's performance	Yes
This performance is good.	

Indicator	13. Does the local planning authority have an officer on duty to provide advice to members of the public?	
"Good"		"Improvement needed"
Members of the public can seek advice from a duty planning officer		There is no duty planning officer available

Authority's performance	Yes
This performance is good.	

Indicator	14. Does the local planning authority's web site have an online register of planning applications, which members of the public can access track their progress (and view their content)?	
"Good"	"Fair"	"Improvement needed"
All documents are available online	Only the planning application details are available online, and access to other documents must be sought directly	No planning application information is published online

Authority's performance	Yes
This performance is good.	

SECTION 5 – ENFORCEMENT

Indicator	15. Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	95
This performance is good, but the intention is to review our processes to ensure that it is maintained and where possible improved.	

Indicator	16. Average time taken to investigate enforcement cases	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	43
This performance is good, but the intention is to review our processes to ensure that it is maintained and where possible improved.	

Indicator	17. Percentage of enforcement cases where enforcement action is taken or a retrospective application granted within 180 days from the start of the case (in those cases where it was expedient to enforce)	
"Good"	"Fair"	"Improvement needed"

Target to be benchmarked	Target to be benchmarked	Target to be benchmarked
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Authority's performance	64
This performance is good, but the intention is to review our processes to ensure that it is maintained and where possible improved.	

Indicator	18. Average time taken to take enforcement action	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	239
This performance is fair, but the intention is to review our processes to ensure that it is improved.	

SECTION 6 – SUSTAINABLE DEVELOPMENT INDICATORS

The purpose of the Sustainable Development Indicators is to measure the contribution the planning system makes to sustainable development in Wales.

The Sustainable Development Indicators will be used to measure the progress against national planning sustainability objectives, set out in Planning Policy Wales, and can be used to demonstrate to our stakeholders the role and scope of the planning system in delivering wider objectives. The information will also be useful to local planning authorities to understand more about the outcomes of the planning system and help inform future decisions.

Authority's returns	[How complete were your responses?]
<ul style="list-style-type: none"> • <i>[What are the reasons for missing data?]</i> • <i>[What actions are being taken to provide full returns?]</i> • <i>[When will complete data returns be provided?]</i> 	

Indicator	SD1. The floorspace (square metres) granted and refused planning permission for new economic development on allocated employment sites during the year.
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Granted (square metres)	
Authority's data	35,490

Refused (square metres)	
Authority's data	0

This is an indication of the LPA's commitment to granting permission for sustainable employment development, and is an increase on last year (729 square metres). However, the LPA is in the hands of the market to a great extent, and so the figure will vary from year to year.

Indicator	SD2. Planning permission granted for renewable and low carbon energy development during the year.
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Granted permission (number of applications)	
Authority's data	12

Granted permission (MW energy generation)	
Authority's data	22

This is an indication of the LPA's commitment to granting permission for sustainable energy development, and is an increase on last year (4 permissions although they delivered 33MW). However, the LPA is in the hands of the market to a great extent, and so the figure will vary from year to year.

Indicator	SD3. The number of dwellings granted planning permission during the year.
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Market housing (number of units)	
Authority's data	193

Affordable housing (number of units)	
Authority's data	134

This is an indication of the LPA's commitment to granting permission for sustainable housing development, and is an increase on last year (165 and 34 respectively). However, the LPA is in the hands of the market to a great extent, and so the figure will vary from year to year.

Indicator	SD4. Planning permission granted and refused for development in C1 and C2 floodplain areas during the year.
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Number of residential units (and also hectares of non-residential units) that DID NOT meet all TAN 15 tests which were GRANTED permission	
Authority's data	2

Number of residential units (and also hectares of non-residential units) that did not meet all TAN 15 tests which were REFUSED permission on flood risk grounds	
Authority's data	6

Number of residential units (and also hectares of non-residential units) that MET all TAN 15 tests which were GRANTED permission	
Authority's data	15

The LPA applies the TAN15 tests where appropriate.

Indicator	SD5. The area of land (ha) granted planning permission for new development on previously developed land and greenfield land during the year.
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Previously developed land (hectares)	
Authority's data	31

Greenfield land (hectares)	
Authority's data	3

There will always be a mix of brownfield and greenfield land in order to ensure a steady supply of land for sustainable development including housing.

Indicator	SD6. The area of public open space (ha) that would be lost and gained as a result of development granted planning permission during the quarter.
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Open space lost (hectares)	
Authority's data	1

Open space gained (hectares)	
Authority's data	0

Policy CW7 of the adopted LDP protects open space and includes criteria for the

consideration of any application on such land.

Indicator	SD7. The total financial contributions (£) agreed from new development granted planning permission during the quarter for the provision of community infrastructure.
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Gained via Section 106 agreements (£)

Authority's data	5,000
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Gained via Community Infrastructure Levy (£)

Authority's data	592829
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The LPA introduced CIL in July 2014. The actual amount received will depend on the number and type of developments that are implemented, and the figure at present is lower than that shown above.

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 13TH DECEMBER 2016

**SUBJECT: CHARGES FOR REPLACEMENT WASTE COLLECTION
CONTAINERS**

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update members on the impact of the charging regime for replacement domestic waste containers which was introduced on 1st April 2015 and outline options for future consideration.

2. SUMMARY

- 2.1 On 25th February 2015, as part of the Council's budget setting process and medium term financial strategy members decided to introduce a charge for all replacement domestic waste containers (excluding food waste caddies and containers taken/damaged by the waste collection crew). These charges were implemented on 1st April 2015.
- 2.2 The MTFP saving associated with the charges totalled £60,000 and this was consequently removed from the waste strategy and operations budget.
- 2.3 The total saving of £60,000 has been met by a combination of income (£35,000 - £40,000 per annum) and a reduction in the number of bins issued (£30,000 - £35,000).

3. LINKS TO STRATEGY

- 3.1 The Wellbeing of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural wellbeing of Wales. It requires public bodies to think more about the long-term, working with people and communities, looking to prevent problems and take a more joined up approach. This will create a Wales that we all want to live in, now and in the future. The Act puts in place 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
-

The content of this report links into two i.e. A prosperous Wales and a globally responsible Wales.

3.2 The Community & Leisure Services Divisional Service Plan contains specific objectives to meet a range of statutory and non-statutory targets. The plan also outlines the divisions' contribution to the Authority's medium term financial strategy.

4. THE REPORT

4.1 As part of the Council's budget setting process and medium term financial strategy members agreed to the introduction of a charging policy for all replacement domestic waste containers, which was implemented on 1st April 2015.

4.2 The current charges are as follows:

Brown Recycling Bin (all sizes)	£25
Green Refuse Bin (all sizes)	£25
Recycling Box	£6
Garden Waste Sacks	£3

There is no charge for replacement internal/external food waste caddies.

4.3 The only exception to the above charges is if the waste container is taken/damaged by the collection crew. In these circumstances (following investigation and confirmation by the supervisor) the container is replaced free of charge. Additionally, there is no charge for residents wishing to exchange a 240 litre bin for a smaller 140 litre bin.

4.4 The introduction of the charges has led to a significant reduction in the total amount of service requests received for replacement containers as outlined below in Table 1:

Table 1 - Replacement Waste Containers

Container Type	Number of Requests			
	2013/14 (Prior to current charging system)	2014/15 (Prior to current charging system)	2015/16*	2016/17 (April 1st – Sept 30 th)
Refuse Bin 140 litres	97	87	55	27
Refuse Bin 240 litres	1,714	1844	1,147	529
Refuse Bin 360 litres	39	27	43	24
Recycling Bin 140 litres	323	312	36	23
Recycling Bin 240 litres	2,316	2146	807	444
Recycling Boxes	214	312	116	60
Garden Waste Sacks	5,700	5,600	1,322	614
Total	10,403	10,328	3,526	1,721

* charges introduced

4.5 The number of requests for the standard 240 litre replacement refuse bins has reduced by approximately 37%. Recycling bin requests reduced by approximately 60% and requests for garden waste sacks have reduced by 75%. It is anticipated that there are several reasons for this decrease. Residents are advised that they can use alternative containers e.g. sacks for waste storage so it is anticipated that some residents are choosing this option or using the household waste recycling centres. Additionally, there may have been an increase in ownership/security with residents opting (as recommended) to remove bins from the highway and mark them with the house number. Finally, it is anticipated that there has been a

decrease in the amount of properties with additional waste containers and in trade abuse where commercial premises may have acquired containers without following the correct procedures.

- 4.6 Many other S.E. Wales authorities e.g. Torfaen, Cardiff & the Vale of Glamorgan have also implemented a charging regime for replacement waste containers (Table 2). Whilst we received a few complaints from residents initially regarding the charges this has reduced considerably as the charges have become embedded. There is no data for informal “complaints” received as the majority of these are dealt with by the contact centre and the informal opinion of members of the public is not recorded. In relation to formal complaints there were 2 in 2015/16 and 1 in 2016/17. This includes one that proceeded on to the ombudsman who upheld in favour of the Authority. Additionally, there have been approximately 5 complaints from elected members on behalf of their constituents.

Table 2 - Other Local Authority Replacement container charges

Local Authority	Replacement charge
Cardiff	Refuse - £25 Recycling - Free Garden waste bags - £2 Garden waste bin - £25 Food caddy - Free
Vale of Glamorgan	Refuse (sacks) Recycling bags - £2 Recycling box - £2 Garden waste - £2 Food caddy - £1
Torfaen	Refuse - £20 (All other waste containers/bags are free of charge) Suite of containers for new properties - £55

- 4.7 The income achieved from the replacement bin policy is included in table 3 below. This includes refuse, recycling and garden waste containers. Additionally, the total number of bins issued has halved between 2014/15 and 2015/16, saving circa £30,000 - £35,000 in purchase costs. If Members opt to re-introduce free replacement containers the current income will be lost and there will be a shortfall in the container budget as it is anticipated that the number of requests will increase to 2014/15 levels. Alternatively, if the charge for a replacement container is reduced this will reduce the level of income generated. It is not known what effect this will have on the number of requests received, although it is assumed they will increase.

Table 3 - Replacement Container Income

	2013/14	2014/15	2015/16	2016/17 April 1 st – Sept 30 th
Refuse	£14,798	£15,727	£19,666	£9,487
Recycling	0	0	£13,854	£7,051
Garden Waste	0	0	£4,284	£3,400
Total	£14,798	£15,727	£37,804	£19,938

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 The report contributes to the well-being goals as set out in the Links to Strategy above. The current charging policy for replacement bins is consistent with the five ways of working as defined within the Sustainable Development principle in the Act. It takes into account the importance of balancing short-term needs with the need to safe-guard the ability to also meet

long-term needs by ensuring the amount of containers is limited and householders act responsibly. It also outlines how the Authority is acting to prevent issues occurring and is striving to safeguard resources.

In terms of integration the policy impacts positively on the well-being goals. In relation to collaboration and involvement the charging policy was subject to a period of public consultation.

5.2 In respect of the seven well-being goals this report contributes to at least two.

1. **A prosperous Wales:** The current charging policy for replacement bins encourages the efficient use of resources by promoting the safe keeping and re-use of containers, If containers were issued free of charge it would have a negative impact on this goal.

2. **A globally responsible Wales:** The reduction in replacement containers being issued makes a positive contribution to global well-being in terms of limiting the use of resources in the manufacturing and distribution process. If free containers were issued, it is anticipated that the number of requests would increase and this would have a negative impact on this goal.

6. EQUALITIES IMPLICATIONS

6.1 There are no potential equalities implications associated within the report for specific groups or individuals. Therefore there is no requirement for an Equality Impact Assessment to be undertaken.

7. FINANCIAL IMPLICATIONS

7.1 The income achieved from the replacement bin policy was £37,804 for 2015/16 and £19,938 for 2016/17 (April-September). Additionally, the Authority has saved circa £30,000 - £35,000 in bin purchase costs. When the income and reduction in bin purchase costs is combined the saving is circa £60,000 - £70,000 ie: it covers the amount of budget lost as part of the 2015/16 MTFP.

7.2 The table below details the potential impact of re-introducing free or reduced rate replacement containers.

Table 4 – Potential impact on re-introducing free or reduced rate replacement containers

	Number of Requests per annum	Income Level	Container Purchase Savings	Level of Budget that would need to be re-instated
Option 1 (Current charges)	Circa 3,500	£35,000 - £40,000	£30,000 - £35,000	0
Option 2 (Free Replacement Containers)	Circa 10,000	0	0	£60,000
Option 3 Reduction in bin charges to: £15/Bin	Unable to quantify effect of reduced charges on number of bins issued.	£14,000 - £19,000 If numbers remain at 15/16 levels.	Unable to quantify effect of reduced charges on number of bins issued.	Unable to quantify effect on numbers of containers issued so

£10/Bin		£3,500 - £8,500 If numbers remain at 15/16 levels.		impossible to quantify accurately.
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7.3 Re-introducing free replacement waste containers or reducing charges will lead to the loss of income combined with an increase in costs. This will require a review of the savings needed from the service as part of the MTFP process going forward.

7.4 In order that Members can fully understand the implications of having to re-instate the £60,000 budget saving the following are examples of alternative savings that could be introduced to offset the £60,000 budget re-instatement:-

- (i) Reduce number of street cleansing staff by 3 or,
- (ii) Closure of one Civic Amenity Site or,
- (iii) Closure of all CA Sites on 1 additional day per week.

In addition, there are potential staff costs which are outlined in Section 8. below.

7.5 In view of the financial implications with changing this charging policy, the view of officers is that the current charging scheme should remain in place.

8. PERSONNEL IMPLICATIONS

8.1 As the service has reduced its staffing complement over the last 2 years, if members decide to reintroduce free replacement containers and there is a significant increase in requests (returning to 2014/15 levels) an additional delivery crew will be required as there is now no flexibility in the remaining workforce to assist with container deliveries. An additional member of staff and vehicle equates to a cost of £40,000 - £50,000 per annum.

8.2 Additional staff will also have an impact on the costs/savings figures as it is likely that the reinstatement of the £60,000 budget will be insufficient to cover the increases in costs.

9. CONSULTATIONS

9.1 The report reflects the views of the consultees.

10. RECOMMENDATIONS

10.1 The views of the Scrutiny Committee are sought on the options outlined within this report.

10.2 If the Committee is minded to change the current charging policy then it is proposed that they make a specific recommendation to Cabinet to be considered as part of the 2016/17 budget and MTFP process.

11. REASONS FOR THE RECOMMENDATIONS

11.1 To seek the views of the Scrutiny Committee.

12. STATUTORY POWER

12.1 Environmental Protection Act 1990, Local Government Acts.

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Consultees: Christina HARRY, Corporate Director - Communities
Tony White – Waste Strategy & Operations Manager
Mark Williams, Head of Community & Leisure Services
Councillor Nigel George – Cabinet Member for Community & Leisure Services
Mike Eedy – Finance Manager
Gail Williams, Interim Head of Legal Services & Monitoring Officer
Anwen Rees, Senior Policy Officer (Equalities and Welsh Language)
Liz Lucas, Head of Procurement
Paul Cooke, Senior Policy Officer
Lynne Donovan, Acting Head of Human Resources and Organisational
Development
Stephan Harris, Interim Head of Corporate Finance

Background Papers:

Special Meeting of Council, 25th February 2015 - "Budget Proposals 2015/16 and Medium Term Financial Strategy 2015/2018"



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 13TH DECEMBER 2016

SUBJECT: WELLBEING OBJECTIVE: CARBON MANAGEMENT - REDUCE OUR CARBON FOOTPRINT (SIX MONTH PROGRESS UPDATE) - 2016/17

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 At the beginning of 2016/17, it was recommended that progress of the Wellbeing Objective: **Carbon Management: Reducing our carbon footprint** would be reported to this committee for regular performance monitoring.
- 1.2 This is the six month progress 2016/17 update of the performance of this Well-being Objective.

2. SUMMARY

- 2.1 In Line with the Carbon Reduction Strategy (2009) this Wellbeing Objective focuses on 4 priorities to reduce emissions:
 - Good Housekeeping (strategy target 10% reduction)
 - Invest to Save (strategy target 20% reduction)
 - Design and Asset Management (strategy target 10% reduction)
 - Renewable technology (strategy target 5% reduction)
- 2.2 This report highlights key progress for the period April to September 2016 and judges this objective to be '**partly successful**' at this time.
- 2.3 The comments outlined in this report provide a snapshot of what progress has been made as at the end of quarter 2 of 2016/17. Details against the key actions selected for 2016/17 are listed on the Appendix: **Carbon Management: Reduce our carbon footprint** (scorecard).

3. LINKS TO STRATEGY

- 3.1 The local Government Measure 2009 requires each authority to publish priorities (objectives) for improvement.
- 3.2 CCBC - Carbon Reduction Strategy 2009.
- 3.3 The Well-being of Future Generations (Wales) Act 2015 is a new approach to ensure Public Services Boards and Public Bodies to think more about the long term, work better with people, communities, and each other, in meeting the seven national well-being goals ushered in by the legislation. This Well being Objective helps to maximise our contribution towards three of the National Well being Goals or; a resilient Wales and a more Globally responsible Wales).

3.4 Corporate Asset Management Strategy

4. THE REPORT

4.1 This Wellbeing Objective provides opportunities to:

- Drive down carbon emissions and improve water conservation in our non domestic buildings
- Drive down utility service costs and carbon tax, whilst also protecting against future utility price increases
- Improve working/teaching environments e.g. improve lighting levels or reduce overheating
- Help maintain legislative requirements

4.2 Through the various actions outlined we are clearly seeing a positive improvement in raising awareness and training activity.

4.3 We have identified several medium scale PV installations for the authority to consider.

4.4 We believe we will out-perform our targets on Invest-to-Save by the end of quarter 4 due to the strong advances made in the first 2 quarters, with two significant projects identified at Ty Penallta (Lighting) and Tredomen Data centre (free air cooling).

4.5 Already the progress made to date has resulted in carbon, cost, and energy savings.

4.6 Public awareness of climate change and the link to carbon footprint is high and Caerphilly Borough citizens expect the Authority to take reasonable steps to reduce the energy consumed by its buildings.

4.7 Caerphilly CBC along with all other organisations is under increasing pressure from UK wide legislation aimed at improving energy efficiency e.g. Provision of Display Energy Certificates, Energy Performance Certificates and compliance with the Carbon Reduction Commitment scheme (which is an outright carbon tax, bearing costs to the authority).

4.8 To assist in reducing carbon emissions and costs, the authority has a 45% Carbon Reduction Strategy in place and has more recently developed this carbon management Wellbeing Objective. The theme of the objective mirrors the strategy within the following headings as below:

Good Housekeeping

4.9 Good Housekeeping is about doing the simple things right across all of our buildings. To facilitate this we identified 8 actions under this heading and focused around training and raising awareness.

4.10 We have provided specific training packages to head teachers, pupils and school staff such as caretakers and have made reasonably good progress across all of the actions except monthly school email advice, which had to take a back seat in Quarters 1& 2, however we expect to make reasonable progress on this in the remaining quarters.

4.11 We have engaged the wider Authority staff through various media formats and we also managed to incorporate the public by having Welsh Water man their Awareness stall in Ty Penallta.

4.12 We can prove that certain activities undertaken have resulted in physical energy, water, carbon and cost savings and that we have empowered our staff and residents (at a smaller scale) to implement energy and water savings themselves.

- 4.13 The activities highlighted above must continue in the future to prevent bad habits from resurfacing and leading to increases in consumption levels. Activities taken under Good housekeeping are often difficult to quantify in terms of energy and carbon savings but the assumption is that staff that are better informed will make better judgements and make improvements on energy and water conservation where possible.
- 4.14 The scorecard attached outlines in greater detail the activities undertaken and progress resulting from them. See Appendix Scorecard WO4-Carbon Management- Reduce our Carbon Footprint

Invest To Save

- 4.15 Investing to Save in energy efficiency technologies can result in rapid carbon and cost improvements. We focused on 6 key areas for improvement, these are Primary Schools, Building Energy Management Systems, Street Lighting, other invest to save technologies/opportunities, water conservation and finally awareness through identifying projects for management consideration.
- 4.16 We believe we have had a strong start with three viable lighting projects identified for primary schools and a further two under review. We have cost viable projects for two comprehensive schools.
- 4.17 We have identified two major improvement projects. Lighting at Ty Penallta offices and free air cooling at Tredomen Data centre. The combined projects costs are £330k, the combined annual carbon savings are 287 tonnes. Ty Penallta lighting is already under trial.
- 4.18 We expect to exceed our aim for Invest-to-Save, to spend 75% of the available budget, by the end of quarter 4, resulting in significant energy/carbon/cost savings.
- 4.19 As this report is a 6 month update, the only Invest to Save Scheme completed during this period is for replacement computer monitors at St Cenydd Comprehensive School, cost £1,608, annual kWh saved 2,654, annual saving £275 and payback of 6.9 years. Progress may appear slow but the nature of the Invest-to-Save scheme means that projects are developed over a number of months (tender/evaluation etc) and progress normally accelerates in the final two quarters i.e projects identified in 4.17 we would expect to see approved during quarters 3 & 4.
- 4.20 The scorecard attached outlines in greater detail the activities undertaken and progress resulting from them. See Appendix Scorecard WO4-Carbon Management - Reduce our Carbon Footprint (Q2 16/17)
- 4.21 By implementing carbon management and delivering projects we are also improving the working and teaching environments within our buildings and proving our environmental aims are being delivered upon.

Design and Asset Management

- 4.22 Disposal of non-domestic buildings provides an opportunity for rapid carbon savings. During the first two quarters no non domestic buildings were disposed of, only domestic property and land.
- 4.23 We have provided some guidance to highlight the importance of heating and lighting to smaller sections of buildings for e.g. evening classes, rather than heating and lighting whole buildings for small groups of occupants. This was achieved under the CRC training event. We continue to raise awareness on the importance of this as it can be a hidden cost or something not frequently considered. Such guidance assists in the prevention of excessive consumption.

Renewable Technology

- 4.24 There is no specific budget for installing new renewable energy installations. We have however, provided for consideration to Finance/Cabinet/CMT, proposals for several medium scale PV installations. These include roofs at Tredomen Data Centre and Caerphilly leisure centre to name two. We are waiting to see if finance and Cabinet wish to pursue these schemes and fund them.
- 4.25 We have considered two land based arrays and found they were not cost effective as the Feed-In-Tariffs are considerably lower than roof based systems.
- 4.26 Although renewables don't encourage people to reduce their consumption level, they do bring carbon and financial savings.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no equalities implications to this report that have not been considered or would adversely affect any individual or group who fall under one of the protected characteristics or wider issues as shown in the Council's Strategic Equality Plan.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications other than to note that for each unit of energy conserved, gas or electricity, there are direct financial savings recorded on the utility bills and annually on the carbon tax bill.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications from this report.

8. CONSULTATIONS

- 8.1 The result of all consultations has been incorporated into this report.

9. RECOMMENDATIONS

- 9.1 The Scrutiny Committee consider the content of this report and its Appendix, and note the progress made in meeting the actions set out in this well-Being Objective.
- 9.2 The Committee discuss and reach agreement on the officer judgement of 'partially successful' for this objective at this time.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 That the Council undertakes effective scrutiny for setting and monitoring of performance improvement.
- 10.2 To inform members of progress made in meeting the objective and the impact on our organisation and staff.

11. STATUTORY POWER

- 11.1 Local Government Measure 2009

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Consultees:

Christina HARRY	Corporate Director Communities
Mark Williams	Building Consultancy Manager
Cllr David Hardacre	Cabinet Member for Performance & Asset Management
Colin Jones	Head of Performance, Property and Policy
Nicole Scammell	Acting Director of Corporate Services & S151
Robert Hartshorn	Head of Public Protection
Kathryn Peters	Corporate Policy Manager
Anwen Rees	Senior Policy Officer – Equalities and Welsh Language
Ros Roberts	Performance Manager
Ian Raymond	Performance Officer
Paul Cooke	Senior Policy Officer.

Appendices:

Appendix 1 WO4-Carbon Management - Reduce our Carbon Footprint (Q2 16/17)

2016/17 Wellbeing Objective

WO4 - Carbon Management: Reduce our carbon footprint

APPENDIX 1

Outcomes

Our objective is to take steps to reduce the Council's carbon footprint and inform and assist others within the Borough to do the same.

The overall objective is to reduce the Council's carbon footprint of 26,035 tonnes by 45% by 2019.

Why have we chosen this?

Our climate is undergoing dramatic changes as the direct result of greenhouse gas (GHG) emissions from human activity. Carbon dioxide (CO₂) is the most significant and prevalent GHG emitted mostly from the burning of fossil fuels like coal, oil and natural gas.

The UK Government has committed to take action and has introduced the Climate Change Act with a target to cut carbon emissions by at least 80% by 2050, with a minimum reduction of 26% by 2020 across the UK.

CCBC is a large organisation and as such has a large carbon footprint. We have an obligation to take steps to minimise our carbon footprint and the associated negative impact on the environment.



A greener place to live, work and visit
Man gwyrddach i fyw, gweithio ac ymweld



2016/17 Wellbeing Objective

WO4 - Carbon Management: Reduce our carbon footprint




For the year 2016/17 the overall level of progress to date on this objective is deemed to be **partially successful**.

There has generally been steady progress made accross most of the actions and elements of this objective.





Some actions have little progress reported for the first 2 quarters. This is partly due to prioritisation of workload and partly due to supplier issues. We are however, confident that we can make up ground in the final 2 quarters of the year on these weaker areas.

The following pages will give more of an insight into what has happened in the first six month of this reporting year:





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Key: The following Action RAG status, shows delivery to date as	
	Un-successful
	Partly successful
	Fully successful





WO4 - Carbon Management: Reduce our carbon footprint**Actions - Good Housekeeping**

Title	Comment	RAG	Overall Status	% Complete
1. Carbon Reduction Commitment (CRC) Training	We held a Carbon Reduction Commitment (CRC) training event (June 2016) that was attended by 7 Headteachers:• Trinant, Penllwyn, Pontllanfraith, Cwmfelinfach, Ynysddu, Bryn, and Rhiw Syr Dafydd Primary SchoolsThe standard CRC training pack was used which covers the main elements that are Good Housekeeping, Invest to Save, Asset Management and renewable technology. The training identified how head teachers can reduce cost and carbon emissions by e.g. highlighting the importance of heating and lighting to smaller sections of buildings for example evening classes, rather than heating and lighting whole buildings for small groups of occupants. Training was held at Pontllanfraith Comprehensive School in June. All main elements of energy conservation were discussed. Head teachers left better informed on how to implement change.Additional training was not possible due to resource constraints but further training to be delivered in the final two quarters.		In Progress	25
2. General awareness raising through various media formats	Intranet message was issued notifying staff of Welsh Water visiting Ty Penallta. (See last two pages of the Q2 Scorecard Dashboard Report). The message was displayed for a week and highlighted how staff can reduce water consumption. We provided guidance and advice to various staff across the authority, from how to read meters correctly to how to check and confirm underground water leaks. We provided Social Services with 17 year on year consumption and costs reports for all their buildings so that they can monitor consumption.Thirteen activity logs were recorded during the first two quarters.		In Progress	50
3. Training key staff eg caretakers on building energy management systems	We have provided the leisure centre manager and two team leaders a template showing how to develop and utilise an 'Energy Performance Matrix' aimed at driving progressive improvements in energy and water conservation across all leisure centres. Targeting for example Electricity, Gas and Water consumption, training, awareness, invest to save and Good housekeeping. Each of these headings should have 5 clear targets in each category, the wording of which was left for Leisure to finalise in accordance with each leisure centre. The matrix will be used as a way of making continual progress under the Quest Quality Standard. Benchmarking was also discussed as a way of staff monitoring progress and highlighting areas that require additional work. Penllwyn, Trinant, Ysgol Gymraeg Cwm Gwyddon Primaries and Blackwood Miners, Risca Family Centre and Islwyn Indoor Bowls were provided with BEMS training to 12 people. Greenhill Primary Ysgol Cwm Derwen Ysgol Ifor Bach was given advice on heating operation due to the absence of their caretakers.		In Progress	50
4. Re-issue benchmark information to building managers	It was not possible to generate the benchmark information at this point in time, as a significant proportion of data was missing due to the long standing British Gas billing issues. These will be resolved, allowing benchmarking to be generated during the final two quarters of 2016/17.		In Progress	40



WO4 - Carbon Management: Reduce our carbon footprint**Actions - Good Housekeeping**

Title	Comment	RAG	Overall Status	% Complete
5. Raise awareness on the importance of reducing energy consumption through workshops, events and training with staff and pupils in our schools	<ul style="list-style-type: none"> • Smart meter training was provided to the caretaker at Ysgol Ifor Bach Primary school in May • Bedwas high School (head teacher) was informed of the implications of catering installing electrical catering equipment, which has a negative impact on cost and carbon for the school. • School Pupil training was provided at YG Bro Altta on energy conservation to the whole school during assembly. • School pupil Training was provided at Derwendeg Primary on energy conservation during assembly to Key Stage 2 pupils. • Guidance and advice on meter readings for pavilions was issued as a form of training as some meter reads were incorrectly taken and reported. 		In Progress	30
6. Send monthly energy fact email to schools and Headteachers	Due to resource constraints the energy fact emails were not distributed, workload such as bill validation had to take priority.		Not Started	0
7. Arrange for Welsh Water to man their water awareness stall in reception of Ty Penallta office. Practical demos, technology, consumption and costs	<p>This took place and was very successful. Welsh Water had a stall in reception of TY Penallta all day and was available for CCBC staff and member of the public. Welsh Water was happy with the volume of people that attended the stall and are happy to return at a later date. Information was provided throughout the day and staff and residents are now better informed on how to conserve water and save on billed costs. Free Home water Audits took place after the event for residents of Caerphilly. See accompanying notes Awareness number 326</p> <p>E.g. report dripping taps, don't overfill kettles etc. Welsh water provided 50 free water audits to residents of Caerphilly and water conservation equipment was installed by WW free of charge as part of the audit e.g. flow reducing showerheads, tap aerator kits, hose trigger gun, save a flush device for toilets.</p>		Complete	100
8. Issue 4 messages on the intranet focusing on water conservation practices	One message to date has been issued in relation to the Welsh Water stand, it was displayed for a week to CCBC staff. There was also a live link to Welsh Waters website where additional information is available for water conservation (See last page on the Q2 Scorecard Dashboard Report).		In Progress	25

WO4 - Carbon Management: Reduce our carbon footprint**Actions - Invest to Save**

Title	Comment	RAG	Overall Status	% Complete
1. Consider various lighting upgrades for Primary Schools	<p>Lighting upgrades have been considered for the following properties with a good possibility of being installed:</p> <ul style="list-style-type: none"> • Pengam Primary school Cost £11,247 Carbon 6tns/yr Payback 8 yrs • Trinant Primary School Cost 17,882 Carbon 12 tns/yr Payback 7 yrs • Plas Y felin Primary Cost £2,937 Carbon 3tns/yr Payback 4 yrs <p>Both of these schools need further investigation e.g. re quote on alternative product:</p> <ul style="list-style-type: none"> • Bedwas Primary • Bryn Primary Cost £16,093, scheme does not payback. 		In Progress	70
2. Consider various building energy management systems	<p>Building Energy Management Systems (BEMS) has been considered for Tredomen Gateway building and Tredomen Business and Technology centre, both are currently under review.</p> <p>A BEMS system is going to be installed at St Gwladys Primary school at a cost of £5,223 with Payback over 8yrs and a Carbon Saving 5tns/yr</p>		In Progress	60
3. There is opportunity to replace existing street lighting lamps (90 watts) with high efficiency LED's (19 watts) units	<p>There are currently 1250 residential lanterns being replaced (90w to 25w circuit watts), with an expected completion date of December 2016.</p> <p>The Highways Operation Group (Engineering) are also currently looking at securing further funding (e.g. through Salix, Invest to Save, reserves) to modernise and replace several thousand more lamps/lights in order to secure further future energy and carbon efficiency savings wherever possible.</p>		In Progress	50
4. Other technologies being considered include, insulation, voltage correction and controls	<p>Tredomen data centre is the highest energy user kWh/m2 across the authority. The high energy consumption is down to air cooling resulting in an annual bill of circa £187k. A Resource Efficient Wales study has confirmed CCBC outlook that by implementing better Air Flow Management, Cold Aisle Containment and utilising free cooling, the authority could save £48k per year on the annual bill. The investment will cost £220k, payback in less than 5 years and provide annual carbon savings of 221 tonnes per year. A more in-depth feasibility study will now take place in Q3. Funding is sought from Finance/Cabinet/CMT. Lighting projects currently under review/to be implemented:</p> <ul style="list-style-type: none"> • Newbridge Swimming Pool Cost £32,246, Carbon 26 tns/yr Payback 5 yrs. Installation pre-Christmas. • TY Penallta, all meeting rooms and corridors with LED's. Cost £110k, carbon 76tns/yr Payback 6 years. Trial underway on corridor of floor 2. • St Cenydd Comprehensive School Cost £30,830 Carbon 34tns/yr Payback 4 yrs. School is keen to proceed. Awaiting tender Q3. • Lewis Girls Cost £86,189, Carbon 59tns/yr Payback 7 yrs • Whole of Caerphilly Leisure Centre. Awaiting indicative costs from contractor. These are Light Emitting Diode (LED) options which is the most carbon and cost friendly formats available. <p>The only Invest to Save Scheme completed during this period is for replacement computer monitors at St Cenydd Comprehensive School, cost £1,608, annual kWh saved 2,654, annual saving £275 and payback of 6.9 years.</p>		In Progress	75

WO4 - Carbon Management: Reduce our carbon footprint**Actions - Invest to Save**

Title	Comment	RAG	Overall Status	% Complete
5. Promote the understanding and the benefits of water conservation	<ul style="list-style-type: none"> • Rhymney Day Centre site survey, raising awareness on water consumption and general advice for conservation. • Senghenydd Youth and Llanbradach Community centre, provision of general water metering advice • TY Penallta, site investigation located a significant water leak and we followed up with a water rebate off Welsh Water • Hendre Park leak detected and water rebate arranged. 		In Progress	50
6. Raise awareness on water conservation at 20 buildings by undertaking water audit. Issue findings to managers..defective fittings, cisterns, controls and indicate costs to remedy findings	5 Energy and Water Audits were completed at TYB depot and Senghenydd Youth Centre. Off the back of these audits, we were able to advise TYB facilities to not install a second water supply to site and advise better controls on the Vehicle Wash to minimise the impact of water pressure drop to one of their buildings.		In Progress	25



WO4 - Carbon Management: Reduce our carbon footprint

Actions - Asset Management

Title	Comment	RAG	Overall Status	% Complete
1. There are likely to be numerous properties considered for sale or disposal which may bring some carbon savings	There is nothing applicable to report against this action to date, as only land and domestic type properties were considered and disposed of in quarters 1&2 and these do not apply to this priority/action.			0
2. Training staff to make better use of our buildings eg advising schools to locate after school activities to smaller buildings rather than use the main teaching blocks which need more heating and lighting, however carbon savings would be unquantifiable	This was covered during the CRC training mentioned above. It was also discussed during the BEMS project for St Gwladys school in relation to zoning of heating for parts of the school. The importance of metering and billing was explained to the Economic Development officer for Tredomen Innovation and Gateway buildings as, billing information would better inform occupiers of the building how to reduce energy consumption.	●	In Progress	50

WO4 - Carbon Management: Reduce our carbon footprint

Actions - Renewable Technology

Title	Comment	RAG	Overall Status	% Complete
<p>1. Opportunities exist for further PhotoVoltaic (PV) installations. Some key buildings will be reviewed for suitability, consideration, and installations where proven to be cost effective</p>	<p>The following schemes have been presented to Finance for consideration of funding under the 2016/17 Carbon Initiatives budget. For Cabinet/CMT to consider:- Caerphilly LC cost £43K. Simple profit £61k Payback 8 yrs. 12 tns/yr carbon- Blackwood Comp cost £70K. Simple profit £108k Payback 8 yrs. 21 tns/yr CO- Cwrt Rawlin cost £65K. Simple profit £105k Payback 8 yrs. 21 tns/yr CO- Newbridge LC cost £70K. Simple profit £96k Payback 8 yrs. 21 tns/yr CO- Risca LC cost £70K. Simple profit £105k Payback 8 yrs. 21 tns/yr CO- TYB depot cost £56K. Simple profit £105k Payback 7 yrs. 19tns/yr CO- Tredomen Data Centre cost £70K. Simple profit £94k Payback 8 yrs. 21 tns/yr COGround mounted system at Risca Comprehensive and a canopy over the car park at Ty Penallta were considered but not financially viable, as the Feed In Tariff is considerably lower than roof mounted schemes. At the end of Q2 we consider this action complete, as no funding has been made available and there is no guarantee that funding will become available by the end of Q4. Should this position change, e.g. funding becomes available, or additional schemes identified we will update this action accordingly.</p>		<p>Partially Completed</p>	<p>95</p>
<p>2. Further promote internally the benefits and understanding of the renewable technology at the Carbon Group and possibly other forums such as School Budget forum</p>	<p>Due to workload prioritisation the Carbon Group did not meet in the 1st and 2nd quarters. This will be discussed at the next Carbon Group meeting.</p>		<p>Not Started</p>	<p>0</p>

WO4 - Carbon Management: Reduce our carbon footprint**How much did we do?**

Title	Actual	Target	Intervention	RAG	Result 12 months ago	Comment
1. The number of CRC training events delivered		4	2		2	Between April and Sept, only 1 CRC session has been delivered. This was due to resource prioritisation and limited access to Headteachers.
2. The number of building Energy Audit Report completed and handed over to building Managers		25	12		12	Between April and Sept we have completed 5 Energy/Water audits
3. The number of renewable energy technologies (claiming Feed in Tariffs or Renewable Heat Incentive) that are installed, and the merits and benefits of existing renewable schemes. Reported to Carbon Group		12	7		7	The Carbon Group did not meet between April and Sept.
4. The number of Street Light converted to Light Emitting Diode (LED) format		1250			8142	The provisional target (subject to available funding) of 1250 for 16/17 is in addition to the 8,142 lamps changed in 15/16.
5. The number of workshops and events held with schools as part of the Eco Schools programme		45	30		77	Target reviewed July 2016.
6. The number of training sessions, using the prescribed presentation "Energy Savings In Schools", delivered to schools					11	Between April and Sept 2016 only 2 sessions were delivered to date. The target was due to be reviewed in the summer, but due to the appointment of a new member of staff to undertake this role and the fact that the appointee was unable to start on the presentations because of other workload priorities and the focus fell on billing issues, the target has not been set.

All of the above measures are 'Annual' - i.e. results will be reported at the year ending March 2017

WO4 - Carbon Management: Reduce our carbon footprint**How well did we do it?**

Title	Actual	Target	Intervention	RAG	Result 12 months ago	Comment
1. Display Energy Certificate (DEC) - The number of 'Advisory and Recommendation Reports' generated and delivered to building managers (7 yr cycle)					14	No formal target set. Numbers are decided by those properties that require new/renewed DEC's
2. Total lifetime energy savings (kWh) resulting from the street lighting conversions					2208476	Target to be reviewed summer 2016
3. % of schools with the highest (green flag) award under the Eco Schools programme as at 31st March		87.00	81.00		81	Target reviewed July 2016. As at Q2: 75 schools had achieved Eco School Green Flag status (83%)
4. The number of our schools which achieve a Platinum award under Eco Schools	29.00	25.00	21.00			Target reviewed July 2016 and profiled over the year to a total of 34.
5. Spend 75% of the available (Invest to Save - LAEF/Salix) budget in any given year	1.50	25.00	10.00			New measure. Annual target profiled towards year end of 75%. Even though at the end of Q2, we have spent 1.5% of the budget, there are already further commitments that will be reported in Q3 which will account for over 60%+ of the budget.

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All of the above measures are 'Annual' - i.e. results will be reported at the year ending March 2017

Except for 4 & 5 (which are recorded quarterly accumulative throughout the year)

WO4 - Carbon Management: Reduce our carbon footprint

Is anyone better off?

Title	Actual	Target	Intervention	RAG	Result 12 months ago	Comment
1. Annual carbon emission savings (Tonnes of CO2) from Council buildings - Resulting from LAEF schemes that have been implemented					85.29	No formal target set. Determined by qualifying and validated projects as approved. The PI result here, shows potential 'annual savings' (reductions in emissions) of the technologies invested in, within this year. The only Invest to Save Scheme completed during this period is for replacement computer monitors at St Cenydd Comprehensive School, cost £1,608, annual kWh saved 2,654, annual saving £275 and payback of 6.9 years.
2. The lifetime carbon saved on converting to high efficiency street lighting (tonnes/year)					1091	Target was due to be reviewed in the summer 2016. However, further proposals have been made to seek additional funding for more works. details not yet finalised. Therefore, target not yet set.

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All of the above measures are 'Annual' - i.e. results will be reported at the year ending March 2017

Intranet Website - Information Bulletin:

Water Conservation Awareness

The council is committed to conserving water and have various water saving products installed in our building to minimise the amount of water we consume.

On **Tuesday 9th August** Welsh Water will be visiting Penallta House to offer advice and guidance to staff on how to further reduce our water consumption at work.

The good news is that there are many simple things you can all do at work to reduce the amount of water we use, such as:

- ◆ Don't overfill your kettle, only use as much water as you need
- ◆ Make sure your overflows on buildings and toilets are not running
- ◆ Report any dripping taps to enable repair and don't leave them running longer than necessary when you use them
- ◆ Request a push tap if you don't have them in your toilets
- ◆ Make sure all urinals have flush controls on them
- ◆ Invest in water efficient equipment
- ◆ Add remember, a meter reading is often the only way to identify underground leaks!!!

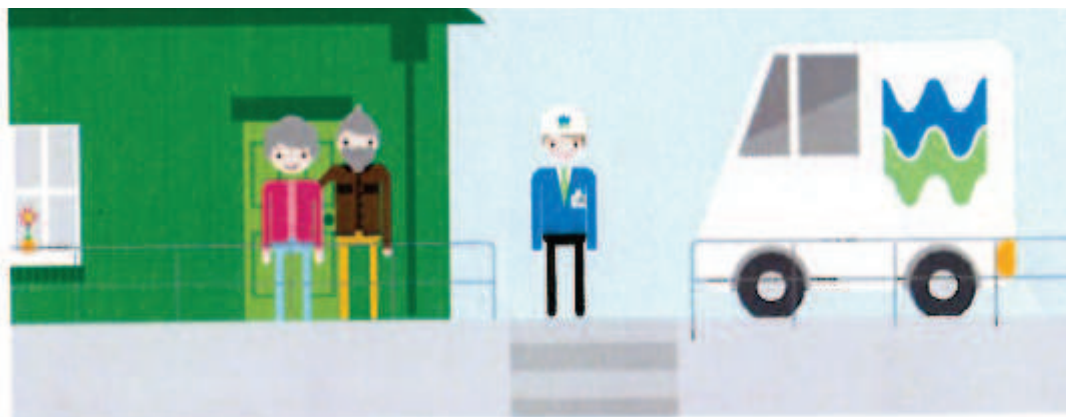


Of course, it is equally important that we conserve water at home. Taking showers instead of baths, turning the tap off when brushing our teeth, and using spray guns on hosepipes, are just some of the ways we can all reduce our water consumption and save money.

During the session, Welsh Water is also offering 50 free water audits to staff and residents of Caerphilly CBC. A Welsh Water engineer will visit your home to discuss your water usage with you, take a water meter reading and survey your bathroom, toilets and kitchen. The engineer will then fit a selection of water saving products from the following:

- ◆ Aquair showerhead – Reduces your shower flow without reducing the performance
- ◆ Tap Aerator Kit – Turns your taps into water efficient outlets with a flow rate of 5 litres per minute.
- ◆ Hose Trigger Gun – You don't have to waste water when hosing your garden with this clever device.
- ◆ Save-A-Flush Device – Reduces the amount of water your toilet uses by when flushing.

If you are not able to visit the stall, a web link to Welsh Water will be made available here from Tuesday. The offer is available until the 12th August.

Shared web-link

Dwr Cymru Welsh Water is offering residents of Caerphilly a free water saving home audit.

Our engineer will visit your home, discuss your water usage with you, take a water meter reading, survey your bathroom, toilets and kitchen and then fit a selection of water saving products from the following:

- Aquair showerhead – Reduces your shower flow without reducing the performance
- Tap Aerotor Kit – Turns your taps into water efficient outlets with a flow rate of 5 litres per minute.
- Hose Trigger Gun – You don't have to waste water when hosing your garden with this clever device.
- Save-A-Flush Device – Reduces the amount of water your toilet uses by when flushing.

To apply for a Free Home Water Audit simply visit:
www.aqualogicwc.co.uk/store/dcww/home-visits/

Add the product to your cart and check out, then a member of our team will call you to confirm a convenient time for the visit.

